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"Our Hands are Tied": How State Educational Diversity Laws Affect Iowa Public Educators and How Educators Respond

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“OUR HANDS ARE TIED”: HOW STATE EDUCATIONAL DIVERSITY LAWS AFFECT
IOWA PUBLIC EDUCATORS AND HOW EDUCATORS RESPOND

A Thesis Submitted in Partial Fulfillment of the
Requirements for the Designation University Honors

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This Study by: Lydia Berns-Schweingruber

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has been approved as meeting the thesis or project requirement for the Designation University Honors.

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Abstract:

In May 2023, Iowa passed Senate File 496, which restricts public educators from sending students social-emotional learning surveys, requires public educators to inform parents when students request a pronoun change, and bans any books depicting a sexual act from public schools (Iowa Legislature 2023). Iowa and other states' recent educational diversity laws are part of a broader history of public school censorship. This study examines how state educational diversity laws affect Iowa public educators and how educators respond. This paper draws on data from eight interviews with Iowa public teachers, administrators, and counselors. The findings show that state educational diversity laws limit educators' autonomy and compel educators to engage in additional labor beyond the scope of educating students. The findings also show that educators respond to state educational diversity laws by developing adaptations and communicating with students and families.

Keywords: Senate File 496

“Filtering thousands of books for a single description of a sex act was daunting... School administrators directed teachers to remove not only any books that contain sexual content but also any they haven’t read and all other texts whose details they can’t fully remember. One of my former students who teaches in another Iowa school district told me that three of the five bookshelves in her classroom library are now empty because of her district’s directions” (Exman 2023).

In 2023, a newly passed state law required all public schools to remove all books from their libraries that contained “descriptions or visual depictions of a sex act” as ordered by Iowa law (Iowa Legislature 2023). Bridgette Exman, an assistant superintendent of curriculum and instruction for public schools in Mason City, Iowa, was charged with that daunting responsibility. Her opinion piece in the *NY Times* describes how Exman utilized ChatGPT to help identify all the books that might contain a sexual act. Exman’s task was especially daunting because Iowa’s Department of Education initially provided no guidelines to school districts about what constitutes a “sexual act” or how to engage in the process of sorting through books (Exman 2023). In November 2023, the Department of Education released rules to help teachers and administrators determine the legality of books; however, these guidelines were still quite vague. For example, the proposed rules suggest that teachers can use books that do “not describe or visually depict a sex act” (Hernandez 2023).

There are serious consequences for educators who fail to comply with Iowa’s book-banning law. For the first violation of the law, school districts are subject to a written warning from the Department of Education. For any subsequent violation of the policy, the superintendent of the school district and any employee who knowingly violated the law are subject to a hearing by the Iowa Board of Educational Examiners. The hearing may result in

disciplinary action, such as an educator losing their job (Iowa Legislature 2023). Since Iowa passed Senate File 496 in May 2023, Exman is one of many teachers, librarians, counselors, administrators, and other educators who have been thrust into the center of new educational requirements and are at risk for serious consequences if they fail to comply.

Currently, the book-banning provision of Senate File 496 is blocked by the federal courts. In December 2023, U.S. District Court Judge Stephen Locher ruled that the requirement to remove any books depicting a sexual act violates the First Amendment of the U.S. Constitution. Locher noted that the book-banning provision is “incredibly broad” and “unlikely to satisfy the First Amendment under any standard of scrutiny.” Locher also failed to find an appropriate precedent to uphold the state’s provision: “Indeed, the court has been unable to locate a single case upholding the constitutionality of a school library restriction even remotely similar to Senate File 496” (Akin and Steiden 2023). Some schools have returned book titles to their shelves while other schools are continuing to comply with Senate File 496. Iowa Governor Kim Reynolds has appealed the block, so the future of the law remains unclear (Higgins 2024).

Similar to Iowa’s Senate File 496, other states have recently passed educational diversity laws targeting public schools, educators, and students. While they vary by state, these laws prohibit the teaching of “divisive concepts” related to race and gender in history and social science classes, promote gender identity conformity, and restrict teaching about sexuality and sexual identity. While these laws are often viewed as part of a broader historical pattern related to censorship (Marengo 2020; Pincus 1985; Sarles 2022; Steele 2020), they are so new that little research has been able to examine their effect on the people charged with implementing them: public school officials and teachers. This study begins to address that gap by looking at how the laws in Iowa have affected educators and their central mission of teaching.

LITERATURE REVIEW

This literature review contextualizes current state educational diversity laws within a history of school censorship. First, I locate the recent wave of laws targeting diversity within the broader context of state intervention in K-12 public schools. Next, I identify recent state educational laws targeting diversity, primarily in Texas and Florida, that emerged following the mass Black Lives Matter protests. Finally, I find that Iowa's passage of Senate File 496 in May 2023 reflects the recent wave of laws targeting diversity. The bill restricts public educators from sending students social-emotional learning surveys, demands that educators inform parents when students request a pronoun change, and bans educators from using any book that depicts a sexual act (Iowa Legislature 2022).

History of School Censorship

What to teach in schools and how to do it has long been a point of contention in the American public sphere. Of particular controversy has been the censorship of educational materials by dictating library content, banning books, and dictating classroom materials. The American Library Association defines censorship as “a change in the access status of material, based on the content of the work and made by a governing authority or its representatives. Such changes include exclusion, restriction, removal, or age/grade level changes” (American Library Association 2022). Censorship is a centuries-old issue in the United States involving the question of intellectual freedom. Schools and libraries are at the center of censorship issues since these institutions provide access to information and ideas (Steele 2020).

Race has been a significant factor in the history of American censorship. In America's early public libraries in the 1850s, librarians were primarily white, upper-class men. During the early 1900s, Andrew Carnegie sponsored the construction of public libraries, but many

communities rejected his grants because they feared a Carnegie Free Library would require the admittance of Black people. In 1901, public libraries began to use H.W. Wilson Company's *Readers' Guide to Periodical Literature* to guide library patrons. However, the *Readers' Guide* did not index any periodicals issued by marginalized racial groups, such as African Americans (Steele 2020).

There were several notable book ban waves during the 20th century. In the 1950s, Senator Joseph McCarthy accused libraries of spreading Communist ideas — as a result, many librarians removed controversial material (Steele 2020). The late 1960s and early 1970s marked an era of political liberalization in the United States. In schools, textbooks began to consider the perspectives of racial minorities and women. In response to the growing amount of “controversial” material in public schools, conservatives pushed back and prompted a wave of book bans. Censorship efforts increasingly stemmed from individual parents and political groups outside of the school as opposed to sources inside the school, such as teachers, administrators, and librarians. The support for book bans extended into the 1980s, marking an era of political conservatism in the United States (Pincus 1985).

In 1982, the Supreme Court case *Island Trees School District v. Pico* (1982) considered the constitutionality of book bans in schools. Members of New York's Island Trees School District's school board demanded that specific books be taken from the school libraries, claiming that the books were anti-American. Steven Pico, a high school student, rallied a group of students to sue the school board, stating their First Amendment rights had been violated. The case moved all the way up to the Supreme Court where the justices ruled 5-4 in favor of the students (Steele 2020). The plurality opinion of the Supreme Court stated that “Local school boards may not

remove books from school libraries simply because they dislike the ideas contained in those books” (*Island Trees School District v. Pico* 1982).

Since *Island Trees School District v. Pico*, opponents of book bans continue to challenge censorship in state and federal courts, claiming it violates students’ First Amendment rights. Courts typically uphold the *Island Trees School District v. Pico* ruling in the interest of protecting the First Amendment (Mareno 2020; Sarles 2022). However, the Supreme Court has ruled inconsistently on First Amendment cases over the years (Friedman and Tager 2021). The legal doctrine is vague, and courts are continuously trying to interpret what freedoms are protected by the First Amendment (Steele 2020). While opponents of school censorship may view the issue as a violation of the First Amendment, the ultimate interpretation of whether students’ rights are violated remains up to the courts.

While courts enforce rights to free speech, local school boards and personnel make most decisions regarding a school’s curriculum. Many state constitutions give authority to local officials to decide what should be taught in schools (Mareno 2020). As a result, librarians, teachers, administrators, and school boards are all at the center of the censorship decision-making process (Steele 2018). Book bans begin when someone challenges a specific work within an institution, typically a school or public library. Then, the challenge is reported to the American Library Association, which tracks all book challenges and bans. The institution may accept the challenge and ban the material from its establishment, or the institution may reject the challenge and keep the title in its collection (Mareno 2020). Librarians are central to the censorship process, as they are the people who are expected to enforce book bans. With a growing number of book bans, the job of a librarian is increasingly developing into being an advocate for basic rights to expression and intellect (Connelly 2009).

Contemporary scholars often view school censorship as an attack on marginalized groups (Anderson 2023; Connelly 2009; Friedman and Tager 2021; Shearer 2022). Historically, book censorship targeting marginalized groups stemmed from political and religious differences; recent censorship efforts are increasingly concerned with gender, racial, and cultural differences (Connelly 2009). In 2022, the vast majority of attempted bans involved books with BIPOC and LGBTQ+ characters or authors (American Library Association 2023). Furthermore, book bans are a tool to uphold white supremacy in the American public school system — school censorship targets efforts to dismantle a system that harms BIPOC (Anderson 2023). Thus, censorship is not always about the substance of the material being targeted; rather, it can serve as an ideological tool to silence the voices of marginalized groups.

Recent Educational Laws Targeting Diversity

A new wave of school censorship efforts emerged following the mass Black Lives Matter protests after a white police officer murdered George Floyd in a parking lot in May 2020 (Hill et al. 2020). Protesters drew attention to the role of racism in American society, violence against Black Americans, and disproportionate incarceration of Black men and women. The Black Lives Matter protestors called for police reform and defunding of the police. Organizers worked to register voters for the 2020 election in hopes of supporting the Democrat candidate, Joe Biden, in his election bid against the sitting President Donald Trump. Democratic candidates ran on a platform to address racial inequalities, calling for more civilian oversight of policing and increasing transparency around police misconduct (Burch et al. 2021).

The protests themselves drew a backlash under the guise of All Lives Matter, which tapped into a broader populist right-wing political movement that had already emerged. Many people opposed these attempts to address racial inequality, inflaming the recent culture war in the

United States (Friedman and Tager 2021). In September 2020, a few months after the murder of George Floyd, Fox News host Tucker Carlson interviewed conservative scholar Christopher Rufo about the nation's culture wars. In the interview, Rufo referenced "critical race theory" as a dangerous ideology that was pervading the nation's institutions (Baker 2020).

The term "critical race theory" (CRT) refers to an academic framework for understanding racism as a systemic process. In 1989, 24 Black legal scholars developed the CRT framework because they were frustrated with the colorblind spaces of their respective American law schools and sought to address how racial power would be defined in the United States following the civil rights movement (Crenshaw 2011). The major tenets that presently define the CRT framework are as follows: 1) race is a social construction, 2) racism is embedded in our institutions, 3) racial hierarchies are reproduced, 4) colorblind ideologies should be rejected, and 5) the stories of people of color need to be elevated (Janel 2021).

Even though CRT is a loose academic framework for understanding racism as a systemic process, Rufo claimed that CRT is a form of "cult indoctrination." He commented, "It's absolutely astonishing how critical race theory has pervaded every institution in the federal government, and what I've discovered is that critical race theory has become in essence the default ideology of the federal bureaucracy and is now being weaponized against the American people" (Baker 2020). Rufo's comments catapulted CRT beyond academic circles into the center of a national controversy (Rumel 2022).

Rufo's admonishment of CRT also reached President Trump, who watched the Fox News interview and within days sent a memo to federal agencies warning about the dangers of CRT. The memo stated, "This divisive, false, and demeaning propaganda of the critical race theory movement is contrary to all we stand for as Americans and should have no place in the Federal

government” (Baker 2020). President Trump also issued an executive order banning any diversity training that implied the United States was racist (Fortin 2021). Furthermore, President Trump asserted that schools were presenting a narrative that “America is a wicked and racist nation,” and created an advisory committee called the 1776 Commission, claiming it would help “restore patriotic education to our schools” (Crowley 2020; Silverstein 2021).

There has been pushback to President Trump’s anti-CRT actions. On his first day of office, President Joe Biden repealed Trump’s executive order that banned certain diversity training (Friedman and Tager 2021). Another one of President Biden’s first acts was to disband the 1776 Commission (Silverstein 2021). While President Biden reversed Trump-era policies at the federal level he could not undo all the effects. Trump’s attacks on CRT inspired conservative efforts at the state and local levels to restrict discussions of racism and the teaching about race in schools. Conservatives latched onto the term “critical race theory” and inaccurately applied it to a wide variety of ideas related to racial diversity and equity (Friedman and Tager 2021). People began to use “critical race theory” in reference to activities such as diversity training or the teaching of historical racism in schools (Fortin 2021). Republicans called to ban CRT from schools, despite the fact that public schools rarely have CRT as part of the curriculum. In a survey conducted by the Association of American Educators of 1,100 teachers, over 96 percent of teachers said that they were not required to teach CRT in their schools (McCausland 2021). Teachers across the United States attest that CRT is simply not a part of the K-12 school curriculum and claim that critics have misplaced a theory taught in colleges (Friedman and Tager 2021).

In addition to the national stage, the CRT controversy plays out in state politics — Texas and Florida are on the leading edge of CRT-limiting legislation. In 2021, Texas passed House

Bill 3979, an anti-CRT law that promotes colorblind ideologies. Colorblind ideologies are “raceless” explanations to justify racial inequalities (Bonilla-Silva 2015). An individual using a colorblind ideology may claim that they “don’t see color” or that African Americans experience higher rates of poverty because they do not work as hard, not because of historic racial inequalities. Texas House Bill 3979 promotes colorblind ideologies by discouraging the idea that people could have explicit or implicit racial biases. The law states that teachers are prohibited from teaching that “an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously” (Texas Legislature 2021).

Texas’ anti-CRT law also bans educators from teaching particular understandings of racism. The law prohibits teachers from suggesting that “members of one race or sex cannot and should not attempt to treat others without respect to race or sex” (Texas Legislature 2021). Additionally, the law specifically bans the 1619 Project from a teacher’s curriculum. The 1619 Project, developed by journalist Nikole Hannah-Jones, seeks to reframe American history by emphasizing the consequences of slavery and the contributions of Black Americans (Silverstein 2021). As a result, educators in Texas are now restricted from teaching about the enduring legacies of slavery and understandings of systemic racism. Furthermore, Texas leads a national surge in book bans — the state had 438 book bans in 2022, more than any other state (Kasey Meehan and Friedman 2023).

Florida is another hotspot for book bans and anti-CRT legislation. The state ranked second behind Texas with 357 book bans in 2022 (Kasey Meehan and Friedman 2023). Florida’s governor Ron DeSantis has been a vocal proponent of anti-CRT laws, referring to CRT as “state-sanctioned racism” (Fortin 2021). In 2023, Florida officials originally rejected 82 out of

101 submitted textbooks, claiming that they contained “inaccurate material, errors, and other information that was not aligned with Florida law” (Mervosh and Goldstein 2023).

In addition to race, current state laws also target issues of sex, sexual identity, and gender. In March 2022, Florida passed the “Parental Rights in Education” law, commonly referred to as the “Don’t Say Gay” bill, which prohibits classroom discussion about gender identity and sexual orientation (Florida Legislature 2022b; Mazzei 2022). In April 2022, Florida passed the Stop WOKE Act, which prohibits classroom instruction that could make students feel responsible or guilty about previous actions of members of their race (Florida Legislature 2022a; Mazzei, Harris, and Alter 2023).

Iowa’s Recent Educational Laws Targeting Diversity

Iowa is also at the forefront of educational diversity legislation. Iowa’s governor Kim Reynolds has led the state’s efforts to ban CRT-related material in K-12 classrooms. Regarding CRT, Reynolds has asserted, “Critical race theory is about labels and stereotypes, not education.... I am proud to have worked with the legislature to promote learning, not discriminatory indoctrination” (Richardson 2021). In June 2021, Iowa passed a CRT-limiting “divisive concepts” law that bans educators from teaching that “the United States of America and the state of Iowa are fundamentally or systemically racist or sexist.” Additionally, the bill bans curriculum that assigns “fault, blame, or bias to a race or sex” (Iowa Legislature 2021; Richardson 2021).

In May 2023, Iowa passed Senate File 496. This law restricts public educators from sending students social-emotional learning surveys. The law states that schools are “prohibited from administering... a survey of a student that is designed to assess the student’s mental, emotional, or physical health that is not required by state or federal law, without first acquiring

the written consent of the student's parent or guardian" (Iowa Legislature 2023). Since the bill went into effect for the 2023-2024 school year, educators cannot administer surveys that ask about a student's emotional well-being without parental approval.

Additionally, Senate File 496 demands that educators inform parents when students request a pronoun change. The law asserts that if a student requests that a "license practitioner address the student using a name or pronoun that is different than the name or pronoun assigned to the student in the school district's registration forms or records, the license practitioner shall report the student's request to an administrator... and the administrator shall report the student's request to the student's parent or guardian." The bill also prohibits all LGBTQ+ instruction before seventh grade. The law claims to protect the "constitutionally protected right" for parents to make choices for their children (Iowa Legislature 2023). Consequently, educators cannot teach LGBTQ+ topics in K-6 classrooms.

Moreover, Senate File 496 bans educators from using any book that depicts a sexual act, the application of which Bridgette Exman discussed in the introduction to this paper. The law states that school library programs must contain only "age-appropriate materials," which "does not include any material with descriptions or visual depictions of a sex act" (Iowa Legislature 2023). As a result, librarians and teachers have to sort through all of a school's books and remove any that violate the law. The law also states, "Each school district shall make available on the school district's internet site a comprehensive list of all books available to students" (Iowa Legislature 2023). Consequently, educators have to catalog all the literature in the school library and compile a comprehensive list of books for parents.

State legislators and governors propose, advocate, oppose, and pass these educational diversity laws targeting "divisive concepts." Then, local school boards, administrators,

counselors, teachers, and other school personnel are charged with interpreting and enacting the laws. Teachers and counselors are the main points of contact for children who are the targeted consumers of educational diversity laws. Furthermore, administrators help to communicate the criteria of these laws to school personnel and families.

I have demonstrated how these recent state laws targeting diversity are part of a broader historical pattern related to censorship (Mareno 2020; Pincus 1985; Sarles 2022; Steele 2020). However, the legislation in Texas, Florida, Iowa, and other states is so recent that there is no research to examine how these laws affect educators. Additionally, there is no research on how educators respond to these laws. This study starts to address that gap by examining how state educational diversity laws have affected Iowa public educators and how educators respond. This study will address two main research questions. First, how do Iowa's recent state laws targeting diversity affect public educators? Second, how do Iowa's public educators respond to these state laws?

METHODOLOGY

Data Collection

This study uses qualitative and inductive research methods. I conducted eight semi-structured, in-depth interviews with Iowa teachers, counselors, and administrators to understand their perspectives on how state educational diversity laws affect Iowa public educators and how educators respond.

I used purposive sampling for this project. Purposive sampling is an effective sampling strategy for a small qualitative study designed to generalize through theory rather than statistical representativeness. Purposive sampling intentionally targets people with different experiences and different social positions to uncover the full range of perspectives (Knott et al. 2022). I

recruited participants from a variety of job positions, school levels, and school settings. I interviewed one English Language Learner (ELL) instructor, one English teacher, one science teacher, one principal, two counselors, and two special education instructors. Two teachers taught at the elementary school level and six teachers taught at the high school level. One teacher taught at a rural school, four teachers taught at a suburban school, and three teachers taught at an urban school.

<i>Name</i>	<i>Gender</i>	<i>Job Position</i>	<i>School Level</i>	<i>School Setting</i>
Sonya	Woman	English Language Learner Instructor	Elementary School	Urban
Jasmine	Woman	English Teacher	High School	Suburban
Elaine	Woman	Principal	High School	Suburban
Derek	Man	Counselor	High School	Suburban
Eric	Man	Special Education Instructor	High School	Suburban
Wendy	Woman	Science Teacher	High School	Rural
Jasmine	Woman	Counselor	High School	Urban
Anum	Woman	Special Education Instructor	Elementary School	Urban

I emailed individuals to recruit them for the study. I obtained the email addresses of individuals through public school web pages and other professional recommendations. I interviewed all of my research participants via Zoom for approximately 30 to 90 minutes. My semi-structured interviews focused on each participant's educational background, their current job in education, how state educational diversity laws affect their job, and how they respond.

Data Analysis

To prepare for data analysis, I audio-recorded each interview. Then, I transcribed the audio recordings of the interviews into written transcripts using Otter, an online transcription service. Additionally, I wrote memos immediately after each interview to reflect on the

interview, my interviewing methods, and potential patterns I was beginning to observe. Then, I utilized a web-based application called Dedoose for qualitative analysis. My analysis included two rounds of inductive coding: line-by-line coding and then a second round of axial coding. The coding scheme focused on three types of code. First, methodological codes analyzed the quality of data produced by various interviewing strategies. Second, descriptive codes organized segments of text by important characteristics and themes that emerged from the data. Finally, analytic codes examined the social processes at work and how they related to each other and various descriptive codes. This strategy allowed me to analyze data across individuals and across important social characteristics (Knott et al. 2022). I then wrote analytic memos that detailed what specific codes meant and how they related to each other. It was these memos that became the basis for the findings in this paper.

Research Ethics

This project followed the basic ethical principles for human subject research: respect for persons, beneficence, and justice (National Commission 1979). First, this project demonstrated respect for all persons by ensuring informed consent. I shared the research purpose with each participant and received informed consent for their participation. Furthermore, I communicated to each participant that their involvement was voluntary and that their identity would remain confidential. Second, this project demonstrated beneficence by assessing benefits and risks. I established the potential benefits — which consist of understanding the impact of state diversity education policy on Iowa educators — outweigh the potential risks — which consist of dedicating one's time and chancing emotional discomfort or stress that could result from talking about intense social issues. Third, this project demonstrated justice by selecting a research sample that encompasses a range of experiences. I considered the social backgrounds of each

participant and attempted to develop a sample of a small cross-section of Iowa educators. I received approval from the Institutional Review Board to conduct this study.

FINDINGS

Effects of State Educational Diversity Laws on Iowa Public Educators

After interviewing Iowa public teachers, counselors, and administrators, I found that state educational diversity laws require educators to engage in additional labor beyond the scope of educating students and limit educators' autonomy. The broader consequence is that educators are spending their time trying to comply with nebulous and impractical laws instead of doing the work of educating students. Educators are also limited from supporting their students, especially regarding mental health needs, and are restricted from tailoring teaching to the individual student. Previously, educators could provide students access to books and mental health supports that are now illegal. Moreover, educators can no longer be a safe person for students to talk to about their gender identity because educators must report student pronoun preferences.

Requiring Additional Labor

Research participants discussed how Iowa Senate File 496 has required them to engage in additional labor beyond the scope of educating students. This study finds that the law causes public educators to engage in additional labor in three main ways — it shifts allocation of time away from teaching students to bureaucratic tasks, demands that educators interpret state law with no legal training, and compels educators to take on added emotional labor.

Starting in the 2023-2024 school year, Iowa educators have to obtain parental approval for social-emotional surveys and student-requested pronouns. Anna, a high school English teacher, instructs a dual-credit class that allows students to receive both high school and community college credit. The community college requires that Anna give surveys to her

students for some of the assignments. However, under Senate File 496, Anna cannot give surveys to her students without parental permission. As a result, Anna was put at a crossroad between the community college requirements and state law. So far, she has been able to obtain parental permission so that she can give surveys to her students and meet the community college requirements. However, she did not have to engage in this additional bureaucratic work before the passage of Senate File 496.

Senate File 496 also mandates that educators catalog all the books in their schools. Anum explained that in her elementary school, the technology coach and the librarian put in “a ton of work” to comb through the school’s books. She described how she and other teachers were expected to catalog all of their classroom books so that parents would have access to a list of all classroom books.

Educators express how they must complete more tedious work as a result of Senate File 496. In her role as a special education instructor, Anum emphasized, “All of those things... with the pronouns, social-emotional, and the books — it’s added more tedious things to our plates.” Under Senate File 496, educators are now spending more time doing bureaucratic work, such as screening and cataloging all of their books, instead of putting their time and energy into educating kids. The law demands that they obtain parental approval for social-emotional surveys and pronoun requests, catalog all of their books, and manage the emotional stress of interpreting and complying with the law. Since educators are taking on this additional labor, they are forced to spend less time and energy on tasks, such as lesson planning, that they previously engaged in to teach students.

As a high school principal, Elaine works with curriculum directors to determine which books are legal for educators to use. She referred to the process of evaluating and cataloging

books as “time-consuming.” Elaine discussed the process of working with curriculum directors to determine which books were prohibited under Senate File 496. She explained that they would be “sitting there looking at the book” and “reading out loud” to determine whether the book could legally be used by educators. Elaine and other school personnel across Iowa have to individually interpret the law, despite having no legal training. Educators are expected to complete work well beyond the bounds of teaching. There is no compensation for their additional labor — only the threat of disciplinary action if they fail to comply.

Since the Department of Education did not give clear guidance on many of the new policies, Elaine and other school officials were left to interpret a vague state law, despite having no formal legal training. Elaine also described how she and other educators felt when combing through the text of Senate File 496: “We were just panicky and upset because it was hard for us to read.” Consequently, educators experience the stress that comes with having to interpret vague legislation with limited guidance. While the legislation may be vague, the consequences for breaking the law are serious — educators who violate the state policies are subject to a hearing by the Iowa Board of Educational Examiners and may face disciplinary action, such as losing their jobs.

Moreover, educators experienced added emotional labor resulting from the criteria of Senate File 496. Emotional labor refers to the work an individual engages in to display emotions for the requirements of their job (Hochschild 1983). Educators routinely engage in emotional labor by expressing excitement for teaching students and working to manage the emotions of students, parents, and coworkers. In her role as a high school principal, Elaine observes how teachers are emotionally affected by the new policy changes. She said, “The biggest thing... that’s been really hard to see is it’s put our teachers on edge. Our teachers are so on edge.” Elaine

and other educators in her building have to constantly manage various emotions, such as being “on edge,” “panicky,” and “upset.” Educators have to manage these unsettling emotions when interacting with students in the classroom. Teachers are expected to demonstrate an excitement for learning to their students, even now that the law has put educators on edge and made their jobs more difficult.

Derek described the emotional toll of not being able to openly resist state laws. He explained, “The problem is teachers will get fired if they’re vocal. If they were to make a comment on social media... they’re gonna lose their job.” At one point, Derek refused an offer to go advocate for mental health at the Capitol because he was worried about parents seeing him on the news. Derek also described the effect of Senate File 496 on the emotional moods of educators. He said, “It’s something that... is a weight. We’re all wearing the weight. But we’re not talking about it... It’s almost like you’re not supposed to talk about it.”

Derek and his fellow educators take on added emotional labor when they navigate the fear of expressing political beliefs and discussing legislative issues. Educators are unable to advocate for students because they fear reprisal for their actions. Teachers, counselors, and administrators have to spend their time and energy anticipating negative consequences and then shaping their behavior to prevent repercussions for their actions. Consequently, educators have less time and energy to do their job of teaching and supporting students.

Limiting Autonomy

Research participants explained how Iowa Senate File 496 has limited their decision-making abilities in school. This study finds that the law restricts public educators’ autonomy in two main ways — it restricts educators from supporting most at-risk students and prohibits educators from providing confidentiality to students.

Since Senate File 496 went into effect for the 2023-2024 school year, educators cannot give surveys to students about their emotional well-being without parental approval. Previously, educators have used surveys to ask students how they feel on a particular day. This allows teachers and counselors to support students who need additional emotional support. This could include having a conversation with the student about their feelings or referring students with a risk for self-harm to mental health professionals. Derek, a high school counselor, described how the law makes it more difficult to be a counselor because he is now restricted from asking students about their social-emotional health. Derek explained “Now you’ve got to get permission to ask a student how they’re feeling.... I cannot ask students how they’re doing on a form.” The restriction on surveying students on their social-emotional well-being makes it difficult for Derek and other counselors to identify students who need help. Students with mental health concerns are at a higher risk of becoming invisible when educators cannot use surveys to ask students how they are feeling. As a result, educators are limited from providing help to the students who are most in need of it.

Anum, a special education instructor in an elementary school, also expressed that the restriction on social-emotional surveys limits teachers’ ability to monitor students’ well-being. Anum explained that the teacher used to sit down with each student three times a year to check in on their social-emotional health. Educators used this process to identify any emerging patterns in student’s well-being that were concerning. Anum said that now, “We can’t do that survey anymore.” She described trying to address students’ social-emotional needs is now like “walking on eggshells.” Anum and other teachers care about students’ social-emotional health, which focuses on helping students identify and manage their emotions, especially emotions of anger, anxiety, and stress. Many teachers used to do daily check-ins to ask students how they were

feeling and then use this knowledge to support students throughout the school day. For example, a teacher could encourage a student who is feeling anxious about a test or demonstrate empathy to a student who is sad because of a personal life event. The law discourages Anum and other teachers from seeking to understand students' feelings and providing appropriate support to each student.

Elaine, a high school principal, also talked about how the law restricts her ability to help monitor students' well-being. Elaine explained how in previous years, the school had been using surveys to give students more opportunities to check in about their social-emotional health. These types of surveys seek to identify students who are at risk for mental health concerns, such as anxiety or depression, so that the school can provide help to these students. Additionally, schools want to identify students who are at risk of harming themselves or others so that they can provide mental health support as needed. Elaine described how before the passage of Senate File 496, her school had utilized Google forms to give students a safe space to share social-emotional health concerns:

We've really worked to make it so that in the midst of a student's school day, they have opportunities to share with a teacher, usually through a Google form, if they need to check in, if they are struggling right now.... And now to hear it was being that we can't because it's a Google form. And guess what, that is the most safe way for a student to share that.

Additionally, Elaine explained that the school has a system where teachers can submit student concerns. However, they had to take away the social-emotional aspect of that form because Senate File 496 restricts teachers from filling out a form to evaluate students' social-emotional well-being.

Furthermore, Senate File 496 requires educators to inform parents when students request a pronoun change. Jasmine, a high school counselor, discussed how the law restricts her interactions with students. Jasmine expressed frustration with how teachers are prohibited from calling students by their requested pronouns: “I don’t want to be fired, lose my job, because I called a kid ‘she’ or ‘he,’ and they were supposed to be the other one.” Furthermore, Jasmine says that she is restricted from having open conversations with students about their gender identity. She explains that students may be more hesitant to come to the counseling office because they know that educators are now legally responsible for reporting pronoun preferences. Jasmine explained, “Confidentiality is what keeps kids coming back to the counseling office.” Previously, Jasmine and other counselors could provide confidentiality to students who needed to discuss their gender identity and pronoun preferences. Under Senate File 496, an educator can no longer be a safe person for students who need to privately discuss issues of gender identity.

Derek, another high school counselor, discussed how he has to now report a student’s requested pronoun change to parents. Derek said that in the past, he has had open conversations with parents about students’ gender identity. However, the new law requires him to immediately report to families. Derek explained that these conversations with parents should not be rushed: “There’s a time and a place for it. And when a student is first building up the courage to maybe go by first name or preferred pronoun, and their parents have no idea and they’re scared shitless to talk to them, I think it needs to be on their time.” Derek emphasized that students “need to feel safe having these conversations with adults at school without the adults saying ‘Oh, you know what, I gotta call your parents about this.’”

Jasmine described her role as a counselor in the process of reporting students who request to change their pronouns. She said, “We have to report to our administrator and then they talk to

parents.” Jasmine said that she often circles back and has conversations with the families after the principals have communicated with the parents. Jasmine explained that some parents do not get on board when students request to change their pronouns. She said that other parents do not want to have a conversation, but they agree to fill out a form and sign off on the student’s request. While fostering closer relationships with parents is a positive process, Senate File 496 requires Jasmine and other educators to obtain parental permission for a student’s pronoun changes before a student may be ready. Educators have become mandatory reporters for when students share deeply personal issues of gender identity. Some students have families who may resist a student’s pronoun change. When educators are forced to report a student’s pronoun preference to families, they could potentially be putting the student in danger if their family is unsupportive. However, the law leaves educators with little choice unless they want to risk the legal consequences of keeping a student’s pronoun preference confidential.

Methods of Response Used by Iowa Public Educators

Based on my interviews with Iowa public teachers, counselors, and administrators, I found that educators respond to state educational diversity laws by developing adaptations and communicating with students and families. Educators are adjusting their teaching in a new environment that is shaped by the rules of Senate File 496. Teachers, counselors, and administrators are trying to find alternative ways to survey students’ social-emotional help and identify students in need of support. Additionally, teachers are removing all classroom books when the demand of cataloging all their literature is impractical. Educators are also communicating with students and families to explain the provisions of state education laws despite having no legal expertise. Furthermore, counselors mediate family relations when students request pronoun changes, especially when parents resist a child’s request.

Developing Adaptations

Research participants develop adaptations that allow them to continue teaching their students while still complying with the law. This study finds that educators have developed two main adaptations — removing classroom books and finding alternative ways to support students' emotional well-being.

In her job as an elementary school special education instructor, Anum discussed how she removed her classroom books to comply with the law that bans any book depicting a sexual act. While the law is currently blocked by courts since December 2023, educators had to screen all their books in the fall of 2023. The vagueness of the Senate File 496 and the Department of Education's lack of clear guidelines about what constitutes a "sexual act" makes it difficult for educators to determine which books they can legally use. Anum did not want to stress about which books were prohibited under the law, so she removed all of her classroom books that were not on the school library list.

Anum and other teachers want to provide an array of literature to their students, but they do not have the time or energy to catalog through all of their own books in addition to the other demands of their teaching job. Anum explained her decision to remove her classroom books: "So that was something we did.... maybe it is selfish, but like for the ease of ourselves." The impracticality of screening each individual book compels educators to resort to tactics such as removing all books or using ChatGPT, as Bridgette Exman discussed in the introduction of this paper. Anum expressed sadness about how the law restricted her ability to provide books for students. She said, "It is kind of sad that then that wasn't our first choice. You know, we want books in our classroom."

Elaine also discussed how teachers in her school replaced classroom books after Senate File 496 went into effect for the 2023-2024 school year. Elaine said, “If they’ve had to remove a book, because either they were told to, or more likely, they felt uncomfortable keeping that in their classroom, they found alternatives.” Even if books are not explicitly banned under state law, the legislation has caused teachers to be anxious that any type of “divisive” material within a book will upset parents and lead to backlash. Elaine noted that teachers are increasingly asking her what books and other materials are acceptable to use. Elaine explained, “So I have a lot more questions from teachers than I’ve ever had on ‘Hey can I show this video? Can I share this article?’” She emphasized that teachers are “really questioning what they share and how they teach.” As a result, many teachers are removing books and trying to find less contentious replacements.

Elaine also said that some teachers removed books from their classrooms because they were scared, even though the administration had deemed the books acceptable. She said these teachers are concerned about “a parent going to the media and complaining about them.” Elaine said that they started writing parent permission slips for certain books to be extra cautious. She explained, “If it's something that even if we can use it by the law, but we know it might be pushing it a little... we want to be completely and utterly open.” The vagueness of Senate File 496 encourages educators to play it safe by removing any books that may upset parents or community members. The vague language of Senate File 496 makes it easier to apply the law to books with a variety of “divisive concepts,” and educators know that violating the law could result in serious disciplinary action, such as losing their jobs.

Senate File 496 also prohibits schools from giving students social-emotional surveys, so educators try to find alternative ways to check in with students’ emotional well-being. As

principal, Elaine has implemented two new methods of monitoring students' social-emotional health since the passage of Senate File 496. First, she tries to be proactive in providing students with additional mental health resources. Rather than waiting for students to indicate that they need help, she gives blanket offers of help. For instance, she explained, "My weekly email at the bottom now, every single time it says, 'Here's some ways you can get help, here's some people you can talk to.'"

Second, Elaine examined the text of Senate Bill 496 and determined questions that educators could still legally ask students that would comply with the law. Elaine described this process: "We wrote a list of questions that would still check in on a student and give them opportunities and encouragement to share and seek help or just reflect." Elaine gave the list to teachers and told the teachers, "Here's a list of questions that you can use. These are okay to use." Elaine had to develop alternative ways of monitoring students' emotional well-being since surveys were outlawed. In this way, Elaine is trying to find a way to help students and give them what they need while also staying within the limits of Senate File 496. Elaine and other educators are finding unique ways to adapt so that they can do their job of supporting students while not breaking state law.

Anna, a high school English teacher, described how she tries to check in with her students now that Senate File 496 has prohibited her from asking students about social-emotional well-being. In the past, Anna had given her students weekly check-ins where they rated how their week was on a scale of one to five. She also asked students some random questions like "What's your favorite cereal" so that she could learn about her students. Anna also left a spot where students could explain if anything was bothering them, and then Anna could pass along any concerning information to counselors or parents. Once Iowa state law prohibited Anna from

asking her students these questions, she asked herself, “How can I still do my job well, and still be within the law’s limits?” She has added opportunities for students to write down thoughts on paper, but she does not read their answers. Additionally, she has had more one-on-one conversations with her students. However, she notes that these conversations can be awkward because “the kid feels put on the spot” and “somebody could walk by that they don’t want to hear it.”

Communicating with Students and Families

Research participants responded to educational diversity policy by communicating with students and families. This study finds that educators communicate with students and families for two main purposes — attempting to explain the provisions of state education laws and mediating family relations when students request pronoun changes.

In her job as a school counselor, Jasmine explains to students that educators have to notify parents if students request a pronoun change. She said that students “roll their eyes at me” but understand her legal obligations. Jasmine elaborated, “They understand that our hands are tied.... All the kids that I have that are going by different names or different pronouns are like, ‘Nope, I get it.... It’s not you. I’m just frustrated with the whole reasoning.’” By explaining the explicit requirements of Senate File 496 to students, Jasmine wants students to understand that she is not trying to harm them when she notifies parents about a student’s pronoun preference. Instead, Jasmine wants students to understand that she is under a legal obligation to report pronoun preferences. In this way, Jasmine also protects students who desire privacy surrounding their pronoun change. After talking with Jasmine, students know that they should not talk to a public educator if they want their pronoun preference to remain confidential from their parents.

As a principal, Elaine has many conversations with parents and students about the content schools are allowed to teach. Elaine explained, “I’ve had some parents... call and question some content that... five years ago, they never would have questioned.” Elaine also described how she approached a conversation with parents who are questioning school content: “I... listen and I validate and then talk them through the content and help them understand the content because usually they just don’t know and they made an assumption or heard something.” On the other hand, many students Elaine talks with are frustrated that they do not have access to all content. Elaine said that most teenagers are asking, ‘Why would they take stuff away from us?’”

Senate File 496 requires educators to alert parents when students request a pronoun change. Educators attempt to support both parents and students during this process, especially when families disagree with a student’s request. Wendy, a science teacher at a rural high school, explained that the counselors in her school are responsible for talking with the families when a student requests a different pronoun or name. Wendy had previous experience working in an urban school district, and she observed that her current smaller school setting made it easier for educators to know and work with families if students wanted a pronoun change. “That’s kind of the nice thing about being in a smaller school in a smaller community, is that we can do that, whereas in such a large community it doesn’t always happen that way.” Wendy expressed how educators show strong support to students and families when students request a pronoun change: “It isn’t a big policy thing. It’s very personal.”

In her role as a school counselor, Jasmine supports students when their parents refuse to give the school permission for the student’s requested pronoun change. Jasmine explained, “If I have a student who prefers he/him pronouns, but parents said, ‘Absolutely not,’ it’s heartbreaking to me that I can’t do legally what they’re requesting.” When Jasmine cannot legally use a

student's requested pronouns because their parents disapprove, she tries to use the student's name instead of using a pronoun they don't want. Furthermore, Jasmine tries to use the word "they" instead of "he/him" or "she/her" for students who request a pronoun change but their parents refuse. She explained, "It's just easier. The kids are fine with that too." Jasmine uses this gender-neutral language so she can continue to support students who want a pronoun change without explicitly breaking the law.

Jasmine sometimes has to appeal to the differing preferences of students and their parents. For example, some parents give the school permission to call their child by a different name or pronouns, but ask that the school use the birth name and pronouns when communicating with home. Jasmine explained that in these situations, "Mom's aware, but isn't, obviously to a point where she agrees with what her child wants to do." When parents are hesitant about or outright against a student's request to change pronouns, Jasmine meets with them in person. She also tries to have any teachers that the students are close with at the meeting. In this way, Jasmine tries to mediate the situation where parents disagree with their child's pronoun change. She emphasized, "I just try to stay in good contact with parents.... Just so everybody can work together." Previously, Jasmine could allow students to alert their parents about pronoun preferences when the student was ready. Now, Jasmine is legally required to inform parents about a student's pronoun preferences, even if the family is going to resist the child's decision. Consequently, Jasmine then has to serve as a mediator for the family.

DISCUSSION

This study examined how state educational diversity laws affect Iowa public educators and how educators respond to the new restrictions. This study is part of a broader history of school censorship. Recent educational diversity laws in Iowa, Texas, Florida, and other states are

not the first attempts at censorship. In the 1950s, librarians removed controversial material after Senator Joseph McCarthy accused libraries of spreading Communist ideas (Steel 2020). When school textbooks began to consider perspectives of racial minorities and women in the late 1960s and early 1970s, parents and political groups pushed back with attempts to censor school content (Pincus 1985). The findings of this study focus on how recent educational diversity policies — which often censor school content such as social-emotional surveys, books, and pronoun usage — affect today’s educators. Thus, the findings of this study contribute to an existing field of knowledge about public school censorship.

In May 2023, Iowa passed Senate File 496, which restricts public educators from sending students social-emotional learning surveys, requires public educators to inform parents when students request a pronoun change, and bans any books depicting a sexual act from public schools (Iowa Legislature 2023). Since the law went into effect during the 2023-2024 school year, teachers, librarians, counselors, administrators, and other educators have been thrust into the center of new educational requirements and are at risk for serious consequences if they fail to comply. For the first violation of the law, school districts are subject to a written warning from the Department of Education. For any subsequent violation of the policy, educators who knowingly violated the law are subject to a hearing by the Iowa Board of Educational Examiners, which could result in disciplinary action (Iowa Legislature 2023).

Furthermore, the Department of Education initially provided no guidelines to school districts about how to comply with the laws. They did not give educators specifics on what constitutes a “sexual act” or how to engage in the process of sorting through books (Exman 2023). In November 2023, the Department of Education released rules to help teachers and

administrators determine the legality of books; however, these guidelines were still quite vague. This left local officials interpreting state law, despite having no formal legal training.

Since there was a lack of previous research on how state laws targeting diversity affect Iowa educators and how educators respond, I developed a study to begin addressing this gap. This study will address two main research questions. First, how do Iowa's recent state laws targeting diversity affect public educators? Second, how do Iowa's public educators respond to these state laws? This paper drew on data from eight interviews with Iowa public teachers, administrators, and counselors. Administrators are charged with interpreting and communicating the criteria of state policies to school personnel and families. Teachers and counselors must carry out these policies and interact with the students, who are the targeted consumers of educational diversity laws.

The study showed the effects of state educational diversity laws on Iowa public educators. First, the state educational diversity policy compels educators to engage in additional labor beyond the scope of educating students. Educators are shifting allocation of time away from teaching students to bureaucratic tasks. Under Senate File 496, educators are now spending more time doing bureaucratic work, such as screening and cataloging all of their books or obtaining parental approval for social-emotional surveys and pronoun requests. Previously, educators may have spent this time creating lesson plans or tailoring instruction to their students. Additionally, public educators across Iowa attempt to interpret the law line-by-line, despite having no legal training. They receive no additional compensation for trying to interpret the law — only the threat of disciplinary action if they fail to comply with the vague legislation. Finally, Senate File 496 compels educators to take on added emotional labor. Teachers experience stress

from the new legal requirements and are unable to openly resist state law, yet they are still expected to demonstrate an upbeat demeanor for their students.

Furthermore, state educational diversity policy limits Iowa educators' autonomy. The law restricts educators from identifying and supporting students who have mental health concerns. Previously, educators have used surveys to ask students how they feel on a particular day. This allows teachers and counselors to support students who need additional emotional support. Now, students with mental health concerns are at a higher risk of becoming invisible when educators cannot use surveys to ask students how they are feeling. The law also prohibits educators from providing confidentiality to students. Previously, counselors could provide confidentiality to students who needed to discuss their gender identity and pronoun preferences. Under Senate File 496, educators have become mandatory reporters to families when students express a desire to change pronouns. Thus, an educator can no longer be a safe person for students who need to privately discuss issues of gender identity.

The study also identified the methods of response used by educators. First, educators develop adaptations so they can continue to support students while staying within the requirements of the law. Teachers remove their classroom books because they do not have the time and energy to catalog all of their literature. The vagueness of the Senate File 496 and the Department of Education's lack of clear guidelines about what constitutes a "sexual act" makes it difficult for educators to determine which books they can legally use. Teachers may not have time to determine which books are prohibited under the law, so they remove all of their classroom books instead. Additionally, educators find alternative ways to support students' emotional well-being. Some educators try to provide a list of mental health resources for students

to access if they need help. However, it is hard to know if students with mental health concerns are using these resources or contacting professionals for help.

Moreover, Iowa educators respond by communicating with students and families. Educators attempt to explain the provisions of state education laws to families who have questions about what content can be legally taught in schools. Educators also have conversations with students who express frustration with the new restrictions. Educators alert students that they should not talk to a public educator if they want their pronoun preference to remain confidential from their parents. Once again, educators do not have a legal background but are attempting to interpret and explain state law to others. Additionally, educators mediate family relations when students request pronoun changes. Educators are now legally required to inform parents about a student's pronoun preferences, even if the family is going to resist the child's decision and potentially put the child at risk. Consequently, educators must serve as mediators for families and try to ease tension between students and parents over a student's personal gender identity.

The potential benefits of Senate File 496 include the facilitation of school-family relationships and the consideration of what material is being taught in schools. The legal requirements for educators to report students' pronoun changes and obtain parental permission to send socio-emotional surveys may increase communication between the school and families. However, policymakers should consider other ways to encourage school-family relationships without forcing students to reveal issues of their gender identity before they are ready or making it difficult for educators to ask students how they are feeling. Additionally, the legal requirements for educators to catalog books and not administer social-emotional surveys may help schools consider the type of content being provided to students. However, policymakers should consider

other, less restrictive means of helping schools develop the curricula and materials that are administered to students.

While there were intended benefits of the initial legislation, unintended consequences have emerged following the law's passage that are seriously affecting Iowa educators. Teachers have become actors responding to politics rather than the educational or social needs of their students. They are anticipating political retributions for any failure to comply with state law. This has a chilling effect — for example, teachers are now removing all books from their classrooms or not asking students how their days are going for fear that their actions run afoul of the law.

Legislators who are creating these recent policies should consider the effects of their lawmaking on educators and their job of teaching children. Additionally, the public should consider the findings of this study since they are the people electing state legislators. The public and legislators need to consider the unintended consequences of state laws on educators. Going forward, we need to consider how to support educators in their job of teaching students instead of developing policies that restrict their ability to teach students.

Methodological Reflection

The major limitation of this study is the small sample size. I was only able to interview eight Iowa educators due to time constraints. I may have gained additional perspectives and experiences if I interviewed more educators. For instance, I only interviewed one educator from a rural school, two educators from an elementary school, and zero educators from a middle school. However, I still found a significant number of ways educational diversity laws affected teachers and a variety of ways in which they responded. Even though I only had eight interviews, I found common patterns emerging among research participants.

Another limitation of this project is that I was unable to interview any librarians. I recruited librarians for the study because they help catalog school library books and evaluate which books comply with Senate File 496. However, I did not have enough time to find librarians who were willing to participate in my study. Librarians may be able to explain how Senate File 496 affects their workload and ability to provide books to students. Additionally, librarians may be able to discuss how they evaluate books and their conversations with parents. While I did not interview any librarians, many of my research participants discussed book bans and the process of cataloging books.

A final limitation of this project is that due to the high-stakes political nature of this topic, educators may be hesitant to share the realities of how educational diversity laws affect them and how they respond. Even though research participants were ensured anonymity, public educators may still have been stressed about the consequences of critiquing state law and school policies. Educators can be fired for not complying with educational diversity policies, so some may be hesitant to share their experiences and feelings regarding recent legislation.

Future Research

Future research can further study state educational diversity policies. First, researchers can examine how educational diversity laws affect educators in other states. Do educators in states with similar educational diversity laws, like Florida and Texas, have similar experiences and responses? Additionally, researchers can examine how the criteria of Senate File 496 affect Iowa educators in the future. In five or ten years, will educators be affected in the same ways and will their responses be similar?

Moreover, researchers can expand the scope of this study to consider the perspectives of policymakers and how legislators make these decisions. To what extent do policymakers interact

with educators and do educators provide feedback to policymakers? Researchers can also explore the effect of educational diversity policy on students and how they respond. Students are the major targeted consumers of educational diversity policy, so researchers should consider their perspectives. Finally, researchers can examine other upcoming educational bills that may be passed by the Iowa legislature. For instance, the Iowa legislature recently passed a bill that would restructure the Area Education Agencies system (Gruber-Miller 2024). How will this bill and other critical legislation affect Iowa educators? Future research can explore these questions and contribute to understanding the effects of educational diversity policy and how people respond.

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