

1

Religious Curriculum in Schools

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor:

2

LONG TITLE

3

General Description:

4 This bill amends education curricula requirements relating to religious liberty.

Highlighted Provisions:

5 This bill:

6

- 7 ▶ amends curricula requirements to address religious liberty;
- 8 ▶ amends requirements for higher education graduates; and
- 9 ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

10 None

Other Special Clauses:

11 This bill provides a special effective date.

Utah Code Sections Affected:

12 AMENDS:

13 **53E-4-205.2**, as enacted by Laws of Utah 2025, Chapter 142

14 **53G-10-202**, as last amended by Laws of Utah 2025, Chapter 380

15 **53G-10-302**, as last amended by Laws of Utah 2024, Chapter 452

16 **53H-3-605**, as renumbered and amended by Laws of Utah 2025, First Special Session,

17 Chapter 8

18 ENACTS:

19 **53E-4-205.3**, Utah Code Annotated 1953

20 *Be it enacted by the Legislature of the state of Utah:*

21 Section 1. Section **53E-4-205.2** is amended to read:

22 **53E-4-205.2 . American constitutional government and citizenship course**
23 **standards.**

24 (1) Beginning in the 2026-2027 school year, and as part of the social studies requirement
25 established under Section 53E-4-204, the state board shall require instruction on

S.B. 268

31 American constitutional government and citizenship.

32 (2) In accordance with Subsections (3) and (4), the state board shall create standards for the
33 course required under Subsection (1) that:

34 (a) examine American founding principles, including:

35 (i) classical republicanism, natural rights, and colonial religious traditions; and

36 (ii) the text and principles of the Declaration of Independence and relationship to the
37 United States Constitution;

38 (b) examine the text of the United States Constitution, including:

39 (i) structure, powers, and limits of the legislative, executive, and judicial branches;
40 and

41 (ii) the principles and operation of federalism and the state constitutional tradition;

42 (c) examine the development of the United States Constitution through amendments,
43 including:

44 (i) the creation and application of the Bill of Rights;

45 (ii) the adoption and enforcement of the Civil War and Reconstruction Amendments;
46 and

47 (iii) the adoption and enforcement of the [other] voting rights amendments; [and]

48 (d) examine the practice of self-government at the state and local level, including:

49 (i) the Utah Constitution and local government, including counties, municipalities,
50 and tribal governments;

51 (ii) state and local elections, including the current candidate nomination and selection
52 processes; and

53 (iii) the responsibilities of citizenship and participation in civil society[.] ; and

54 (e) examine the role of religion in United States history and the primacy of religious
55 liberty to American constitutional government, including the optional topics
56 described in Section 53E-4-205.3.

57 (3) The course described in this section shall prioritize a close reading of the following
58 primary source documents:

59 (a) the Mayflower Compact;

60 (b) the Declaration of Independence;

61 (c) the Iroquois Constitution;

62 (d) the United States Constitution;

63 (e) George Washington's Farewell Address;

64 (f) selected passages from the Federalist and Antifederalist Papers;

65 (g) the Articles of Confederation;
66 (h) speeches of Frederick Douglass;
67 (i) the Lincoln-Douglas Debates;
68 (j) speeches of Abraham Lincoln;
69 (k) the Seneca Falls Declaration;
70 (l) the Letter from Birmingham Jail;
71 (m) the Utah Constitution; and
72 (n) other essential documents from American constitutional history.

73 (4) The state board shall, in collaboration with the Civic Thought and Leadership Initiative
74 within the Center for Constitutional Studies at Utah Valley University, develop
75 standards that fulfill the requirements of this section.

76 Section 2. Section **53E-4-205.3** is enacted to read:

77 **53E-4-205.3 . Religious liberty instruction -- Optional topics.**

78 (1) In accordance with Section 53E-4-205.2, the state board standards for the course on
79 American constitutional government and citizenship may instruct an educator that the
80 educator may examine the role of religion on the following topics:

81 (a) foundational documents and speeches in United States history, including the primary
82 source documents described in Subsection 53E-4-205.2(3);
83 (b) exploration and colonization of the Americas;
84 (c) early settlement of the North American colonies by religious refugees, including
85 Puritans, Catholics, Quakers, and Jews;
86 (d) education and literacy, including early colleges;
87 (e) concepts of the consent of the governed, including covenantal concepts in the
88 Mayflower Compact and early New England church and civil government;
89 (f) the American Revolution, including the influence of the First Great Awakening and
90 of religious sermons and pamphlets on liberty and tyranny;
91 (g) concepts of moral equality and natural rights, including in the Declaration of
92 Independence and other American declarations of rights;
93 (h) the United States Constitution, especially the First Amendment;
94 (i) the abolition of slavery in the United States;
95 (j) social welfare and reform movements, including:
96 (i) the temperance;
97 (ii) women's suffrage;
98 (iii) freedmen's aid;

- (iv) child labor;
- (v) immigrant aid; and
- (vi) anti-lynching movements;
- (k) United States opposition to totalitarianism, fascism, and communism;
- (l) United States support for the Universal Declaration of Human Rights;
- (m) United States reconstruction of former World War II enemies;
- (n) the 1950s and 1960s nonviolent Civil Rights Movement; and
- (o) religious pluralism in contemporary America.

(2) An LEA shall ensure that the topics enumerated in Subsection (1) are optional.

Section 3. Section **53G-10-202** is amended to read:

53G-10-202 . Maintaining constitutional freedom in the public schools.

(1)(a) An LEA may not provide religious instruction.

(b) In accordance with Subsection (1)(a), an LEA may teach about religion and promote religious liberty and respect for the religious views, or lack thereof, of all, including:

- (i) philosophical questions concerning religion;
- (ii) the history of religion;
- (iii) comparative religion;
- (iv) religious texts as literature; and
- (v) the role of religion in the history of the United States and other countries.

[11] (2) Except as provided in this section and in Section 53G-10-206, any instructional activity, performance, or display which includes examination of or presentations about religion, political or religious thought or expression, or the influence thereof on music, art, literature, law, politics, history, or any other element of the curriculum, including the comparative study of religions, which is designed to achieve academic educational objectives included within the context of a course or activity and conducted in accordance with applicable rules or policies of the state and LEA governing boards, may be undertaken in the public schools.

[2] (3) No aspect of cultural heritage, political theory, moral theory, or societal value shall be included within or excluded from public school curricula for the primary reason that it affirms, ignores, or denies religious belief, religious doctrine, a religious sect, or the existence of a spiritual realm or supreme being.

[3] (4) [Public schools] A public school may not sponsor or deny the practice of prayer or religious devotionals.

[4)] (5) [School officials and employees may not, regardless of a school, LEA, or state]

133 ~~board rule or policy,]~~ Notwithstanding any policy or state board rule, a school official or
134 ~~employee may not~~ use the official's or employee's position to endorse, promote, or
135 disparage a particular religious, denominational, sectarian, agnostic, or atheistic belief or
136 viewpoint.

137 **(6) An LEA shall ensure that:**

138 (a) a student may express the student's beliefs about religion in homework, artwork, and
139 other written or oral assignments free from discrimination based on the religious
140 perspective of the student's submissions;

141 (b) home and classroom work is:
142 (i) not penalized or rewarded on the basis of religious perspective; and
143 (ii) judged by ordinary academic standards of substance, relevance, and other
144 legitimate pedagogical objectives; and

145 (c) notification of the constitutional freedoms described in this section is provided to
146 school officials, employees, and students.

147 Section 4. Section **53G-10-302** is amended to read:

148 **53G-10-302 . Instruction in American history and government -- Study and**
149 **posting of American heritage documents.**

150 (1) As used in this section, "Ten Commandments" means the Decalogue, known as the Ten
151 Commandments, as recorded in the Hebrew Scriptures in Exodus 20:2-17 and
152 Deuteronomy 5:6-21.

153 (2) The Legislature recognizes that a proper understanding of American history and
154 government is essential to good citizenship, and that the public schools are the primary
155 public institutions charged with responsibility for assisting children and youth in gaining
156 that understanding.

157 (3)(a) The state board and local school boards shall periodically review school curricula
158 and activities to ensure that effective instruction in American history and government
159 is taking place in the public schools.

160 (b) The boards shall solicit public input as part of the review process.

161 (c) Instruction in American history and government shall include a study of:
162 (i) forms of government, such as a republic, a pure democracy, a monarchy, and an
163 oligarchy;

164 (ii) political philosophies and economic systems, such as socialism, individualism,
165 and free market capitalism; [and]

166 (iii) the role of religion in United States history and the primacy of religious liberty to

167 American constitutional government; and

168 [(iii)] (iv) the United States' form of government, a compound constitutional republic.

169 (4) School curricula and activities shall include a thorough study of historical documents
170 and principles such as:

171 (a) the Declaration of Independence;

172 (b) the United States Constitution;

173 (c) the national motto;

174 (d) the pledge of allegiance;

175 (e) the national anthem;

176 (f) the Mayflower Compact;

177 (g) the writings, speeches, documents, and proclamations of the Founders and the
178 Presidents of the United States;

179 (h) organic documents from the pre-Colonial, Colonial, Revolutionary, Federalist, and
180 post[-] -Federalist eras;

181 (i) United States Supreme Court decisions;

182 (j) the Ten Commandments;

183 (k) the Magna Carta;

184 (l) Acts of the United States Congress, including the published text of the Congressional
185 Record; and

186 (m) United States treaties.

187 (5) To increase student understanding of, and familiarity with, American historical
188 documents, public schools may display historically important excerpts from, or copies
189 of, those documents in school classrooms and common areas as appropriate.

190 (6) There shall be no content-based censorship of American history and heritage documents
191 referred to in this section due to their religious or cultural nature.

192 (7) Public schools shall display "In God we trust," which is declared in 36 U.S.C. 302 to be
193 the national motto of the United States, in one or more prominent places within each
194 school building.

195 Section 5. Section **53H-3-605** is amended to read:

196 **53H-3-605 . Granting of degrees, diplomas, or certifications -- Board approval --**

197 **Termination of previous approval.**

198 (1)(a) An institution of higher education may not issue a degree, diploma, or certificate
199 outside of the institution of higher education's primary role, as described in Section
200 53H-3-602, unless the institution of higher education receives approval from the

201 board of the adequacy of the study for which the degree, diploma, or certificate is
202 offered.

203 (b) A student shall demonstrate a reasonable understanding of the [history, principles,
204 form of government, and economic system of the United States] following before
205 receiving a bachelor's degree or teaching credential[-] :

206 (i) the history, principles, form of government, and economic system of the United
207 States; and

208 (ii) the role of religion in United States history and the primacy of religious liberty to
209 American constitutional government.

210 (2) Degrees, diplomas, and certificates issued [prior to] before the effective date of this
211 section do not require board approval.

212 (3) The board may terminate the granting of previously approved degrees, diplomas, and
213 certificates if the degrees, diplomas, or certificates are inconsistent with the primary role
214 prescribed by the board for the affected institution of higher education.

215 **Section 6. Effective Date.**

216 This bill takes effect on July 4, 2026.