

Restrictive Education Legislation in the States

5 Major Trends in 2026



Red, Wine & Blue

April 2026



What's out in front of us?

Parental Rights

DEI

Don't Say Gay

Immigration enforcement

Mental health

School funding

Bathroom bans

Religious freedom

Forced outing

Trans sports bans

Private school choice

Book bans

Critical Race Theory

Preferential treatment

School accreditation

Divisive Concepts

Curriculum transparency

Foreign influence

Bible instruction

School contracting

Free Speech





Trend 1: Re-trying old issues with new techniques

States that have unsuccessfully attempted restrictive laws in the past are trying them again with new provisions.

- Immigration enforcement at schools in Tennessee
- Preferential treatment in Missouri
- New avenues for curriculum control in New Hampshire



Trend 2: Tightening enforcement mechanisms

States that have existing restrictions are updating the law to include harsher penalties.

- Withholding state funds
- Private Cause of Action
- Statute of limitations





Trend 3: Taking direction from Project 2025

States are looking to the specific goals outlined in Project 2025 to build education policy agendas.

- Criminalization of educators
- Narrow, legal definition of gender
- Limiting DEI in state and local governments



Trend 4: Writing restrictions into solidified measures

States are increasingly embedding education restrictions into longer-term measures such as annual state budgets and state constitutional amendments.

- State constitutional amendment in Arizona
- State budget provisions in
- State standards in TX (Bible, SS) FL





Trend 5: Setting the stage for 2027

State leaders are agenda setting for their 2027 legislative sessions, indicating where they will put their focus.

- Terrorist influence in school classrooms (FL, TX, SC)
- Private school choice expansion
- K-12 funding



By the Numbers

- Anti-LGBTQ+ education: 227
- Public dollars to private, religious schools: 162
- Anti-DEI: 178
- Parents Rights: 124





Takeaways

- Everything is connected, nothing is random
- Most of it does not have to be a surprise
- This issue is not insurmountable, but it does require attention

Resources:

- [Project 2025 Tracker](#)
- [FutureEd State Trackers](#)
- [ACLU Tracker](#)



Thank You

