

HB216 INTRODUCED



1 HB216
2 U93NIDG-1
3 By Representatives Gidley, Butler, Harrison, Starnes, Rehm,
4 Lamb, Standridge, Carns, Stadthagen, Yarbrough, Sellers,
5 Paschal, DuBose, Kiel, Barnes
6 RFD: Education Policy
7 First Read: 14-Jan-26



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5 SYNOPSIS:

6 This bill would require each local board of
7 education to display the Ten Commandments and a context
8 statement in each history classroom serving students in
9 fifth through twelfth grade and a common area of each
10 school that serves only students in fifth grade or
11 above.

12 This bill would condition the requirement on the
13 availability of donated displays or donated funds to
14 purchase displays.

15 This bill would require the State Department of
16 Education to identify and publicize free resources that
17 local boards of education may use to comply with the
18 display requirement.

19 This bill would also authorize the State Board
20 of Education to adopt rules.
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22

23 A BILL

24 TO BE ENTITLED

25 AN ACT
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27 Relating to public schools; to provide legislative
28 findings; to require certain local boards of education to



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display the Ten Commandments and certain other documents related to the formation of this nation, subject to the availability of donations; to provide for the use of donations to comply with the display requirement; and to authorize the State Board of Education to adopt rules.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Legislature finds and declares all of the following:

(1) The Ten Commandments are a key part of the Judeo-Christian religious and moral tradition that shaped Western Civilization and ultimately the founding of the United States. In particular, because they include what John Quincy Adams described as both "civil and municipal" provisions as well as "moral and religious" provisions, the Ten Commandments have historical significance as one of the foundations of our legal system. Teaching students about the Ten Commandments promotes historical understanding and helps to foster a common cultural heritage and awareness.

(2) Documents created to shape civil society during the founding era of this nation include direct and indirect references to God and religion. These documents include the following:

a. The Mayflower Compact of 1620, America's first written constitution, was a covenant made among the pilgrims with "Almighty God" to "form a civil body politic." The Mayflower Compact was the first purely American document of self-government and affirmed the link between civil society and God.



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57 b. The Declaration of Independence (1776) described all
58 men as being "created equal" and "endowed by their Creator
59 with certain unalienable Rights."

60 c. The United States Constitution (1787) stated in its
61 preamble that one of its purposes was to secure "the Blessings
62 of Liberty to ourselves and our Posterity" and closed with a
63 reference to the date of execution as the Seventeenth Day of
64 September in the Year of our Lord one thousand seven hundred
65 and eighty-seven.

66 d. The Northwest Ordinance of 1787 provided a method of
67 admitting new states to the Union from territories as the
68 country expanded westward. The Northwest Ordinance "extended
69 the fundamental principles of civil and religious liberty" to
70 the territories and stated that "[r]eligion, morality, and
71 knowledge, being necessary to good government and the
72 happiness of mankind, schools and the means of education shall
73 forever be encouraged."

74 (3) References to God and religion in public documents
75 and other public contexts did not end at the founding but
76 rather have occurred throughout our nation's history without
77 any serious claim that such references violate the
78 Establishment Clause. Examples include displays associated
79 with the Ten Commandments in the Supreme Court of the United
80 States, the Library of Congress, the Ronald Reagan
81 International Trade Building, and the National Archives.
82 Public references to God have occurred repeatedly over the
83 nation's history. No outcry followed Abraham Lincoln's
84 reference to God in his Gettysburg Address in 1863. Our



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coinage has born the phrase, "IN GOD WE TRUST," since 1865. Prayers have opened our legislative sessions for hundreds of years. In 1932, Congress adopted our National Anthem and included in the last verse, "In God is our trust." In 1952, Congress proclaimed a "National Day of Prayer." In 1954, Congress added "under God" to the Pledge of Allegiance. The display of the Ten Commandments as provided in this act, with an appropriate context statement and integrated with the approved public school social studies curriculum, is consistent with these historical practices and understandings and, at a minimum, furthers the same interests as the interests served by these historical practices and understandings.

(4) The 2024 social studies curriculum approved by the Alabama State Board of Education (Alabama Course of Study: Social Studies) provides: "Social studies education in Alabama aims to prepare students to become knowledgeable, engaged, and responsible citizens in society. Social studies reflects the achievements, struggles, interactions, and endeavors that have characterized human society as it has changed over time and place to shape the world today. The disciplines of social studies include, but are not limited to: Anthropology, Archaeology, Civics, Economics, Geography, Government, History, Philosophy, Psychology, Religion, and Sociology." Display of the Ten Commandments with an appropriate context statement is essential to the fulfillment of the mandate of the State Board of Education in the education of students in the areas of Civics, Government, History, Philosophy,



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Religion, and Sociology.

(5) Two generations of Alabama students have attended public schools in an era governed by the now-abandoned test articulated in *Lemon v. Kurtzman*, 403 U.S. 602 (1971), for compliance with the Establishment Clause of the United States Constitution. Assuring restoration to the classroom of historical truths surrounding the founding of our nation, including those truths that "partake of the religious," *Kennedy v. Bremerton*, 597 U.S. 507, 535 (2022), is vital to remedying the legal error of *Lemon v. Kurtzman* and to securing a complete education of our students.

(6) Due to reliance on misinterpretations about the meaning of the Establishment Clause or due to their own personal policy preferences, a significant number of Alabama teachers are unlikely to expose public school students to these historical truths if left with any discretion about how or whether to present these truths. Posting these historical truths in classrooms and school common areas is thus an essential means of accomplishing the state's educational objectives in teaching students about the historical and cultural significance of the Ten Commandments on the development of the United States, as is apparent from accompanying founding-era documents.

(7) Including in the posting a reference to the state's establishment clause and a recognition that "personal choice about matters of faith are left to students and their families" will further the state's interests in avoiding the establishment or religion or interfering with the free



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exercise of religion. Such disclaimers will also serve the state's educational objectives because they will make it more likely that classroom teachers will become comfortable discussing the historical truths that are included in the poster.

(8) This act does not create an unfunded mandate on any public school governing authority. Local boards of education are encouraged to use documents that are printed and made available to the schools free of charge.

Section 2. (a) Beginning January 1, 2027, and subject to the availability of donated funds or donated displays pursuant to subsection (c) as determined by the State Superintendent of Education, each local board of education shall display a poster or framed document that meets the requirements of subsection (b) in each of the following locations:

(1) Every fifth through twelfth grade classroom where United States history is routinely taught according to the Alabama Course of Study.

(2) An entry way or other common area, such as the cafeteria or school library, in every school within the jurisdiction of the local board of education, except that this subdivision shall not apply to any school that serves students in kindergarten through fourth grade.

(b) The poster or framed document required by subsection (a) shall meet each of the following requirements:

(1) The poster or framed document shall be at least 11 inches by 14 inches in size.



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(2) The layout and design of the poster or framed document shall be approved by the State Superintendent of Education.

(3) The poster or framed document shall contain the following content:

Historical Truths: The Ten Commandments and America's Founding Documents

The Ten Commandments are a key part of the Judeo-Christian religious and moral tradition that shaped Western Civilization and ultimately the founding of the United States. There are many versions of the Ten Commandments. The one that follows is a common translation but not the only translation.

You shall not have other gods before me

You shall not make idols

You shall not take the name of the Lord your God in vain

Remember the Sabbath day, to keep it holy

Honor your father and your mother

You shall not murder

You shall not commit adultery

You shall not steal

You shall not bear false witness against your neighbor

You shall not covet

In 1813, future U.S. President John Quincy Adams wrote in a letter to his son that, "The Law given from Sinai" - in other words, the Ten Commandments - "was a civil and municipal as well as a moral and religious Code." He noted that many of



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197 its provisions "were of universal applications - Laws
198 essential to the existence of men in Society, and most of
199 which have been enacted by every Nation which ever possessed
200 any Code of Law."

201 The Alabama Constitution provides that "no religion
202 shall be established by law," and the State of Alabama
203 specifically respects the rights of its public school students
204 to be free from state-established religion. Recognizing that
205 personal choice about matters of faith are left to students
206 and their families, the purpose of this poster is simply to
207 acknowledge the historical role of the Ten Commandments, and
208 the broader Judeo-Christian tradition, in shaping American
209 civil society.

210 The Mayflower Compact of 1620, America's first written
211 constitution, contained a "covenant with 'Almighty God'" by
212 pilgrims to America to "form a civil body politic."

213 The Northwest Ordinance of 1787 "extended the
214 fundamental principles of civil and religious liberty" to the
215 western territories becoming states and provided that
216 "[r]eligion, morality, and knowledge, being necessary to good
217 government and the happiness of mankind, schools and the means
218 of education shall forever be encouraged."

219 The Declaration of Independence (1776) described all
220 men as being "created equal" and acknowledged that they are
221 "endowed by their Creator with certain unalienable Rights."

222 The United States Constitution (1787) in its preamble
223 stated one of its purposes to be securing "the Blessings of
224 Liberty to ourselves and our Posterity."



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225 From this tradition emerged the one nation under God
226 that we have inherited today.

227 (c) This section may not be construed to require a
228 local board of education to spend its funds to purchase the
229 displays required by this section. To fund the displays free
230 of charge, a local board of education may accept donated funds
231 to purchase the displays or may accept donated displays.

232 (d) The State Department of Education shall identify
233 appropriate resources for local boards of education to comply
234 with this section free of charge. Once identified, the
235 department shall list the free resources on the department's
236 website.

237 (e) The State Board of Education may adopt rules to
238 implement this section.

239 Section 3. This act shall become effective on October
240 1, 2026.