



The Impact of Anti-DEI Legislation on LGBQ + and Heterosexual Faculty in Higher Education

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Abstract

Introduction Anti-DEI laws related to higher education are increasingly being proposed, and passed, across the US. Limited research has examined how faculty who teach and do research on LGBTQ+-and other diversity-related issues are impacted by such legislation.

Methods This exploratory mixed-methods study used survey data from 163 faculty (51% LGBQ+) in different state legislative contexts (legislation passed, legislation proposed, no legislation) to examine impacts on teaching, research, well-being, and desire to move or change jobs.

Results Compared to faculty in states without anti-DEI legislation, faculty in states that had passed or introduced legislation were more likely to report both impacts on and changes to teaching, negative mental and physical health, and a desire to move. Compared to heterosexual faculty, LGBQ+ faculty were more likely to report teaching and research impacts, negative mental health, and job seeking. LGBQ+ faculty in states that introduced legislation were more likely to report negative mental health impacts than heterosexual faculty in those states. Qualitative data highlighted how faculty in states that passed legislation were struggling to adapt to the new demands imposed by their institutions. Those in states that had proposed legislation were cautious but continued to teach DEI topics. Narrative responses underscored the role of sexual/gender identity, race, and tenure status in shaping participants' sense of vulnerability versus protection.

Conclusions Shifts in the legislative climate have implications for the professional and personal lives of faculty in higher education, especially LGBTQ+ faculty.

Policy Implications Higher education institutions can allocate resources to support their marginalized faculty, including LGBTQ+ faculty, amid the added labor they shoulder in socio-politically tumultuous times. Action can be taken by supporting organizations dedicated to supporting and protecting faculty, and pushing other organizations with power, including policy organizations, to understand the impacts of anti-DEI legislation.

Keywords Faculty · Higher education · Diversity · Inclusion · Sexuality · LGBTQ · Legislation

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Introduction

Teaching and research on LGBTQ+, race, and diversity related issues has become more challenging amidst the anti-diversity, equity, and inclusion (DEI) legislation that is advancing across the United States (US). Many states have introduced or passed anti-DEI legislation related to higher education. Many of the same states are seeing a rapid expansion of anti-LGBTQ+ legislation (Movement Advancement Project [MAP], 2024). Thus, there is notable overlap in states' legislative contexts related to DEI in higher education and LGBTQ+ related policies.

This study examines how faculty ($N=163$), more than half (51%) of whom are LGBQ+ and most of whom teach

in the social sciences or interdisciplinary programs, are navigating an increasingly anti-DEI climate in the US. It includes faculty in states that have passed anti-DEI legislation ($n=83$), states that have introduced legislation ($n=46$), and states without such legislation ($n=34$), all of whom are teaching in a national climate where DEI issues are politicized and under scrutiny (Adams & Chiwaya, 2024). Through responses to closed- and open-ended questions, we examine (a) changes in and impacts to teaching and research; (b) well-being; and (c) considerations related to moving and job seeking.

Anti-DEI Legislation in the United States

Teaching and researching LGBTQ+, race, and other diversity related topics in higher education can be challenging given that such topics are often politicized, potentially heightening resistance from students and administrators (Vue et al., 2024). Research on LGBTQ+ topics is made more difficult by limited funding sources, challenges recruiting individuals who feel safe participating, and the perception of identity-based scholarship as biased (Veldhuis, 2022).

Teaching and research on these topics are further challenged by the sweeping anti-DEI legislation advancing across the US, much of which can be seen as infringing on faculty academic freedom (Ng et al., 2025). Between 2023 and 2024, many states introduced or passed bills that would restrict DEI initiatives or teaching in public institutes of higher education (IHEs). As of February 2024, when data in this study were collected, nine states—Florida, Mississippi, Oklahoma, North Carolina, North Dakota, South Dakota, Tennessee, Texas, Utah—had passed anti-DEI legislation related to higher education. Such legislation varies in scope, but includes prohibitions on (a) requiring employees to participate in anti-bias programs, (b) spending on gender, sexuality, and race related programs, (c) allowed courses and majors, (d) teaching on “divisive concepts”, and (e) offices related to gender, sexuality, and race. In many other states (20+ as of February 2024), such legislation was proposed but not yet passed (Bryant & Appleby, 2024; Flannery, 2024). Thus, higher education is increasingly characterized by a climate that questions, even denigrates, the existence of teaching, research, and discussion related to DEI.

As DEI units are being dissolved or incorporated into other programs, and queer, gender, and race-related coursework and programs are being eliminated or reduced (Shanley, 2024), many faculty are strategizing how to continue to teach and do research, a challenge that may be heightened in departments that center issues of identity or oppression or view such issues as integral (e.g., the helping professions; Murray et al., 2023). Indeed, coursework

on diversity-related topics is required in some disciplines, such as clinical psychology and social work, inasmuch as training students in culturally competent practice is viewed as essential preparation for work with diverse clients (APA-CoA, n.d; CSWE, 2022).

Research on the challenges experienced by faculty in states with anti-DEI legislation is limited (Briscoe & Jones, 2024a, b; Pedota et al., 2025; Zahneis & Williams June, 2023). A 2023 survey of faculty in Georgia, Florida, North Carolina, and Texas found that 80% of faculty rated the atmosphere in their state regarding higher education as poor or very poor (Georgia, 2023; Zahneis & Williams June, 2023). Almost one-third were considering employment in another state and almost one-third did not intend to stay in academia, with the top reasons for seeking jobs elsewhere being state political climate, academic freedom, issues related to tenure, issues related to DEI, LGBTQ+ issues, and access to reproductive health care. And, as a 2024 *Nature* article reports, there are “many individual anecdotes” of faculty members leaving states like Florida, which has passed multiple anti-DEI laws related to higher education; and, “an informal survey conducted by organizations that represent faculty members in southern states found that many people are interested in moving” (Marris & E., 2024, p. 1).

A few recent qualitative studies have captured the stresses faced by faculty in states with proposed state censorship legislation (Briscoe & Jones, 2024a, b; Pedota et al., 2025). One study of 32 faculty engaged in race-related scholarship revealed that faculty generally perceived the proposed legislation as placing “passive pressure” on them to change their teaching and research, which created uncertainty that was amplified by administrators’ lack of support and poor communication, with faculty of color feeling particularly vulnerable (Pedota et al., 2025). In a study of 40 faculty who used critical race theory in their work, faculty reported a lack of support from administrators, which led to low morale and exhaustion (Briscoe & Jones, 2024a). Some faculty used strategies to continue to teach in more restrictive settings, such as teaching about racism in specialized classes versus general education courses (Briscoe & Jones, 2024b).

Unsurprisingly, the introduction and passage of anti-DEI legislation overlaps with anti-LGBTQ+ legislation (Flannery, 2024). Many states that have pursued anti-DEI legislation have also pursued legislation restricting gender-affirming care for youth, prohibiting discussion of LGBTQ+ topics in secondary education, and allowing health providers to discriminate based on moral convictions (MAP, 2024). Thus, a growing number of states are characterized by both anti-DEI and anti-LGBTQ+ climate. In turn, faculty who teach and do research on LGBTQ+ issues, sexuality, and gender in particular are likely to find their work more difficult in the current climate. They may worry about

political intrusions on academic freedom, perceive greater scrutiny by administrators and students, and consider leaving their jobs (Dhanani et al., 2024; Marris & E., 2024), especially those who are grappling with attacks on both their subject matter expertise and their personal identities (Flannery, 2024; Veldhuis, 2022).

Identities and Social Locations: Sexuality, Gender, and Race

LGBTQ+ faculty, faculty of color, and those who occupy both identities (LGBTQ+ faculty of color) face especially complex challenges teaching in higher education amid legislative threats to DEI. They are not simply a part of the culture war, but are directly impacted by it, personally and professionally (Haynes et al., 2020; Lange & Lee, 2024). Indeed, LGBTQ+ faculty, motivated by both their lived experience and insights into what was missing from their educational journeys, are often more likely to be teaching and researching LGBTQ+ topics than cis heterosexual faculty (Mehrotra et al., 2024; Veldhuis, 2022). In turn, both LGBTQ+ people and people of color are especially likely to teach and research topics that are marginalized structurally and pedagogically (Ferfolja & Hopkins, 2013) while also inhabiting marginalized identities (e.g., queer, gender nonconforming, Black), potentially leading to scrutiny, accusations of bias in their work, and elevated stress (Haynes et al., 2020). A trans person teaching about gender, for example, may experience heightened attention from colleagues and students, as well as mistreatment (e.g., misgendering), which may contribute to hypervigilance (Pitcher, 2018). Such unequal treatment may impact faculty job performance, well-being, and desire to remain in their jobs. One study found that LGBTQ+ faculty who reported a heteronormative campus climate were more likely to intend to seek other jobs (Garvey & Rankin, 2018). LGBTQ+ faculty may be more likely to leave academic jobs than their cis heterosexual peers (Cech & Waidzunus, 2021; Reinert & Yakaboski, 2017), in part because of hostile work environments or concerns about not getting tenure (e.g., due to the devalued nature of their work; Eliason, 2023).

LGBTQ+ faculty may be more impacted than cis heterosexual faculty by state legislative context. Research on LGBTQ+ faculty highlights the mental toll of maintaining constant vigilance around their LGBTQ+ identities in relation to students, colleagues, and administrators (Beagan et al., 2021; Veldhuis, 2022) and the scrutiny they endure related to research and teaching (Eliason, 2023; Wright-Mair, 2023). Presumably, LGBTQ+ faculty in hostile legislative contexts may experience hypervigilance and selective closeting in the classroom and beyond, contributing to a decreased sense of authenticity and increased isolation (Goldberg et al., 2024; Nielsen & Alderson, 2014;

Riggle et al., 2023) as well as exhaustion and “queer battle fatigue” (Eliason, 2023; Story, 2020). One study of 14 LGBTQ+ diversity staff in higher education found that they experienced high levels of burnout as they provided services to LGBTQ+ students amid the sociopolitical tumult of anti-DEI legislation (Catalano et al., 2025).

Beyond the intersecting axes of sexuality, gender identity, and race, other elements of privilege and mobility may affect the degree to which faculty are impacted professionally and personally by anti-DEI legislation. Specifically, faculty of lower rank (assistant professors, visiting professors), and faculty earning less income, may perceive less latitude surrounding what they teach, out of fear of professional repercussions as well as perceived ability to get another job or move (Shulman et al., 2016). Indeed, untenured and contingent faculty experience greater stress and mental health burdens than tenured faculty, in part due to less job security, institutional power, and financial resources (Macchi et al., 2023; Reevy & Deason, 2014).

Theoretical Framework

This study is guided by a structural stigma framework, which defines structural stigma as “societal-level conditions, cultural norms, and institutional policies that constrain the opportunities, resources, and well-being of the stigmatized” (Hatzenbuehler & Link, 2014, p. 2). In this study, structural stigma encompasses proposed and passed state legislation aimed at restricting DEI in higher education, and the national sociopolitical discourse surrounding DEI (Vue et al., 2024). Significantly, the experiences and impacts of structural stigma may not be felt the same for all members of a minoritized group (Rao et al., 2020). The impact of anti-DEI legislation may be heightened for certain less privileged faculty, such as those who are LGBTQ+ or of color, or those who are of lower professional rank and/or earn less income.

Of particular interest in this study is whether and how the impacts of structural stigma may be uniquely felt by LGBTQ+ faculty. Almost all faculty in this study did research on and/or taught on LGBTQ+ topics (98%), and our expectation was that LGBTQ+ faculty’s experiences of stress (e.g., related to their teaching and research, well-being, and desire to stay in their states and jobs) might be heightened. Faced with the existence or threat of legislative scrutiny and censure, LGBTQ+ faculty may experience vigilance (e.g., constantly monitoring and negotiating their environments and interactions) related to the visibility and outside interpretations of their identities, research, and teaching (Dozier, 2015; Veldhuis, 2022), especially against the backdrop of anti-LGBTQ+ legislation more broadly

(Horne et al., 2022). Such hypervigilance, in addition to impacting the ease and sustainability of their research and teaching, may also negatively affect their well-being and desire to remain in their jobs (Riggle et al., 2023; Wright-Mair, 2023).

The Current Study

This study uses mixed-methods survey data from 163 faculty to examine how anti-DEI legislation related to higher education is impacting faculty in terms of (a) teaching and research, (b) emotional and physical well-being, and (c) desire to relocate and change jobs. Given our interest in structural stigma, both our quantitative and qualitative analyses attend to dimensions of power, protection, and privilege, examining how marginalized identities related to sexual orientation, gender identity, and race impact how and to what extent faculty are impacted by legislation. With regard to our quantitative analyses, we hypothesized that LGBTQ+ faculty and faculty of color would report greater impacts in each of the three major areas. Further, the large proportion of LGBTQ+ faculty enabled us to specifically examine whether the effects of living in states where anti-DEI legislation was introduced or proposed were greater for LGBTQ+ faculty. Given the more direct impacts of legislation on public IHEs, we expected those in public institutions would report greater impacts; and, given that faculty rank may impact individuals' sense of job security, we expected lower-rank faculty to report greater impacts. Our qualitative analyses seek to nuance our quantitative analyses, to elucidate the intersectional identities and experiences of faculty, and center the perspectives of LGBTQ+ faculty in particular.

Method

Procedure

Between October 2023 and February 2024, amidst sweeping increases in legislation pertaining to DEI in higher education, individuals teaching in higher education in any U.S. state were invited to complete an anonymous survey hosted by the online platform Qualtrics. A research team diverse in methodological expertise, racial/ethnic background, and sexual/gender identities, constructed the survey. Four faculty (two in sociology, two in psychology; three in Florida, one in Massachusetts) shared study information to professional networks and listservs. They provided context for the survey and invited individuals to complete it by following a

link, with the option of winning one of five \$50 gift cards. Clicking the link took participants to the informed consent page; those who consented continued to the survey. Those interested in the raffle were taken to a separate survey to provide contact information, keeping their survey responses anonymous. Participants were asked to spread the word to other faculty, but to use caution in sharing the survey. The study was approved by the Clark University Internal Review Board.

Two-hundred ten participants consented to participate. Forty-seven were excluded because they did not finish the survey or provide data on their state, resulting in an analytic sample of 163 participants. Of these, three were missing data on income; thus, most of our logistic regressions are based on $N=160$. (An additional two were also missing data on desire to move.) The qualitative data analysis employs the full sample of 163.

Sample

The sample was quite varied in terms of rank, institution setting, time at their teaching level, level of teaching, and academic department, although most faculty were in the social sciences or interdisciplinary programs (see Table 1). Major focal areas of anti-DEI legislation were often part of participants' research and teaching (see Table 2).

Quantitative Data

Outcomes

Faculty were asked how legislation passed or introduced in their state related to higher education and diversity (e.g., teaching, research, or other activities) had impacted their teaching, research, mental health, and career and life decisions. We refer to this as anti-DEI legislation.

Negative Impact on Teaching Participants were asked about four negative impacts that anti-DEI legislation could have on relationships with students and teaching: (1) students had threatened to report them, (2) an increase in negative course evaluations, (3) course enrollments had dropped, and (4) guest speakers refused to come to their classes. If participants had experienced one or more of these, they were coded as 1, and if not, they were coded as 0.

Negative Impact on Research Participants were asked about three negative impacts on research: (1) change in the direction of their research, (2) students refused to work with them

Table 1 Sample characteristics ($N=163$)

	%	N
IHE Setting		
City	55.8%	91
Suburban Areas	22.1%	36
Small Towns	18.4%	30
Rural Areas	3.7%	6
Time at Institution		
5 years or less	36.2%	59
6 to 10 years	27.6%	45
11 to 15 years	17.2%	28
16 to 20 years	9.8%	16
Over 20 years	9.2%	15
Teaching Level		
Undergraduate & Graduate	57.7%	94
Undergraduate Only	22.1%	36
Graduate Only	19.6%	32
Missing	0.1%	1
Department/Program*		
Psychology	24.5%	40
Women's & Gender Studies	20.2%	33
Sociology	17.8%	29
Human Development & Family Science/Studies	15.3%	25
Criminology/Criminal Justice	12.9%	21
Education	12.3%	20
Public Health	8.6%	14
Social Work	5.5%	9
Black/African American Studies	3.7%	6
Political Science	3.1%	5
Nursing	1.8%	3
Legal Studies	1.2%	2
Communications	1.2%	2
History	1.2%	2
Anthropology	1.2%	2
Religious Studies	1.2%	2
One Each in Other Disciplines (e.g., Math, Counselor Education, Writing & Rhetoric)	12.9%	21
Demographics		
Married/Partnered	83.4%	136
Parent of children	56.4%	92
	Range	Mean (SD)
Age	25–73	43.6 years (9.0)

*Totals to more than 100% because participants could select more than one

Table 2 Participant research and teaching areas ($N=163$)

	Research				Teaching			
	Central Focus		Component		Central Focus		Component	
	%	n	%	n	%	n	%	n
LGBTQ+ Issues	33.7%	55	33.1%	54	27.6%	45	66.3%	108
Sexuality/Sexuality Studies	27.6%	45	27.0%	44	27.6%	45	49.1%	80
Trans Studies/Trans Specific	20.2%	33	29.4%	48	16.0%	26	58.3%	95
Race/Racism	20.2%	33	46.0%	75	29.4%	48	59.5%	97

on their research, and (3) research participants were less likely to work with them. If participants had experienced one or more of these, they were coded as 1, and if not, they were coded as 0.

Changes to Teaching Participants were asked about six negative changes to their teaching due to recent anti-DEI legislative changes: (1) omitted readings previously assigned, (2) omitted topics previously covered, (3) decreased the amount of class discussion, (4) stopped having class discussion, (5) stopped inviting guest speakers, and (6) stopped teaching some courses. Those who made one or more of changes were coded as 1; those who did not, as 0.

Negative Impact on Mental Health Participants were asked if the current anti-DEI legislation had negatively impacted their mental health: yes (1) or no (0).

Negative Impact on Physical Health Participants were asked if the current anti-DEI legislation had negatively impacted their physical health: yes (1) or no (0).

Desire to Move Participants were asked if they wanted to move from their current state. Those who very much or somewhat wanted to move were coded as 1, and those who endorsed *neutral*, *not very much*, or *not at all* were coded as 0.

Job Seeking, Academic Participants were asked if they had (1) considered, did research on, or searched for a new job in academia, (2) applied for a new job in academia, or (3) got a new job in academia. Those who said yes to one or more were coded as 1; those who did not, 0.

Job Seeking, Non-Academic Participants were asked if they had (1) considered, did research on, or searched for a non-academic job, or (2) applied for a new non-academic job. (We did not ask about new non-academic jobs as this would have made them ineligible for the study.) If they answered

yes to at least one, they were coded as 1; those who did not, as 0.

Predictors

We considered legislative context, aspects of academic context (IHE type and faculty rank) and key demographics (race, gender, sexual orientation, and income) as predictors of perceived impacts on teaching, research, mental health, and career and life decisions.

Legislative Context Participants resided in 36 different states and were classified in one of three groups based on information from Best Colleges' 2024 anti-DEI in higher education legislation tracker: passed legislation, introduced (but not passed) legislation, and no legislation (Bryant & Appleby, 2024). Over half ($n=83$, 50.9%) taught in a state with passed legislation; over one-quarter ($n=46$, 28.2%) taught in a state with introduced but not passed legislation; and one-fifth ($n=34$, 20.9%) taught in a state that had not introduced or passed legislation (Appendix A). All states with passed legislation were also states with few protections for LGBTQ+ people (i.e., low or very low scores with regard to LGBTQ+ related policies); almost all (93%) with introduced legislation were states with few LGBTQ+ protections; and all states without legislation were states with fair, medium, or high levels of LGBTQ+ protections (MAP, 2024). We created three dummy codes that delineated legislative context: passed legislation, introduced (but not passed) legislation, or no legislation.

IHE Type IHE type included public 4-year ($n=125$, 76.7%), private secular 4-year ($n=20$, 12.3%), private religiously affiliated 4-year ($n=13$, 8.0%), and something else ($n=5$; e.g., private medical school, private graduate school). These categories were combined and dichotomized such that public institutions ($n=125$, 76.7%) were coded as 1 and private institutions ($n=38$, 23.3%) were coded as 0.

Faculty Rank In terms of rank, 44 (27.0%) were full professors, 58 (35.6%) were associate professors, 45 (27.6%) were assistant professors, 12 (7.4%) were instructors or lecturers, and four said something else (e.g., associate provost). Rank was dichotomized such that those of lower rank (e.g., assistant professors, instructors; $n=61$, 37.4%) were coded as 1, and those of higher rank (e.g., associate or full professors; $n=102$, 62.6%) were coded as 0.

Race Participants who only identified as white ($n=125$, 76.7%) were coded as 1. Participants whose racial identity included Latino/a/x ($n=15$, 9.2%), Black or African American ($n=15$, 9.2%), Hispanic ($n=9$, 5.5%), Asian ($n=5$,

3.1%), American Indian or Alaska Native ($n=1$, 0.6%), Middle Eastern or North African ($n=1$, 0.6%), and/or something else ($n=3$, 3.1%) were grouped together ($n=38$, 23.3%) as of color and coded as 0.

Gender We created three dummy codes: cisgender woman ($n=119$, 73.0%), cisgender man ($n=22$, 13.5%), and trans (including nonbinary/gender diverse identities, $n=22$, 13.5%). In the main models, we included cisgender man and cisgender woman, making trans the default.

Sexual Orientation Participants identified as heterosexual ($n=80$, 49.1%), bisexual ($n=26$, 16.0%), queer ($n=25$, 15.3%), lesbian ($n=11$, 6.7%), gay ($n=9$, 5.5%), pansexual ($n=6$, 3.7%), and something else ($n=6$, 3.7%), such as asexual. LGBQ+ participants ($n=83$, 50.9%) were grouped together and coded as 1, and heterosexual participants were coded as 0.

Household Income Income was measured such that 1=household income of less than \$50K/year ($n=2$, 1.2%), 2 = \$50-\$ 100 K ($n=41$, 25.2%), 3 = \$101-\$ 150 K ($n=44$, 27.0%), 4 = \$151-\$ 200 K ($n=31$, 19.0%), 5 = \$201-\$ 250 K ($n=18$, 11.0%), and 6=over \$ 250 K ($n=24$, 14.7%). Three cases (1.8%) were missing on income.

Qualitative Data

Open-Ended Survey Questions

Participants were presented with a number of open-ended queries, often requesting elaboration of responses to quantitative items. They were asked to "provide examples of how the specific pieces of legislation that have been passed have impacted [their] teaching and research." They were prompted to "please elaborate" on all items they endorsed about changes to teaching due to recent state legislative changes. They were asked whether they had "made any other changes to their teaching, research, or work at [their] institution" not listed, and to elaborate. They were asked, "What requests from your department or institution caused the greatest amount of tension or stress for you?" Further, they were prompted, "If your department and institution have provided inconsistent guidance (e.g., institution urges change, department minimizes need for change), please elaborate." In addition, they were asked to elaborate on their response to whether or not their mental health or physical health had been negatively impacted by recent legislative changes in their state. Finally, they were asked, "Is there anything else you would like to share about your experience as a faculty member teaching in your state?"

Data Analysis

Quantitative

Basic descriptive statistics and logistic regressions were used to analyze the quantitative data in SPSS, version 28. With regard to logistic regressions, we assessed whether legislative context (introduced or passed anti-DEI legislation), institutional context (public university), and individual indices of vulnerability (low rank; LGBQ+; trans; of color; lower income) predicted dichotomous outcomes for impacts to teaching; impacts to research; changes to teaching and DEI practices; mental health challenges due to legislation; physical health challenges due to legislation; desire to move; academic job seeking; and non-academic job-seeking. Due to lack of existing research and the exploratory nature of the study, we report significant results ($p < .05$) but note marginally significant findings ($p < .10$). To test if effects of legislation varied by sexual orientation, we fit a second set of logistic regressions with interaction terms (LGBQ+x introduced, LGBQ+x passed). We did not test interactions between LGBQ+ and race or legislation and trans due to small n 's for some cells, providing insufficient power for robust tests.

Qualitative Analysis

Responses to open-ended survey questions ranged from one sentence to several paragraphs, with most participants providing responses of three to five sentences. The first author used thematic analysis (Braun & Clarke, 2013, 2019) to examine responses from the open-ended questions. Analysis focused on participants' reflections on the impact of anti-DEI legislation on their teaching, research, well-being, and desire to leave their state and job, and was informed by our research questions, the literature, and a structural stigma framework. Given the unique positionality of LGBTQ+ faculty in teaching about and doing research on LGBTQ+ topics, we center LGBTQ+ and intersectional experiences in our presentation of qualitative findings (e.g., in the selection of exemplar quotes).

The first author initially read all open-ended responses to gain familiarity with the data. She bracketed her own experiences and preconceptions to facilitate a curious and open stance in relation to the data, and the ability to approach it with a fresh perspective (Goldberg & Allen, 2015). Responses were then annotated: via line-by-line coding, and she labeled phrases relevant to the main domains of interest (e.g., elimination of course content due to fears

of repercussions). These codes were abstracted under larger categories, which were positioned in relation to each other, such that connective links were established (e.g., perceived vulnerability due to marginalized identities, teaching/research foci, and untenured status all intersected with changes to teaching). A tentative thematic structure was produced and reapplied, such that all data were then recoded according to the scheme. Themes were analyzed for the full sample and by key demographics, such as legal context, sexual orientation, and race. The third author served as an auditor and provided critical input during the coding process, as detailed below. In presenting quotes, we have shortened key terms for brevity: public university=public, private university=private, full professor=full, associate professor=associate, and assistant professor=assistant.

Trustworthiness To enhance trustworthiness in the study preparation and data collection phases, we pursued a data collection strategy (i.e., an online survey) that we believed would result in high-quality, contextually-valid data (Lincoln & Guba, 1985). We also posed both open- and closed-ended questions to obtain multiple forms of data that would lend themselves to a deeper, richer understanding of the phenomena of interest (Morrow, 2005).

To enhance trustworthiness in the qualitative data analysis process, our research team sought to maintain reflexivity through open discussion of our assumptions and positionality throughout the process of examining, organizing, and interpreting the data (Morrow, 2005). As faculty at public universities in [state], several authors saw themselves as negatively impacted by anti-DEI and other legislation passed in their state. One author at a private university had conducted research examining legislative impacts on people with marginalized identities. The authors worked collaboratively and transparently to remain mindful of their beliefs and experiences while seeking to ensure that survey questions could capture a range of experiences, and that faculty at private and public institutions and in a variety of states were included. To further enhance the credibility of the analysis, the third author reviewed the coding scheme, providing input and collaboratively examining the fit between the data and emerging themes (Goldberg & Allen, 2015). After reaching the final thematic structure, the coders noted the absence of any new concepts, codes, or themes, indicating that data saturation had been reached (Lincoln & Guba, 1985). Finally, the authors selected meaningful and appropriate quotes to include in the paper to illustrate key concepts (Morrow, 2005).

Results

Quantitative: Impact on Teaching and Research and Changes to Teaching Practices

We asked about four types of negative impacts to teaching and three types of negative impacts to research as a result of state legislation. See Appendix B for qualitative comments elaborating on these impacts. Under one-fifth ($n=28$, 17.2%) reported negative impacts on teaching and about one in seven reported negative impacts on research ($n=23$, 14.1%). We also asked about six types of changes faculty may have made to their teaching practices, all related to removing material and practices, and found that 20 (12.3%) had made one or more changes.

See Table 3 for results of the main logistic regression models. Faculty in states with passed legislation had 8.62 times greater odds than those in states with no legislation to report teaching impacts, while those in states with introduced legislation had 9.41 times greater odds compared to those without. There was a marginally statistically significant finding for LGBQ+ participants to have 1.31 times greater odds of reporting impacts than heterosexual faculty ($p=.077$). Changing the defaults did not result in any changes: there were no differences according to gender identity in perceived impacts, and those in states that passed legislation did not perceive greater impacts than those in states that had introduced it. Regarding research impacts, there was a marginally significant finding for sexual orientation, such that LGBQ+ participants had 1.89 times greater odds of reporting impacts than heterosexual participants ($p=.055$).

Regarding changes in teaching practices, there was a marginally significant finding for faculty in states that had passed legislation to have 5.67 times greater odds than those in states without legislation to report making changes

($p=.084$). There was a marginally significant finding for professional rank, such that faculty of lower rank had 1.64 times greater odds of making changes than faculty of higher rank ($p=.098$).

In follow-up analyses, we tested whether sexual orientation (LGBQ+ vs. heterosexual) interacted with legislative context to predict each of the three outcomes. None were significant.

Qualitative: Impact on Teaching and Research

Passed Legislation: Navigating and Adjusting to Unwanted Change

Consistent with the fact that many faculty did not perceive negative impacts on their teaching or research, qualitative findings revealed that participants in states with passed legislation often described feeling that the full impact of the legislation had not yet been realized. They worried about their courses being canceled, failing to get tenure or be promoted, and an increasingly hostile university climate. Some described greater administrative oversight of their teaching, research, and service, such that they were “required to provide copious amounts of documentation, curriculum maps, and data to prove various claims or defend positions coming from state agencies, legislature, and the provost’s office.” Some received guidance to avoid specific language or present multiple perspectives in their teaching.

Many said that they continued to teach on LGBTQ+ identities, sexuality, race and racism, and the like, but had made adjustments to provide justification for their inclusion and provide more context for each topic (e.g., background material to counter stereotypes). Thus, they taught similar content but with tweaks to reduce student resistance. Participant 1 (P1), a white cis bisexual man (assistant, public), said, “I am taking care to provide ample context for remarks,

Table 3 Impacts on teaching and research and changes in teaching practices

Predictors	Impacts on Teaching ($N=160$)			Impacts on Research ($N=160$)			Changes in Teaching Practices ($N=160$)		
	B (SE)	Wald	e ^B	B (SE)	Wald	e ^B	B (SE)	Wald	e ^B
Passed Leg	2.26 (1.08)*	4.39	9.62	0.65 (0.66)	0.97	1.92	1.90 (1.10) ⁺	2.98	6.67
Intro Leg	2.34 (1.11)*	4.44	10.41	0.09 (0.77)	0.02	1.10	1.23 (1.20)	1.05	3.43
Public U	0.25 (0.64)	0.15	1.29	-0.02 (0.61)	0.001	0.98	0.81 (0.86)	0.89	2.24
Lower Rank	-0.25 (0.48)	0.26	0.78	0.07 (0.51)	0.02	1.07	0.97 (0.58) ⁺	2.74	2.64
LGBQ+	0.84 (0.47) ⁺	3.13	2.31	1.06 (0.55) ⁺	3.69	2.89	0.04 (0.57)	0.01	1.04
Cis Woman	0.70 (0.74)	0.90	2.02	-0.47 (0.66)	0.51	0.63	-0.53 (0.81)	0.42	0.59
Cis Man	0.61 (0.90)	0.47	1.84	-0.21 (0.78)	0.08	1.24	1.12 (0.89)	1.59	3.07
White Only	-0.49 (0.56)	0.77	0.62	-0.39 (0.78)	0.45	0.68	0.23 (0.72)	0.10	1.26
Fam Income	-0.18 (0.19)	0.91	0.84	-0.07 (0.21)	0.11	0.94	0.01 (0.22)	0.01	1.01
Constant	-3.77 (1.45)**	6.76		-2.02 (1.18) ⁺	2.94		-4.75 (1.69)**	7.94	

Note: For legislative context, default is no legislation. For gender, default is trans. As private (non-public) institutions included religious institutions, follow-up analyses were conducted dropping those from analyses, with no substantive changes in findings

+ $p < .10$. * $p < .05$. ** $p < .01$. *** $p < .001$

assigned readings, and class discussions. I am not avoiding controversial issues, but I am making sure that the content stays within the confines of the class.” P2, a biracial cis bisexual woman (associate, public), said:

I spend more time discussing issues related to gender affirming care in all of my classes to help dispel misinformation about that topic. I have changed how I talk about intersectionality to omit the term “critical race theory” from my coverage completely to avoid knee jerk reactions to the topic.

Some tried to continue to teach effectively while also responding to student opposition and lack of receptivity. P3, a white cis heterosexual woman (assistant, public), was “committed to only using readings by typically marginalized scholars, and critical readings. [But recently], every discussion has become extremely heated and thoroughly gone off the rails,” leaving P3 to contemplate “how to introduce readings by traditionally marginalized scholars that are possibly less ‘offensive’ to the white men in the room.”

Some faculty spoke to ways that they had sought to reduce their visibility as scholars. Such strategies included changing the names of their research labs (e.g., eliminate words like trans, queer, sexualities, and race), decreasing the online presence of their research, and not presenting their work to the public for fear of “someone taking a screenshot and sending it to a politician that could use it against me” or “bringing attention to what my lab and I are doing.” Others chose to be more deliberate vis-à-vis their advocacy and activism, using personal as opposed to institutional emails for listservs and petitions. Some, too, decreased their visibility in activism more broadly in order to fly “under the radar.” P4, a white nonbinary bisexual participant (lecturer, public), avoided writing for the public “so as not to jeopardize my faculty position or the status of my program if an article goes viral and catches the attention of people who consider themselves watchdogs for the right. I also avoid in-person protests and other events where I might be photographed.” Such hypervigilance and avoidance resulted in P4 feeling “disengaged from my campus and community.”

This type of self-protective impulse extended to interactions with students. Faculty were now more careful about self-disclosures of their queer/trans identities. Some no longer allowed students to record lectures—a safeguard to protect themselves from attack. Some now cautioned students that their courses explored “different perspectives” that might create discomfort, both to prepare them for ideas they might find challenging as well as to signal that they were not being “compelled” to adopt any position. P5, a biracial nonbinary queer participant (assistant, public), said, “Our

campus counsel interpreted the anti-CRT [Critical Race Theory] law that as long as we do not require students to claim CRT as their perspective, we can teach it. So, I do [and] point out regularly that we all use different perspectives and it is just one of the options.”

Privilege related to professional rank, university context, and individual identities (e.g., race, sexual orientation) appeared to impact how comfortable faculty felt pushing the boundaries of what was acceptable under the new laws. A few higher-rank faculty said that they had largely continued to teach and research as they had before, and cited their tenured status in explaining why they felt relatively protected (“I’m in a pretty safe spot as a full professor so I speak up more, do more, push back”). P6, a biracial queer woman (associate, public) shared, “While some of my colleagues are rather vulnerable and I both understand and support their choice to protect themselves and their families, as someone with fewer vulnerabilities...I have continued my work as I would in any other state.” Being at a private university was also invoked as a protective factor. P7, a white cis heterosexual woman associate professor, felt “fortunate to work for a private institution that is very supportive of DEI work and academic freedom” which had also recently “offered multiple trainings on how to handle difficult conversations in the classroom.”

Introduced Legislation: Uncertain and Wary

Participants in states that had proposed but not passed legislation often spoke about being “cautious” and “watchful” amid what felt like a “tense” climate (“recently, there are students who will push back or write in evaluations that teaching about diversity felt like indoctrination”). Similar to those in states that had passed such legislation, these faculty described adding more context for hot-button topics (“I added in prefaces explaining what gender affirming care is and is not and added reminders that this topic is not a theoretical debate for many class members”) and underscoring the empirical basis of their inclusion to reduce student resistance. In this way, they were responding less to legislative directives and more to evidence of an increasingly unsettled student climate around diversity. P8, a white cis queer woman (assistant, public) was “more mindful to highlight the history of pathologization and legislation of LGBTQ lives, and how current sociopolitical forces fit in that broader history.”

Some emphasized that they had not made changes to their research or teaching, but were more worried about future consequences. P9, a white cis heterosexual woman (associate, public) said, “I continue to teach the items that I have previously done so; now, I just fear that there may be repercussions. However, ethically to my profession, I

have to prepare students to work in a clinical setting with children and families of all backgrounds and group identities.” Others noted how even though no legislation had passed yet, the national discourse around DEI-related topics had cultivated fear. P10, a white cis queer woman (assistant, public), shared, “I haven’t planned to curtail my efforts but recognize I may face consequences for what I teach and research. I worry about the future of my career as a queer studies professor.”

Many of these faculty shared that they did not feel fully supported or protected by their institutions. Faculty were often aware of their vulnerability to censure because of the nature of their scholarship—even if no laws had passed explicitly barring them from teaching or studying certain topics. Some had received guidance from their universities or departments to “tone down” elements of their research and teaching, even though the law did not require them to do so. One faculty member, for example, was told that they could continue their LGBTQ research program but should “consider changing the name of my lab before a name change became ‘necessary.’” P11, a white cis gay man (assistant, public), shared:

Our legal counsel has advised us that I can keep teaching the way I always have and that I cannot be fired if I show up on Fox News, but the university president is not supportive [of me]. Legal counsel indicated that although I may not be fired by the university, I may have to weather intense scrutiny for a period of time if my work gets picked up by conservative media..The threat of ending up on the news is always looming. My work and teaching are unapologetically queer and identity-affirming and that puts me at risk.

Some faculty spoke to how feelings of vulnerability and uncertainty vis-à-vis research and teaching were enhanced due to their untenured, queer, and racialized statuses. P12, a Black cis heterosexual woman (assistant, private), noted a sense of “precarity” as a junior faculty member and acknowledged the possibility of “not getting tenure because of my research and teaching. These concerns are not new as a faculty of color but only heightened given the widespread attack on what it is that I do and the communities that I represent.” P13, a white cis queer woman (associate, public), said, “I fear retaliation by students and losing my job because I’m pre-tenure; I am not as excited about my research agenda because I’m afraid if I’m too public about it I’ll bring attention to what my lab and I are doing and be sanctioned.”

No Legislation: Bold but Watchful

Those in states that had not passed legislation often indicated they felt protected and fortunate, with some noting that because of what was going on nationally, they felt an even more urgent need to teach about issues of inequality and marginalization. P14, a white cis bisexual woman (assistant, public), said, “I feel very fortunate to work at an institution [where] the expectation is generally that faculty are promoting diversity, equity, and inclusivity in their work.” P15, a Latinx cis heterosexual woman (full, public), said, “I’m not doing anything differently in my research. If anything I’m more vocal and unapologetic in my teaching. I pull in our professional guidelines and make a point to ensure we are following those and not legislative whims.” A few said they would leave their institutions if asked to drastically alter their approach.

Some participants, particularly LGBTQ+ faculty, pointed to how, even though their state had not passed any relevant legislation, the broader state or national climate was increasingly worrisome. P16, a white queer nonbinary participant (associate, private) said, “There’s no legislation that would impact my teaching or research, but the climate has cooled, and I have concerns I didn’t have before, [like] being on the list of radical faculty by that conservative org.”

Quantitative Findings: Well-Being

More than half ($n=96$, 58.9%) of participants reported negative mental health impacts due to anti-DEI legislation, and almost a quarter ($n=38$, 23.3%) reported negative physical health impacts. Faculty in states that passed legislation had 10.62 times greater odds than those in states without to report impacts, and those in states that introduced legislation had 9.60 times greater odds (Table 4). These groups did not differ from each other in likelihood of reporting impacts. LGBTQ+ faculty had 6.67 times greater odds of reporting such impacts than heterosexual faculty. In terms of physical health, faculty in states with legislation had 3.58 times greater odds than those in states without it to report impacts, while those in states that introduced legislation had 2.85 times greater odds, at a marginal level of significance (Table 4). Trans faculty were marginally found to have 1.78 times higher odds than cis women to report impacts ($p=.096$).

We tested the interactions between sexual orientation and legislative context in predicting mental and physical health. The interaction between introduced legislation and sexual orientation in predicting mental health was significant. Living in a state that passed legislation continued to be significant in predicting mental health, with 3.56 times greater

Table 4 Impact on mental and physical health

Predictors	Impacts on Mental Health (<i>N</i> = 160)			Impacts on Mental Health w/Interactions (<i>N</i> = 160)			Impacts on Physical Health (<i>N</i> = 160)		
	<i>B</i> (<i>SE</i>)	<i>Wald</i>	<i>e^B</i>	<i>B</i> (<i>SE</i>)	<i>Wald</i>	<i>e^B</i>	<i>B</i> (<i>SE</i>)	<i>Wald</i>	<i>e^B</i>
Passed Leg	2.45 (0.57)***	18.24	11.62	1.51 (0.78)*	3.82	4.56	1.52 (0.70)*	4.78	4.58
Intro Leg	2.36 (0.61)***	14.80	10.60	0.90 (0.87)	1.07	2.46	1.35 (0.76) ⁺	3.19	3.85
Public U	-0.05 (0.49)	0.01	0.95	0.03 (0.50)	0.01	1.04	0.16 (0.54)	0.09	1.18
Lower Rank	0.311 (0.41)	0.57	1.37	0.39 (0.42)	0.85	1.47	0.09 (0.44)	0.00	1.01
LGBQ+	2.04 (0.46)***	19.74	7.67	0.67 (0.90)	0.53	1.93	0.59 (0.44)	1.77	1.81
Cis Woman	0.51 (0.62)	0.68	1.67	0.67 (0.68)	1.00	1.95	-1.02 (0.61) ⁺	2.77	0.36
Cis Man	0.83 (0.82)	1.02	2.29	0.86 (0.84)	1.06	2.37	0.23 (0.71)	0.11	1.26
White only	-0.59 (0.49)	1.49	0.55	-0.50 (0.49)	1.06	0.61	-0.56 (0.50)	1.24	0.57
Fam Income	-0.07 (0.15)	0.65	0.93	-0.11 (0.15)	0.50	0.89	0.22 (0.17)	1.72	1.24
LGBQ+x Passed				1.20 (1.05)	1.32	3.33			
LGBQ+x Introduced				2.69 (1.25)*	4.64	14.74			
Constant	-2.34 (1.01)*	5.41		-1.51 (1.12)	1.83		-2.60 (1.08)*	5.85	

Note: For legislative context, default is no legislation. For gender, default is trans. As private (non-public) institutions included religious institutions, follow-up analyses were conducted dropping those from analyses, with no substantive changes in findings

+ $p < .10$. * $p < .05$. ** $p < .01$. *** $p < .001$

odds of negative mental health impacts, while the main effects of living in a state that introduced legislation and sexual orientation were no longer significant. However, the interaction between introduced legislation and sexual orientation was significant, such that LGBQ+ faculty in states that introduced legislation were more likely than heterosexual faculty in such states to report mental health impacts. Predicted probabilities from the model show heterosexual faculty reports of impacts in states where anti-DEI legislation was introduced (0.35) to be only modestly higher than those in states where it had not been introduced (0.18). On the other hand, for LGBQ+ faculty, the probability of reports of impacts for faculty in states where anti-DEI legislation was introduced (0.94) were dramatically higher than for those in states where it had not been introduced (0.30).

Qualitative Findings: Well-Being

Participants in all legislative contexts described ways that the larger sociopolitical climate and national legislative context had negatively impacted their mental health. LGBTQ+ faculty in particular pointed to the national discourse around diversity (and especially LGBTQ+) issues as harmful to their well-being. Difficulties with concentration, anxiety, and depression were often noted. P17, a white bisexual nonbinary trans man (assistant, private, no legislation state), said, "I have felt extremely fatigued and stressed by the amount of anti-queer and anti-trans legislation being introduced throughout the US." P18, a white cis bisexual woman (associate, public, no legislation state) said, "The anxiety has sometimes made me physically sick and unable to sleep. This ebbs and flows with current events."

In addition to pointing to the broader national climate, those in states with introduced or passed legislation referred to their state legislative context in describing their emotional drain. P18, a white cis queer woman (full, public), said, about the proposed legislation:

They affect my energy. They exhaust me. They affect the teachers and professionals I serve. They take up energy and distract all of us to noise and polarization and reactionary responses rather than the work of teaching and learning lots of different ways of being in the world. I would also say I'm hesitant to write particular critiques of the state because we have an attack culture and I feel conscious that at any time my field, my positionality, my time, can be attacked and taken up with noise.

P19, a Black cis heterosexual woman (assistant, public, introduced legislation state), said:

I am absolutely exhausted. I am trying to maintain a high level of productivity to submit a solid tenure packet, all while stressing about it being a complete waste of time due to my research agenda. I am also trying to "lay low" and not draw attention to myself and my work even though that's exactly what I should be doing as a scholar.

Some invoked their own marginalized identities (e.g., gender identity, sexual orientation, race) in highlighting the negative impact of national and state legislation on their well-being. In this way, their social locations intersected with

and amplified the impact of state and national discourse and legislative oppression. P20, a white cis pansexual woman (visiting, public, passed legislation state), said, “I definitely have increased anxiety both about my job and also about our ability to continue living in this state as a married same sex couple if things continue to get worse (e.g., marriage equality is overturned).”

Marginalized faculty often voiced feeling more hyper-vigilant, as they were “constantly being reminded by friends and colleagues how hostile the state is at large toward people like me.” P21, a white cis lesbian (full, public, passed legislation state) said: “I am constantly anxious. My research focuses on queer and trans [people] and it seems more important than ever. I also worry about my physical safety if my neighbors know about my research and my identities, which are very public online.” P22, a white cis bisexual woman (assistant, private, introduced legislation state), said:

I am constantly surveilling my surroundings to see if it is “safe” (physically but also largely emotionally) to be out. It took months to disclose my sexual orientation (marriage to my wife) to certain colleagues and I frequently omit this information when in my suburban community for fear of emotional and sometimes physical harm. It’s exhausting.

Physical health impacts were also noted, including headaches, digestive issues, and sleep problems. P3, a white cis heterosexual woman (assistant, public, passed legislation state), said, “I have difficulty sleeping, I dread going to class, I leave class feeling like I have been through the washer. I flow between ‘fuck it’ and fear, creating a sense of anxiety and trepidation.” P23, a white queer trans man (instructor, public, passed legislation state) shared:

My physical health issues are definitely completely tied to the mental health concerns. Increased stress and depression related to my job’s new potential instability...and the potential of my transition and reproductive healthcare to be eliminated have led to increased inattention and difficulty focusing [and] poor sleep.

Thus, P23’s precarious status as a visiting professor without tenure, as well as his trans identity and associated concerns related to health care, created unique stresses that ultimately impacted his physical well-being in significant and consequential ways.

Quantitative Findings: Desire to Move and Change Jobs

Almost half ($n=81$, 49.7%) of faculty somewhat or very much wanted to move. Living in a state that had passed legislation was related to wanting to move, such that those in states with legislation had 6.37 times greater odds than those in states without it to want to move. Those living in states that had introduced legislation had 6.36 times greater odds than those in states without it to want to move (see Table 5). There were no differences between those in states that passed legislation and those in states that had introduced legislation in desire to move.

Over one-third of faculty ($n=64$, 39.3%) had pursued another academic job. Faculty who resided in states that passed legislation had 2.06 times greater odds than those in states without it to have pursued a new job (see Table 5). Faculty who were LGBQ+ had 2.11 times greater odds of job seeking than heterosexual faculty. Faculty of color had 1.17 times greater odds of job seeking than white faculty, at marginal significance ($p=.079$). Those with greater incomes were marginally more likely to have sought another

Table 5 Desire to move and pursuit of alternative academic and non-academic jobs

Predictors	Desire to Move ($N=158$) ^a			Pursued Alternative Academic Job ($N=160$)			Pursued Non-Academic Job ($N=160$)		
	B (SE)	Wald	e ^B	B (SE)	Wald	e ^B	B (SE)	Wald	e ^B
Passed Leg	2.00 (0.56)***	12.79	7.37	1.12 (0.51)*	4.88	3.06	1.09 (0.56) ⁺	3.82	2.96
Intro Leg	1.99 (0.60)***	11.05	7.36	0.81 (0.56)	2.09	2.24	0.81 (0.61)	1.73	2.24
Public U	0.46 (0.46)	0.93	1.56	0.19 (0.45)	0.17	1.20	0.21 (0.49)	0.18	1.23
Lower Rank	-0.28 (0.38)	0.55	0.76	0.13 (0.37)	0.12	1.14	-0.23 (0.40)	0.33	0.79
LGBQ+	0.37 (0.38)	0.95	1.45	1.14 (0.39)**	8.42	3.11	0.87 (0.41)*	4.66	2.40
Cis Woman	0.22 (0.56)	0.15	1.24	0.08 (0.55)	0.02	1.08	-0.09 (0.57)	0.03	0.91
Cis Man	0.20 (0.71)	0.08	1.22	0.30 (0.69)	0.20	1.35	0.06 (0.69)	1.93	2.62
White Only	-0.10 (0.45)	0.05	0.90	-0.77 (0.44) ⁺	3.09	0.46	-0.66 (0.46)	2.02	0.52
Fam Income	-0.01 (0.14)	0.002	0.99	0.27 (0.14) ⁺	3.56	1.31	-0.04 (0.15)	0.07	0.96
Constant	-2.16 (0.94)*	5.26		-2.52 (0.91)**	7.76		1.71 (0.87)*	3.90	

^aThe sample size for desire to move analyses was 158, not 160, due to two participants’ missing data

academic job, with 0.31 times greater odds for each additional level of income (for 6 income levels; $p=.059$).

Almost one-third ($n=49$, 30.1%) of faculty had pursued a non-academic job. Faculty in states that passed legislation had 1.96 times greater odds, at the level of marginal significance, of pursuing another job compared to those in states without legislation (Table 5). LGBQ+ faculty had 1.40 times greater odds of non-academic job seeking, compared to heterosexual faculty. Cis men had 1.88 times greater odds than cis women to pursue a non-academic job ($B=1.06$, $SE=0.52$, $Wald=4.09$, $p=.043$, $e^B = 2.88$).

In follow-up analyses predicting desire to move and change jobs, the interactions between sexual orientation and legislative context were added. None were significant.

Qualitative Findings: Desire to Move and Change Jobs

As the quantitative data highlight, faculty in states where legislation was introduced and where it had passed voiced a desire to move, with some taking steps to do so. P24, a white cis heterosexual woman (full, public, passed legislation state) said, “I was doxed...and have been the subject of requests for materials related to my work by people outside of the university looking to harass and intimidate me. I’m scared I’ll be hurt or my family will be. I’ve become quiet and am trying hard to leave [state]. It’s barbaric.” P25, a white cis queer woman, (associate, public, passed legislation state), shared, “We have been looking to move out of [state] for several years now, but [felt] a job offer [was] needed first. I have just accepted a new job out of state and we will be moving next year!”

Several faculty commented on the large number of faculty who were exiting their institutions and/or their state, noting, for example, “I have decided to quit soon and leave [state]. We already have lost a good number of faculty.” P12, a Black cis heterosexual woman (assistant, private, introduced legislation state), wondered about how this type of “mass exodus” would affect the future of academia: “I think these issues are really going to impact the retention of faculty from marginalized backgrounds..We also know that without faculty from marginalized backgrounds student populations become less diverse and college/university campuses become less inclusive. It’s a nasty ripple effect.”

A few faculty in states that passed legislation were considering leaving academia altogether (“I plan to quit when my child is college age”) or retiring early. P26, a white gay cis man (full, public), said “I have five years to go until I can retire with a good pension. [Then] I will quit and hope to leave the US to live as an ex-pat in a country with more tolerance.”

Those who did not intend to move sometimes cited insulation from the changes imposed by legislation due to their tenured status, private institution, or privileged identities. Others emphasized their rootedness in their community and their desire to fight for change. P27, a white nonbinary queer participant (full, public, passed legislation state), said:

We are a mixed-race family and [city] is one of the few places in North America where a Black person can simply be human in their day-to-day lives. While I hate what the Republican governor, state legislator, chancellor, and Board of Regents is doing to our state higher education system, I am passionate about meeting the needs of the students I teach and contributing to positive social change in the U.S. South.

P28, a white asexual trans woman (full, public, introduced legislation state) said: “I hate the state climate. But the political climate of the metropolitan area is.. quite excellent. I’m more invested in creating change here than I am in running away.”

Discussion

Recent years have seen a flurry of anti-DEI-related higher education legislative action in many states, often co-occurring with broader anti-DEI legislative efforts, such as anti-LGBTQ+ legislation (Adams & Chiwaya, 2024). Our study indicates this legislation was already impacting faculty as early as 2023. Consistent with structural stigma frameworks, impacts varied by professional and identity-based privilege, with LGBTQ+ faculty in particular often experiencing more severe consequences (Rao et al., 2020).

Impact on Teaching, Research, and Teaching Practices

Most faculty reported that their teaching and research had not been impacted by passed or introduced legislation, while a minority reported negative impacts. Generally, working in a state that had passed legislation was related to both perceived negative impacts and self-initiated changes to teaching practices while even just proposed legislation was related to perceived teaching impacts, highlighting how even the “passive pressure” of proposed legislation can have implications (Pedota et al., 2025). Furthermore, several groups who were especially vulnerable—namely, LGBQ+ faculty and lower-rank faculty—were especially likely to describe negative impacts to and self-initiated changes to their teaching, respectively.

Narrative responses highlighted the influence of anti-DEI legislation even in states where it had not been passed or introduced. Those in states with proposed legislation described impacts that reflected wariness and uncertainty. Such findings echo prior work on how minoritized groups grapple with legislative uncertainty: faced with lack of clarity about current or future rights, they exhibit fear, confusion, and frustration (Goldberg & Abreu, 2024; Pedota et al., 2025; Russell-Brown, 2024). In states with no legislation, faculty considered themselves lucky.

While few faculty had eliminated teaching content, many faculty, across legislative contexts, reported adding more context and justification. This approach may be a form of resistance and self-protection, enabling them to continue the work they value while decreasing the likelihood of censure or attack (Briscoe & Jones, 2024b; Horne et al., 2022). Yet faculty marginalized based on their sexual, gender, and racial identity face risks when they engage in resistance (Pedota et al., 2025; Veldhuis, 2022). Indeed, some LGBTQ+ faculty in states that passed legislation were hesitant to disclose their sexual and gender identities to students, a byproduct of the restrictive legislative context which may result in compromised authenticity for both LGBTQ+ faculty and LGBTQ+ students (Nielsen & Alderson, 2014).

Impact on Well-Being

Perceived impacts of anti-DEI legislation on well-being were more widespread. Faculty in states that passed anti-DEI legislation were more likely to say their mental health was impacted. In legislatively uncertain states, LGBTQ+ faculty were over three times as likely to report mental health impacts as LGBTQ+ faculty in no-legislation states. Trans faculty were marginally more likely than cis women to say their physical health was impacted.

LGBTQ+ faculty may be especially vulnerable to mental health impacts because they were teaching and doing research on LGBTQ+ issues, and were exposed to greater scrutiny because of their identities (Beagan et al., 2021). All represented states with anti-DEI legislation had negative overall LGBTQ+ policy tallies (MAP, 2024), indicating a harmful legislative landscape for LGBTQ+ people; and, most states with proposed anti-DEI legislation also had negative scores. Such legislative contexts have documented negative effects on LGBTQ+ people's mental health (Goldberg & Smith, 2011; Horne et al., 2022; Parris et al., 2021).

Our qualitative data revealed that LGBTQ+ faculty described not just how specific legislation, but how the general climate, had affected their well-being, such as in the form of memory issues, fatigue, and worry. These effects may be mediated by processes such as hypervigilance and selective closeting, which may interfere with LGBTQ+ faculty

members' sense of authenticity and social connectedness (Goldberg et al., 2024; Nielsen & Alderson, 2014; Riggle et al., 2023). There is a mental toll for LGBTQ+ faculty of maintaining caution surrounding their LGBTQ+ identities with students, colleagues, and administrators (Beagan et al., 2021). The fact that LGBTQ+, but not heterosexual, faculty in states with proposed legislation were more likely to report negative mental health may reflect the added stigma-related stress imposed by uncertainty, which may indirectly (e.g., via hypervigilance) or directly result in "queer battle fatigue" (Story, 2020), withdrawal, and poor mood (Rostovsky et al., 2022).

Our finding that trans faculty reported somewhat more health impacts than cis women, but not cis men, is interesting. Given the relatively low numbers of both trans participants and cis men, such findings should be viewed with caution, especially given the marginal significance of the association. However, hostile legislative environments may affect trans people in ways that uniquely impact their physical well-being. The microaggressions that trans faculty experience in multiple contexts, for example, can take a toll on their mental and physical health (Pitcher, 2017) and some work has linked perceptions of safety in one's environment to physical health among trans individuals (Flentje et al., 2022).

Relocation and Career Changes

Half of our participants wanted to move out of state, and the desire to move was much more pronounced among faculty in states with passed or introduced legislation. Desire to move may reflect not only worries about the impact of anti-DEI legislation on their jobs, but concerns about the larger sociopolitical climate and other legislative efforts in their state, especially among more marginalized groups. Indeed, amid the passage of the Parental Rights in Education Act (Don't Say Gay) in Florida, the majority of LGBTQ+ parents wanted to move, in part because of the larger state sociopolitical climate (Goldberg & Abreu, 2024; Goldberg et al., 2024).

Over one-third of faculty had pursued another academic or non-academic job—with this being somewhat more likely for those in states that had passed legislation and for LGBTQ+ faculty (and, for academic jobs, marginally more likely for faculty of color). This mirrors recent findings from faculty in the South, where over almost one-third were planning to apply for a job in another state (Boedy, 2024; Georgia AAUP, 2023). Participants' narratives reflected differing reasons for staying or leaving, with those intending to stay often citing their tenured or private institutional status as grounding them in their community. Our finding that faculty

with certain minoritized statuses (LGBQ+, of color) were more likely to be investigating alternative academic jobs may speak to the hypervisibility, scrutiny, and stress they experience in academia, and the reality that attacks on DEI are indeed personal (Beagan et al., 2021; Russell-Brown, 2024).

Limitations

The current study findings are limited due to both our measures and sample. In terms of measures, to minimize survey length, the survey investigated a limited range of impacts of current legislation, and several were assessed via single-item measures. Further, this exploratory study relied on a non-probability sample, and those who have been negatively impacted by such legislation may have been more likely to participate. Representative samples would allow for prevalence estimates and potentially capture a wider range of experiences. Additionally, the small number of participants in certain subgroups (e.g., trans faculty, faculty of color; visiting professors) typically precluded subgroup analysis and limited our ability to examine potentially important interactions (e.g., professional rank by sexual orientation). Yet our qualitative findings provide important nuance to our quantitative findings, highlighting important areas for future research: for example, we documented many important intersections between professional rank, gender and sexual identity, and legislative context.

Implications for Future Research

This was an early exploratory study that ceased data collection in February of 2024, yet still points to the potential of significant negative ramifications for faculty and, indirectly, the education they provide. Since this study, state and federal legislative and policy actions related to higher education have expanded (Chronicle of Higher Education, n.d.; Gretzinger et al., 2025). In April 2025, as a part of the state Department of Government Efficiency created by executive order of the governor of Florida, public universities were instructed to turn in detailed records of research grants and publicly available faculty research (Palmer, 2025; Quinn, 2025; Shanley, 2025). Future work can explore the long-term impacts of anti-DEI legislation on faculty, as legislative and policy actions related to DEI, tenure, and shared governance are already shaping faculty decisions to seek jobs in other states (Boedy, 2024; Georgia AAUP, 2023).

States' broader political climate, such as regarding LGBTQ+ issues and abortion, also factor into faculty job seeking (Boedy, 2024; Georgia AAUP, 2023). The escalation in state-level legislative attacks on LGBTQ+ people, especially trans people, has led a growing number of

LGBTQ+ people to consider and/or take steps towards moving away from less affirming states (Goldberg et al., 2024). Future work must continue to explore how intersecting legislative threats impact the lives and decisions of LGBTQ+ people, including faculty, with attention to the constraints on their employment and geographic mobility, such as that LGBTQ+ faculty and faculty of color may encounter unique challenges in the job search process, including bias against them and/or their areas of study (Beagan et al., 2021; Wright-Mair, 2023).

Further afield, given the mission of education and focus on students, future work should investigate how such legislation and policy (and impacts on faculty) may impact students. Early findings suggest that even proposed anti-LGBTQ+ legislation impacts depressive symptoms for LGBTQ+ undergraduates, mirroring our findings (Fenton et al., 2024). Research also needs to expand to postdoctoral scholars and graduate students as they represent the next generation of faculty—especially since recruiting diverse graduate students, especially LGBTQ+ students, may be especially challenging in the current climate. If current faculty are unwilling to recommend their state as a place to undertake graduate study, how will this impact the faculty workforce and resulting quality of higher education in those states (Boedy, 2024; Georgia AAUP, 2023)?

Amid the limitations associated with surveys, future research should employ other data collection approaches, such as interviews, to add depth to our understanding of how faculty are impacted. Future work should also tease apart how LGBTQ+ faculty who do not do research or teach on LGBTQ+ and related DEI issues experience the current climate. Future work should also examine whether faculty in disciplines not represented in the current study (e.g., STEM, business, architecture) experience less scrutiny for integrating DEI issues than faculty who teach in fields more directly targeted by the legislation (e.g., gender studies, ethnic studies).

Implications for Policy and Practice

Current legislative efforts to restrict DEI initiatives in higher education are accompanied by declining public support for higher education in general, as well as for DEI initiatives specifically (Insight Into Diversity, 2024). Eliminating DEI efforts is a key part of efforts at the federal and many state levels to substantially change higher education admissions, hiring, funding, accreditation, teaching, and research. These include review of teaching and research, suspension of research funds to particular institutions, and cancellation of research on topics determined to be DEI related by major government funding agencies to comply with federal and state anti-DEI efforts (Palmer, 2025; Quinn, 2025; Shanley,

2025). Notably, of the 669 grants that the National Institutes of Health had canceled as of May 2025, nearly half related to LGBTQ health (Mueller, 2025). In turn, there has been significant changes on college campuses, such as DEI related changes at 328 colleges in 39 states as of April 2025 (Gretzinger et al., 2025). Further, since the start of the second Trump administration there has been a slew of executive orders targeting marginalized communities, including LGBTQ+ people (Moore, 2025).

It is in this context that we consider the policy and practice implications for faculty themselves, particularly LGBTQ+ faculty. At the individual level, impacted faculty need to continue to find ways of adaptive coping. It is essential that faculty who seek support in the form of therapy find their concerns and experiences validated (e.g., the systems that are creating stress are named as such), rather than simply being offered tools to manage their distress (Bartlett et al., 2022). At the relationship level, faculty need to develop methods of supporting each other as colleagues—and those with more protection (e.g., tenure) and privilege can play an especially key role in supporting LGBTQ+ colleagues and those with other targeted identities. This support may include (a) being a confidential person to discuss how to navigate the current climate and specific challenges (e.g., research being targeted on social media, a student complaint about teaching violating anti-DEI policies, loss of funding), (b) teaching courses likely to be subject to additional scrutiny, and (c) assisting with job searches (e.g., writing letters of reference, networking with colleagues). Collective spaces, such as conference workshops, social media, and online networking can facilitate the sharing of experiences to support faculty in feeling less alone as well as helping less affected faculty to understand the impact of the legislation so they may contribute to solutions. Specialized professional networks may be helpful for LGBTQ+ faculty, and LGBTQ+ faculty of color specifically, in navigating the unique strains of teaching DEI topics while inhabiting marginalized identities (Nadal, 2019). At the collective level, institutions can allocate resources to support their marginalized faculty, including LGBTQ+ faculty and faculty of color, out of recognition of the added labor that they shoulder in socio-politically tumultuous and uncertain times (Catalano et al., 2025). And, action can be taken by supporting organizations dedicated to supporting and protecting faculty and higher education (e.g., faculty unions, AAUP) and equity writ large, as well as pushing other organizations with power, including policy-focused organizations, to understand the impacts of anti-DEI legislation.

The current study found substantial evidence of negative impacts on teaching, research, and personal lives, which were enhanced for LGBTQ+ faculty. Given the fears that LGBTQ+ individuals voiced regarding structural

stigma in the wake of the 2016 election (Frederick et al., 2022; Veldhuis et al., 2018) and the negative impacts that LGBTQ+ individuals perceived as a result of the first Trump administration (Haas & Lannutti, 2024), combined with actions in the first 100 days of the second Trump administration, LGBTQ+ faculty may continue to be uniquely impacted. In spite of widespread losses in research funding (Mueller, 2025), it is critical for researchers to continue to gather quality empirical evidence to document and track the impacts of anti-DEI and other actions targeted at higher education, and to work with policy organizations to disseminate and highlight their research findings.

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Data Availability No datasets were generated or analysed during the current study.

Declarations

Competing Interests The authors declare no competing interests.

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