

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 3488

By: McCane

6 AS INTRODUCED

7 An Act relating to schools; creating the Student
8 Secular Bill of Rights; defining terms; stating
9 public school student rights related to religious and
secular practice on school grounds; requiring public
10 school districts to create a formal grievance
procedure for violations of student rights;
11 establishing complaint timelines; stating right to
appeal; declaring civil remedies; prohibiting
immunity for public officials for violations;
12 providing protection for reporting violations;
requiring the State Department of Education to
13 provide compliance materials; requiring school
districts to implement compliance training by certain
date; providing for codification; providing an
14 effective date; and declaring an emergency.

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17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified

19 in the Oklahoma Statutes as Section 24-166 of Title 70, unless there
20 is created a duplication in numbering, reads as follows:

21 A. This act shall be known and may be cited as the "Student
22 Secular Bill of Rights".

23 B. As used in this act:

1 1. "Academic study of religion" means objective, educational
2 examination of religious traditions, texts, history, or practices
3 for secular scholarly purposes, conducted in a manner that neither
4 promotes nor denigrates any particular religious belief or
5 nonbelief.

6 2. "Club" means a noncurricular student group recognized by the
7 school district and that qualifies through the safe-haven provisions
8 under the federal Equal Access Act, 20 U.S.C., Section 4071(c).

9 3. "Coerce" means exerting direct or indirect pressure, whether
10 through official policy, practice, or conduct, that would compel a
11 reasonable student to participate in or refrain from religious
12 exercise against his or her conscience.

13 4. "Endorsement" means a governmental practice that a
14 reasonable observer would view as government approval, favor, or
15 disapproval of a religion or particular religious beliefs.

16 5. "Nonparticipatory capacity"" means presence at a student
17 religious club meeting or event solely for supervisory purposes, as
18 defined in the federal Equal Access Act, without lecturing,
19 proselytizing, praying, preaching, planning religious events, or
20 otherwise engaging in religious activities.

21 6. "Official capacity" means when a person is:

22 a. performing official duties or furthering the work of a
23 school district or school board, or
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b. acting under or with power or authority granted by virtue of employment by or association with a school district or school board.

7. "Prayer" means a communication, either spoken or written, directed toward a deity, deities, or other supernatural or spiritual being, including but not limited to a benediction, invocation, ent, or request for guidance, blessing, forgiveness, or intervention.

9 8. "Proselytizing" means attempting to convert individuals from
10 one religion, religious belief, or nonbelief to another through
11 persuasion or inducement.

12 9. "Public official" means any elected official, appointed
13 official, or employee of a state or local unit of government,
14 including any employee of a public school district or public school
15 board.

16 10. "Public school" means any elementary or secondary
17 educational institution operated by the state, a political
18 subdivision thereof, including traditional public schools and public
19 charter schools.

20 11. "Religious activity" means any practice, observance, or
21 expression intended primarily for religious purposes, including but
22 not limited to prayer, worship, religious instruction, or
23 proselytizing.

1 12. "Religious display" means any visual presentation of
2 religious symbols, texts, imagery, or artifacts that conveys a
3 religious message or promotes religious beliefs.

4 13. "Religious text" means writing that is used primarily for
5 devotional, worship, or proselytizing purposes rather than for
6 legitimate academic study of religion, religious history, or
7 comparative religion.

8 14. "School event" means any activity at a school facility or
9 sponsored, conducted, or supervised by a school official acting in
10 official capacity. School event includes, but is not limited to,
11 graduation, grade-promotion ceremony, award program, induction
12 ceremony, pep rally, competition, practice, performance, class
13 instructional time, and club meeting or event. School event does
14 not include:

- 15 a. a student religious club meeting or event, if all
16 school employees and agents are only present at the
17 meeting or event in a nonparticipatory capacity,
- 18 b. an activity at a school facility, if it is outside the
19 presence of students and no school official acts in
20 official capacity, and
- 21 c. an activity at a school facility that is used by a
22 third party pursuant to a standard facility use
23 agreement or advance written permission that indicates
24 the responsible third-party user, use period, facility

1 to be used, purpose of use, and conditions of use,
2 provided such use occurs during the agreed period, is
3 on terms consistent with other third-party users,
4 involves no school official acting in official
5 capacity, and does not take place during school hours.

6 15. "School official" means any employee, agent, or
7 representative of a public school or school district, including but
8 not limited to teachers, administrators, coaches, and support staff.

9 16. "School property" means any building, facility, grounds, or
10 vehicle owned, leased, or controlled by a public school or school
11 district.

12 17. "Secular" means an objective that is not primarily
13 religious in nature and serves a legitimate educational,
14 administrative, or civic function.

15 C. All public school students shall have the right to:

16 1. Practice any religion they choose on school grounds or at
17 school events, provided that their practices are orderly, and do not
18 inhibit the operations or safety of the school or infringe on the
19 rights of others;

20 2. Not practice any religion whatsoever, if they so choose, on
21 school property or at school events;

22 3. Be free from discrimination based on their religious beliefs
23 or lack thereof;

1 4. Be free from school-sponsored religious teachings or
2 practices of all kinds on school property or at school events
3 including, but not limited to:
4 a. staff-led prayer,
5 b. prayer led by non-staff adults or students, when it is
6 sponsored by the school or supported by the school by
7 means of marketing, planning, audio-visual equipment,
8 or endorsement by any member of school staff or the
9 school itself,
10 c. any religious instruction as part of a school
11 curriculum, including creationism and intelligent
12 design, and
13 d. required or coerced reading of religious texts other
14 than for the academic study of religion. Any academic
15 study of religion that includes instruction of
16 religious perspectives shall include multiple
17 religious perspectives;

18 5. a. Be free of school-sponsored religious displays on
19 school property or at school events including, but not
20 limited to:
21 (1) the Ten Commandments and similar statements of
22 religious doctrine,
23 (2) the Christian cross, the Star of David, the Star
24 and Crescent of Islam, and similar symbols, and

(3) depictions of holy figures, prophets, or spiritual leaders for the purpose of promoting religious adherence,

b. This paragraph shall not apply to:

(1) de minimis wardrobe items such as necklaces, rings, or headdresses, or

(2) displays in a private office area, so long as the display is not obvious to students or the public.

6. Be free from school-sponsored religious messaging on school

10 property or at school events, including at school assemblies and in

11 the classroom. This paragraph does not prohibit student-created

12 religious expression in individual assignments or projects, so long

13 as the work addresses the learning objectives required by the

14 curriculum, or reasonable accommodation of religious practices,

15 | including:

- a. reasonable scheduling accommodations for religious observances,

- b. dietary accommodations consistent with religious requirements,

c. styling of hair or personal grooming practices

consistent with religious or cultural practices,

d. wearing of religious items, jewelry, and regalia,

including indigenous traditional regalia and reli-

items, and

- e. any personal expression of religious practices, or of nonbelief, provided it does not interfere with the rights of others or the safe and normal functioning of the school, and provided it is not done by school staff operating in their official capacity;

7. Refuse to engage in religious discussions or otherwise reject unwanted proselytizing by other students; and

8. Be free from incentives, offered from either the school or school staff, to participate in religious activities during school hours facilitated by third-party organizations including, but not limited to, through the offer of money, food, school supplies, or other items not otherwise available in the school.

13 D. Each public school district shall establish a formal
14 grievance procedure for students, parents, and staff to report
15 violations of this act. Complaints shall be acknowledged in writing
16 within seven (7) days and shall be investigated within thirty (30)
17 days. A written determination and an action plan identifying
18 necessary and specific steps to remediate any violations found shall
19 be issued by the district immediately following the investigation,
20 and within forty (40) days of receiving the complaint. Complainants
21 shall have the right to appeal a final decision of the school
22 district to the State Department of Education.

23 E. 1. Any student or parent of a student who alleges a
24 violation of this act may bring a civil action in a court of

1 competent jurisdiction for declaratory, monetary, and injunctive
2 relief. Courts may award reasonable attorney fees and costs to
3 prevailing plaintiffs, which includes plaintiffs awarded nominal
4 damages and plaintiffs that receive a preliminary injunction prior
5 to a case being dismissed.

6 2. No qualified or "good-faith" immunity shall apply to public
7 officials who knowingly violate the provisions of this act.

8 3. Actions under this act shall be brought within two (2) years
9 of the date of the alleged violation.

10 4. For purposes of enforcing this act, any student currently
11 enrolled or who was enrolled in a public school at the time of the
12 alleged violation, or his or her parent or guardian, shall have
13 standing to bring suit, without having to demonstrate any economic
14 injury.

15 5. No public school employee shall be subject to discipline or
16 retaliation for reporting, in good-faith, a violation of this act.

17 F. 1. The State Department of Education shall develop and
18 provide training materials, model policies, and guidance documents
19 to school districts for purposes of training school officials in
20 compliance with this act and to assist local implementation.

21 2. The State Department of Education shall issue guidance to
22 school districts within sixty (60) days of the effective date of
23 this act. School districts shall have one hundred twenty (120) days
24 to review and revise local policies for compliance. Training

1 requirements shall be implemented beginning with the 2026-2027
2 school year.

3 SECTION 2. This act shall become effective July 1, 2026.

4 SECTION 3. It being immediately necessary for the preservation
5 of the public peace, health or safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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