

The Origin Of Arizona's 'Anti-Gay' School Curriculum

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Arizona Sen. Martín Quezada in July 2018.

Howard Fischer/Capitol Media Services

Arizona Sen. Martín Quezada has sponsored a bill that would eliminate the state's so-called K-12 education "no promo homo" law every year for the last four years.

The 1991 law states:

No district shall include in its course of study instruction which:

1. Promotes a homosexual lifestyle.
2. Portrays homosexuality as a positive alternative lifestyle.
3. Suggests that some methods of sex are safe methods of homosexual sex.

"Why would we deny one class of students based on their sexuality information that could actually save their lives?" Quezada said.

Arizona Sen. Sylvia Allen has declined to schedule the bill for the Senate Education Committee meeting every year it's been presented. But on Monday, the state's [Superintendent of Public Instruction Kathy Hoffman voiced her support for the bill](#).

"This policy is not just outdated, it has always been harmful and wrong," said Hoffman.

Where Did This Law Come From?

Back in 1986, the [U.S. Surgeon General issued a comprehensive report](#) about acquired immunodeficiency syndrome.

"The impact of the AIDS on our society is, and will continue to be, devastating," C. Everett Koop wrote.

The mortality rate of people with AIDS peaked in 1995 [when more than 50,000 people died](#).

"Education about AIDS should start at an early age so that children can grow up knowing the behaviors to protect themselves from exposure to the AIDS virus," Koop advised.

Individual states were sometimes slow to react.

"Throughout this period, many conservatives continued to resist the adoption of mandatory HIV education laws," wrote [Clifford Rosky](#), a law professor at the University of Utah, in the [Columbia Law Review](#).

Arizona eventually passed its "human immunodeficiency virus" education law in 1991 with provisions banning instruction related to homosexuality.



Mariana Dale/KJZZ

Arizona Superintendent Kathy Hoffman delivered her State of Education address Feb. 4, 2019.

How Many Other States Have These Laws?

Rosky's 2017 article found 20 states have "anti-gay curriculum laws." That includes states with "no promo homo" laws such as Arizona and states like Oklahoma, which portray same-sex intimacy as responsible for the AIDS virus.

"These laws are an outdated artifact of a time when it was literally illegal to engage in same sex relationships, let alone same sex marriages," Rosky said.

Utah "removed language prohibiting the discussion of homosexuality from state laws" in 2017, as reported by the [Salt Lake Tribune](#).

The move was a response to a lawsuit filed on behalf of three students in the state.

Do These Laws Have A Negative Affect On LGBTQ Students?

The [Arizona Daily Star reported in 2017](#) the "vast majority of LGBTQ students regularly heard anti-LGBTQ remarks and had been victimized at school."

"Teachers can teach straight students about their lives including their relationships but they can't teach LGBT students about their lives and their relationships, and that's stigmatizing," Rosky said.

GLSEN, the Gay, Lesbian and Straight Education Network, found in its [most recent national survey](#) that 55.5 percent of students felt unsafe at school because of their sexual orientation.

LGBT youth are [more likely than their peers to try and kill themselves](#). "Social stigmatization," bully and depression are thought to contribute to the statistic.

Rosky points out that Arizona's law is also scientifically inaccurate.

"Arizona affirmatively requires teachers to lie to students and say there is no safe way to have same sex relationships," Rosky said.

The Centers For Disease Control and Prevention is just one organization that advises [gay men and women on how to have safer sex](#).

What Does This Law Have To Do With Mexican-American Studies?



Clifford Rosky

"These laws are an outdated artifact of a time when it was literally illegal to engage in same sex relationships, let alone same sex marriages," said Clifford Rosky, a law professor at the University of Utah.

Rosky argues that the same court-case in which Arizona students [challenged the state for banning Mexican-American studies](#) could give legal standing for a challenge to the law against same-sex instruction.

"It's very difficult to justify any law based on race or ethnicity," Rosky said. He said Arizona's anti-gay curriculum is similar to the MAS ban because it targets any instruction related to a "homosexual lifestyle."

"So this is not simply targeting certain allegedly unsafe sexual activities," Rosky said. "It's saying you can't talk about being gay."

Will Arizona Repeal The Law?

At this point, there's no way to know.

This is the fourth year Sen. Quezada has sponsored legislation to repeal the law. Quezada said he also offered the bill as a floor amendment one year to no avail.

The bill has never gotten a hearing from the Senate's Republican leadership.

"It's going to require them to have some courage, to have a backbone, and actually stand up and be willing to debate this issue," Quezada said.

Education Committee Chair Sylvia Allen has two weeks to schedule the bill or it's likely dead for this session. KJZZ sent an email to Sen. Allen inquiring whether she planned to schedule the bill.

EDITOR'S NOTE: This story has been updated to correct the number of AIDS fatalities.