

A BILL

To authorize the Director of the National Museum of American History of the Smithsonian Institution to support LGBTQI+ history and women’s history education programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “LGBTQI+ and Women’s History Education Act of 2023”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) According to the New-York Historical Society Museum & Library, only 13 percent of named historical figures in textbooks across the United States are women.

(2) In 2017, the National Women’s History Museum analyzed elementary and secondary education standards in social studies for all 50 States and the District of Columbia and found that:

(A) 53 percent of the mentions of women’s history were included within the context of domestic roles, compared to 20 percent that were included within the context of voting rights and suffrage, 9 percent in women’s rights movement of the 19th and mid-20th centuries, 8 percent that were included within the context of the civil rights movement, and 2 percent that were included within the context of being in the workforce.

(B) Named women do not reflect the diversity of women and their contributions—only 8% of named women are Hispanic and no named women are Asian American.

(C) Disability rights, Native American rights, LGBTQI+, and migrant labor movements are less frequently included in standards and, when included, are covered in less detail, providing fewer opportunities to address women’s contributions to these movements.

(3) According to a Smithsonian analysis of the 2017 National Women’s History Museum study, approximately 1 woman was mentioned for every 3 men in elementary and secondary education standards in social studies.

(4) According to the National Women’s History Alliance, only 3 States (Illinois, Florida, and Louisiana) have legislated standards for inclusion of women’s history in elementary, middle, and high schools instruction.

(5) According to GLSEN, only 7 States (California, Colorado, Connecticut, Illinois, Nevada, New Jersey, and Oregon) have passed legislation in support of an LGBTQI+ inclusive curriculum.

(6) In March 2022, Governor Ron DeSantis of Florida signed HB 1557 into law. Commonly known as the “Don’t Say Gay or Trans” legislation, this law prevents teachers from administering instruction on sexual orientation and gender identity in kindergarten through third grade and, in 2023 the Florida legislature expanded this prohibition on instruction to 8th grade (HB 1069), and the State Board of Education further expanded this prohibition through 12th grade, with the exception of health education.

(7) According to the Movement Advancement Project, between 2021 and May 2023, 9 states passed curriculum censorship laws that restrict instruction on LGBTQI+ people and issues (Alabama, Arizona, Arkansas, Florida, Indiana, Iowa, Kentucky, Montana, and Tennessee).

(8) According to the African American Policy Forum, at least 16 States have passed racial and gender equity curriculum prohibitions.

(9) According to the ACLU, there have been over 200 anti-LGBTQI+ school and education bills introduced in 2023 in state legislatures around the country, as of May 2023.

(10) According to GLSEN, 4 States (Louisiana, Mississippi, Oklahoma, and Texas) still have “no promo homo” laws in place that prohibit positive and affirming representations of LGBTQI+ identities in schools.

(11) According to the CDC’s 2021 Youth Risk Behavior Survey of high school students, girls are more likely to be bullied at school and electronically than boys.

(12) LGBTQI+ youth experience high rates of mistreatment in schools:

(A) According to the CDC’s 2021 Youth Risk Behavior Survey of high school students, lesbian, gay and bisexual students are nearly twice as likely to be bullied at school and are more than twice as likely to be bullied electronically than their non-LGB peers;

(B) According to CDC’s 2017 Youth Risk Behavior Survey, high school students who identify as transgender are more likely to be bullied at school and electronically than cisgender girls and more than twice as likely to be bullied at school and electronically than cisgender boys;

(C) According to GLSEN’s 2021 National School Climate Survey, among LGBTQI+ secondary students who attended school in-person during the 2020-2021 school year, over 76 percent reported being verbally harassed, over 31 percent reported being physically harassed, and over 12 percent reported being physically assaulted because of their sexual orientation, gender identity, or gender expression with transgender students reporting the highest rates of in-person victimization; and

(D) According to a 2021 Trevor Project report, 45 percent of intersex students reported experiencing gender-based harassment or discrimination from teachers or faculty.

(13) Nationally, only 16.3 percent of respondents to GLSEN’s 2021 National School Climate Survey said they had been taught any positive representations of LGBTQI+ people, history, or events in their classes, which represents a 3 point decline from the 2019 survey.

(14) According to the CDC’s 2021 Youth Risk Behavior Survey of high school students, women and girls, LGBQ+ students, and students of color were least likely to feel connected at school.

(15) Countless studies show that when youth feel seen and affirmed in their curricula, they experience improved academic engagement and achievement.

(A) In participatory research the National Women’s Law Center conducted in partnership with Latina girls in 2019, the girls reported that when they feel represented in their curricula, they feel a powerful sense of belonging and an emphasized identity of resilience.

(B) GLSEN’s 2021 National School Climate Survey indicates that, compared to students in schools without an LGBTQI+-inclusive curriculum, LGBTQI+ students in schools with an LGBTQI+-inclusive curriculum were less likely to hear homophobic slurs or negative remarks about transgender people often or frequently; feel unsafe because of their sexuality or gender identity; or miss school because they felt unsafe or uncomfortable.

(16) Women and LGBTQI+ people—including those of color and those with disabilities—have been and continue to be powerful agents of change in United States history. For example:

(A) Black and brown transgender women, including Marsha P. Johnson, Miss Major Griffin-Gracy, Sylvia Rivera, and Stormé DeLarverie were prominent leaders and participants of the 1969 protests against unjust police raids of the New York City gay bar, the Stonewall Inn, that ignited the national movement for LGBTQI+ justice.

(B) Dr. Margaret Chung, a queer Chinese American woman, advocated for Chinese Americans’ and women’s right to vote at a time when women, particularly women of color, were denied that right.

(C) Judith Ellen “Judy” Heumann is an internationally recognized disability rights advocate who played a leading role in the development and implementation of major legislation, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Convention on the Rights of Persons with Disabilities.

(D) Alice Wong is a queer disabled activist and the founder and director of the Disability Visibility Project who served on the National Council on Disability.

(E) Ruby Bridges, a Black civil rights activist, pioneered the school desegregation movement and was among the first Black students to integrate schools in the South at the age of six. Ruby's story, particularly as it was memorialized in her children's book, *Ruby Bridges Goes to School: My True Story*, continues to inspire girls across the country but was also one of the histories specifically targeted for censorship in States prohibiting honest teachings about race.

(17) Discrimination on the basis of sex (including sexual orientation and gender identity) compounds with discrimination on the basis of other identities, such as race, national identity, religious background, or disability. Within marginalized groups, compounding layers of discrimination across intersectional identities often results in the most marginalized members of a group being silenced or left out of historical narratives.

(18) All women, LGBTQI+ people, and those living at the intersection of those identities, deserve to be represented in classrooms across the country in an accurate, unbiased, intersectional, and inclusive manner.

SEC. 3. DEFINITIONS.

In this Act:

(1) **ESEA TERMS.**—The terms “elementary school”, “local educational agency”, “secondary school”, “Secretary”, and “State” have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965 ([20 U.S.C. 7801](#)).

(2) **INCLUSIVE EDUCATIONAL APPROACH.**—The term “inclusive educational approach” means a teaching approach that acknowledges, includes, and affirms experiences of people who are Black, Indigenous, and people of color (“BIPOC”), people with disabilities, LGBTQI+ people, women and girls, and all marginalized communities.

(3) **INTERSECTIONAL EDUCATIONAL APPROACH.**—The term “intersectional educational approach” means a teaching approach that acknowledges, includes, and affirms the unique and compounded forms of discrimination experienced by those who live at the intersection of two or more oppressed identities.

(4) **LGBTQI+.**—The term “LGBTQI+” means sexual and gender minority populations, including individuals who are lesbian, gay, bisexual, transgender, queer, nonbinary, Two-Spirit, and intersex.

(5) **LGBTQI+ HISTORY EDUCATION.**—The term “LGBTQI+ history education” means culturally relevant (to the extent practicable), unbiased, non-discriminatory, and accurate education about the roles and contributions of LGBTQI+ individuals in order to promote representation and visibility and combat prejudice, inclusive of multiple identities within LGBTQI+ populations, including transgender, nonbinary, gender non-conforming, Two-Spirit, and intersex individuals, which have historically been marginalized within the larger LGBTQI+ population.

(6) **WOMEN’S HISTORY EDUCATION.**—The term “women’s history education” means culturally relevant (to the extent practicable), unbiased, non-discriminatory, and accurate education about the roles and contributions of women, with a specific focus on non-domestic roles, in order to promote representation and visibility and combat prejudice.

(7) **CULTURALLY RELEVANT.**—The term “culturally relevant” means, with respect to education, education that is—

(A) available in multiple languages;

(B) consistent with census data and demographics of the area in which the education will be provided; and

(C) addresses culture, community, accomplishments, and history, including an accurate account of historical barriers faced by the community

(8) **DIRECTOR.**—The term “Director” means the Director of the National Museum of American History of the Smithsonian Institution.

SEC. 4. PROGRAM AUTHORIZED.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this Act \$2,000,000 for fiscal year 2024 and for each of the 4 succeeding fiscal years.

(b) **USE OF FUNDS.**—The Director, in accordance with any program of the National Museum of American History of the Smithsonian Institution established before, on, or after the date of the enactment of this Act, shall use funds appropriated under [subsection \(a\)](#) to carry out the following activities:

(1) The development and national dissemination of accurate, relevant, and accessible national resources for classrooms to administer LGBTQI+ and women’s history education in an inclusive and intersectional approach, which shall include digital resources and may include other types of resources, such as print resources and traveling exhibitions.

(2) The development, national dissemination, and implementation of principles of sound pedagogy for administering LGBTQI+ and women’s history education.

(3) The provision of professional development services to administer LGBTQI+ and women’s history education, such as through—

(A) local, regional, and national workshops to provide technical assistance;

(B) teacher trainings or engagement in conjunction with LGBTQI+ and women’s history education centers and other appropriate partners;

(C) engagement with—

- (i) local educational agencies;
- (ii) State education agencies;
- (iii) schools that are independent of any local educational agency; and
- (iv) school-based extracurricular meetings or organizations; and

(D) development, operation, and expansion of a teacher fellowship program to cultivate and support leaders in LGBTQI+ and women's history education.

(4) Engagement with State and local education leaders to encourage the adoption of resources supported under this Act into curricula across diverse disciplines.

(5) Through an intersectional and inclusive approach, convening experts, providing opportunities for discourse, and engaging with the public through programming, educational resources, and social media with respect to LGBTQI+ and women's history education.

(6) Through an intersectional and inclusive approach, increasing resource capacity, technical support, and content creation to engage various audiences in person and via online platforms with respect to LGBTQI+ and women's history education.

(7) Creating, expanding, and disseminating scholarly work through research, curricula, in-house and traveling exhibitions, publications, and programming with respect to LGBTQI+ and women's history education.

(8) Providing language translation of the work of the Smithsonian Institution's National Museum of American History, including scholarly work, research, traveling exhibitions, publications, programming, pamphlets, and other information distributed about activities funded under this Act with respect to LGBTQI+ and women's history education.

(9) Expanding the collection acquisition and collection access processes, including staffing, conservation, processing, and digitization with respect to LGBTQI+ and women's history education.

(10) Creating, developing, implementing, replicating, or taking to scale entrepreneurial, evidence-based, field-initiated innovations for museum improvement with respect to LGBTQI+ and women's history education, and evaluating rigorously such innovations.

(c) ONLINE LGBTQI+ AND WOMEN'S HISTORY EDUCATION RESOURCES.—

(1) WEBSITE.—In addition to the activities described under [subsection \(b\)](#), the Director shall use the funds appropriated under [subsection \(a\)](#) to develop and maintain on the website of the Smithsonian Institution's National Museum of American History content designated for educators, students, and families to improve their awareness and understanding of LGBTQI+ and women's history education.

(2) INFORMATION DISTRIBUTION.—The Director shall use such funds to distribute information about the activities funded under this Act through the website of the Smithsonian Institution’s National Museum of American History, and shall respond to inquiries for supplementary information concerning such activities.

(3) CONTINUATION OF ACTIVITIES.—To the extent that the Smithsonian Institution’s National Museum of American History is engaged in an activity described in [subsection \(b\)](#) or this subsection on the date of the enactment of this Act, the Director may use the funds appropriated under [subsection \(a\)](#) to continue that activity.

SEC. 5. ANNUAL REPORT.

(a) REPORT REQUIREMENT.—Not later than February 1 of each year, the Director shall submit to the Congress and make available to the public a report describing how the funds made available under this Act have been used—

(1) to create and promote educational activities; and

(2) to otherwise carry out this Act.

(b) BRIEFINGS.—Not later than 6 months after the date on which funding is first distributed under this Act, and annually thereafter, the Director or the Director’s designee shall brief the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the programs and activities carried out under this Act.

(c) SUNSET.—Subsections (a) and (b) shall cease to be effective on September 30, 2028.