



January 30, 2025

**Re: Schools Must Reject the Texas Open Education Resources Proposed
Bluebonnet Curriculum for K-5 Reading Language Arts**

Dear Superintendent and School Board Members:

Texas students and their families deserve a public-school education that promotes excellence, prepares students for the future, and upholds religious freedom. We urge you to refuse to adopt the Bluebonnet K-5 reading language arts curriculum recently made optional by the State Board of Education.

Background

Last May, the Texas Education Agency (TEA) unveiled a new proposed reading language arts curriculum for kindergarten through fifth grade.¹ The curriculum was widely criticized because it was “Bible-infused,”² “blend[ed] religious teaching” into lessons,³ and sought to “inject Bible stories into elementary-school reading.”⁴ At its September hearing on the curriculum, the State Board of Education heard more than eight hours of public testimony from Texans, the overwhelming majority of whom opposed the proposed curriculum because it favored certain forms of Christianity over other religious perspectives.⁵

After the hearing, the TEA released updates to the proposed curriculum, which is now called the Bluebonnet curriculum.⁶ The revised curriculum, however, still appears designed to proselytize students, as it favors certain types of Christianity over other

¹ TEA created the curriculum in response to House Bill 1605, passed by the Texas Legislature in 2023, which required TEA to develop and the State Board of Education to approve educational materials for school districts in the state.

² Pooja Salhotra & Robert Downen, *Texas education leaders unveil Bible-infused elementary school curriculum*, The Texas Tribune (May 30, 2024), <https://bit.ly/4fmvr1Q>.

³ Matt Roy, *Texas proposes new school curriculum blending religious teachings, sparking debate*, News 4 San Antonio (June 5, 2024), <https://bit.ly/4hGbgO9>.

⁴ Linda Jacobson, *Exclusive: Texas Seeks to Inject Bible Stories into Elementary School Reading Program*, The 74 (May 29, 2024), <https://bit.ly/40FOkyM>.

⁵ Melissa Masumoto, *'It's unconstitutional' | Controversial discussion surrounds proposed religious-infused curriculum for Texas public schools*, KVUE (Sept. 10, 2024), <https://bit.ly/48J9jw6>.

⁶ News Release, Texas Education Association, *Texas Education Agency Releases Updated Bluebonnet Learning Instruction Materials* (Oct. 15, 2024), <https://bit.ly/4fmjLMK>.

religious views and includes lessons that present one form of Christianity and one perspective of the Bible as true. Despite these significant problems, the State Board of Education nevertheless narrowly voted to authorize the Bluebonnet curriculum on November 22, 2024.⁷

Now school districts face decisions on whether to implement the problematic—and fully optional⁸—Bluebonnet curriculum. We urge you to refuse this invitation to promote one type of religious belief in public schools. Decisions about whether and how to instill religious beliefs should be made by students and their families, not state and local officials. Implementing the Bluebonnet curriculum in your district would unlawfully impose a set of religious beliefs upon your students and violate their constitutionally guaranteed right to be free from religious coercion. Texas students and their families practice a wide variety of religions and faiths, and many are nonreligious. You have a duty to ensure they all feel welcome at school.

Our organizations, which have long fought for religious freedom for all, will closely monitor any school district across the state that considers implementing the Bluebonnet curriculum and will take any action that is necessary and appropriate to protect the rights of Texas children and their parents.

The U.S. and Texas Constitutions Impose Strict Requirements on Teaching About Religion in Public Schools

The First Amendment to the U.S. Constitution prohibits the government from favoring one religion over another or favoring religion over nonreligion.⁹ And the Supreme Court has “been particularly vigilant” in monitoring compliance with the Constitution “in elementary and secondary schools” because students are “impressionable”¹⁰ and are readily subject to “subtle coercive pressure.”¹¹ Indeed, “[f]amilies entrust public schools with the education of their children but condition their trust on the understanding that the classroom will not purposely be used to advance religious views that may conflict with

⁷ Jaden Edison, *State Board of Education approves Bible-infused curriculum*, The Texas Tribune (Nov. 22, 2024), <https://bit.ly/42o0BCz>.

⁸ While school districts would receive funding for adopting the Bluebonnet curriculum, they will receive funding for choosing *any* curriculum on State Board of Education’s approved list for high-quality instructional materials. But adopting the Bluebonnet curriculum could actually cost districts money because the total to buy and print the curriculum is more expensive than the \$60 per-student payment. Elizabeth Sander, *Fact check: Are Texas school districts paid to use the TEA’s Bible-infused Bluebonnet Learning?*, Houston Chronicle (Jan. 15, 2025), <https://bit.ly/4hxIXAA>.

⁹ *Everson v. Bd. of Educ.*, 330 U.S. 1, 8-13, 15-16 (1947); *Engel v. Vitale*, 370 U.S. 421, 425-31 (1962); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203, 214, 226 (1963); *McCreary County v. ACLU of Kentucky*, 545 U.S. 844, 875-81 (2005). Indeed, this is the historic, foundational principle at the heart of the Establishment Clause.

¹⁰ *Edwards v. Aguillard*, 482 U.S. 578, 583-84 (1987).

¹¹ *Lee v. Weisman*, 505 U.S. 577, 592 (1993); *Edwards*, 482 U.S. at 584; *Bd. of Ed. of Westside Cmty. Schools (Dist. 66) v. Mergens*, 496 U.S. 226, 261-62 (1990) (Kennedy, J., concurring)).

the private beliefs of the student and his or her family.”¹² The Texas Constitution likewise protects the religious freedom of families and students.¹³

In accordance with both the U.S. and Texas Constitutions, public schools may teach *about* religion, but they may not *teach* religion. Lessons about religion must be taught from a secular, non-devotional, and objective perspective—public schools may not teach, for example, that the Bible is a true and literal historical record.¹⁴ Nor may teachers promote a particular religious doctrine to students or tailor their instruction to one denomination’s preferential interpretation of a religious text.¹⁵

As a long line of court decisions makes clear, it is exceptionally difficult—and public schools often fail—to meet the constitutional requirements that apply to public-school instruction regarding the Bible or other religious topics.¹⁶ When school districts implement a curriculum that claims to teach about religion, the result is often just Sunday school lessons instead of legitimate instruction.¹⁷ The new Bluebonnet curriculum will only create more opportunities for public schools to run afoul of the law. It is filled with Christian biblical references and lessons that amount to proselytizing. Should your district adopt and implement the curriculum, you would violate the religious freedom of students and families. And these families may have no choice but to protect their rights in court, which can result in significant costs to school districts and taxpayers.

¹² *Edwards*, 482 U.S. at 584.

¹³ Tex. Const. art. I §§ 6-7.

¹⁴ See *Herdahl v. Pontotoc Cnty. Sch. Dist.*, 933 F. Supp. 582, 592 (N.D. Miss. 1996); *Doe v. Human*, 725 F. Supp. 1503, 1506 (W.D. Ark. 1989), *aff’d mem.*, 923 F.2d 857 (8th Cir. 1990); *Wiley v. Franklin*, 468 F. Supp. 133, 149-50 (E.D. Tenn. 1979). In addition, when teaching about the Bible, teachers should expose students to critical perspectives on the Bible and a diversity of biblical interpretations. See *Herdahl*, 933 F. Supp. at 596; *Wiley*, 468 F. Supp. at 149.

¹⁵ See *Herdahl*, 933 F. Supp. at 592, 600; see also *Wiley*, 468 F. Supp. at 149.

¹⁶ See, e.g., *Doe v. Porter*, 370 F.3d 558, 562 (6th Cir. 2004) (prohibiting school district from offering a class “teach[ing] the Bible as religious truth”); *Hall v. Bd. of Comm’rs of Conecuh Cnty.*, 656 F.2d 999 (5th Cir. 1981); *Gibson v. Lee Cnty. Sch. Bd.*, 1 F. Supp. 2d 1426 (M.D. Fla. 1998); *Herdahl*, 933 F. Supp. at 596-97 (prohibiting school district from offering classes teaching “the Bible not as a work of fiction, but as a historic record, i.e., as a record of what actually occurred in the past”); *Human*, 725 F. Supp. at 1506 (prohibiting school district from offering Bible classes that are “predominantly religious and devotional in nature”—even if other parts of the course are “predominantly secular”); *Crockett v. Sorenson*, 568 F. Supp. 1422 (W.D. Va. 1983); cf. Stipulation of Voluntary Dismissal of Action Without Prejudice, *Moreno v. Ector Cnty. Indep. Sch. Dist.*, No. 7:07-cv-00039-RAJ (W.D. Tex. Mar. 31, 2008) (no ruling issued because defendants settled case, agreeing to no longer teach the course).

¹⁷ For example, in 2022, a Jewish mother in Tennessee removed her daughter from a course that included Christian proselytizing and made her feel unsafe. The teacher asked whether students read the Bible at home and taught the Book of Genesis as factual. *Complaint: Teacher Proselytized, Made Antisemitic Comments*, AP, (Feb. 6, 2022), <https://bit.ly/4hJ7QtN>. See also *Porter*, 370 F.3d at 562 (holding that a Tennessee public-school Bible class violated the Constitution because lesson plans were “singularly religious,” with one aimed to teach “children God’s commandments and that we should obey all of them,” and another to teach children to read their Bible and pray every day.); *Herdahl*, 933 F. Supp. at 594 (finding that a pastor in Mississippi admitted that he taught his Bible class at a public school in accordance with his personal beliefs); *Human*, 725 F. Supp. at 1506 (finding that a public-school teacher in Arkansas emphasized that “Jesus is our gateway to Heaven.”).

The Bluebonnet Curriculum Is Unconstitutional

The Program and Implementation Guide for the curriculum includes a section dedicated to “religious source material,” which claims that the use of religious source material “is not for the purpose of advancing any particular religious belief” and has “been designed to be presented objectively as part of a secular program of education.”¹⁸ But the realities of the revised Bluebonnet curriculum do not meet this standard. A cursory examination quickly reveals the same problems found in the original proposal: The Bluebonnet curriculum promotes Christianity, prioritizes it over other religions, and proselytizes students.

An independent analysis of the updated curriculum conducted by Dr. David Brockman, a religious studies scholar and Christian theologian at Rice University, found that it “overemphasizes Christianity, offering very limited coverage of other major religions and faith traditions.”¹⁹ For example, although the updated curriculum now refers to Hinduism, Buddhism, and Sikhism, it only briefly mentions these religions. Lessons on Judaism are still mostly limited to Judaism during the time of the Hebrew Bible and New Testament, and there are very few lessons on Islam. Lessons on Christianity, by contrast, are pervasive: There are lessons on or references to Christianity or the Bible for every grade level from kindergarten through fifth grade. Even within the lessons on Christianity and the Bible, the Bluebonnet curriculum does not fully or accurately reflect the multiplicity of viewpoints on these topics. By including repeated references to, and lessons on, one particular version of Christianity while virtually ignoring other world religions, the Bluebonnet curriculum blatantly prefers Christianity over other religions, in violation of the U.S. and Texas Constitutions.

Dr. Brockman also notes in his report that the Bluebonnet curriculum “still verges on Christian proselytism”²⁰ and includes examples of proselytizing that remain from the original curriculum.²¹ For example, lessons on ancient Greek and Roman religions repeatedly refer to their “mythical” deities while lessons on Christianity do not include the same qualifiers or explanations that they are a set of religious beliefs. The Bluebonnet curriculum also treats Christianity and the Bible as true. A fifth-grade lesson on the painting of the Last Supper presents the Book of Matthew as a literal and historical record of what happened. Another unit describes Jesus as a historical figure without any qualification and directs teachers to do things that amount to proselytization. The lesson states that the “Christian Bible explains that Jesus rose from the dead” and that after Jesus’s death, “[a]n angel appeared and said [Jesus] has risen and led them

¹⁸ Bluebonnet Learning K-5 Reading Language Arts Program and Implementation Guide, 23-25, https://d1yqpar94jqbqm.cloudfront.net/documents/BLRLA_K-5_P%26IG_ENG.pdf.

¹⁹ David R. Brockman, *Turning Texas Public Schools into Sunday Schools? An Update on the State’s Revisions to Its Proposed K-5 Reading Curriculum*, 3, Texas Freedom Network Education Fund (Nov. 2024), <https://tfn.org/cms/assets/uploads/2024/11/11.24-OER-Analysis-Update.pdf>.

²⁰ *Id.* at 2.

²¹ Brockman wrote a report outlining the problems with the initial version of the curriculum, many of which persist in the Bluebonnet updates. David R. Brockman, *Turning Texas Public Schools into Sunday Schools? A Review of the State’s Proposed K-5 Reading Curriculum*, Texas Freedom Network Education Fund (Aug. 2024), <https://tfn.org/cms/assets/uploads/2024/08/OER-Report-2024.pdf>.

into the tomb.” This particular unit is aimed at third-grade students, who are much more impressionable than high school students or adults. Requiring teachers to say the Bible “explains” what happened would make these young students more likely to believe that those lessons are true, both as a matter of history and as a matter of faith.

Yet another example of instruction that appears designed to proselytize—and perhaps one of the most egregious—comes from a lesson on art and creation for kindergarteners. The lesson includes five pieces of art, four of which are based on Bible stories. The explanatory text for the five paintings that are based on Bible stories includes direct quotations from the Bible and is written in a way that gives the clear impression that the Bible is true:

- “The Book of Genesis includes a description of the creation of the world.”
- “The story of Genesis starts in the beginning. There was only darkness. Then the text says: And God said, ‘Let there be light,’ and there was light.”
- The “Book of Genesis starts to describe the next steps of creation,” followed by a quote from Genesis 1:9-11.
- “What have we heard so far? A world has been created with land and water, with lots of growing plants, with creatures in the water, with birds in the sky, and with animals moving across the land. This is a world with much beauty. . . .”
- “According to the Book of Genesis, after God created the world, he created humanity in his own image. He formed the first people, Adam and Eve, and created a beautiful garden for Adam and Eve to live in.”
- The artist “captured the beauty of the Garden of Eden.”

The explanatory text in the unit also directs teachers to ask questions about and invite students to discuss each of the paintings based on Bible stories but does not do so for the single non-biblical piece of art, an image of Aztec pottery. Moreover, while all the works of art reflect religious beliefs about creation, only the Aztec piece is described as being “from a religious story that was believed” by people.²² In contrast, the curriculum says the paintings were inspired by the Bible but does not explain that this too is “a religious story” that people believe.²³ The lesson then devolves into pure proselytization: the first Comprehension Question for the lesson asks students to repeat the phrase “used to start the creation story in the Book of Genesis.” Then, the Sequencing Activity asks students to remember the order of creation from the Bible. These questions are not designed to teach about the paintings—instead this is a blatant attempt to teach

²² Describing the piece as being “believed by the ancient Aztecs” also ignores that many Aztecs still believe in and practice their religion.

²³ In fact, people who hold the Bible’s creation story sacred have many different beliefs about it.

creationism to students as young as four years old and to force them to learn and memorize biblical teachings, which the Constitution plainly prohibits.²⁴ This is purely devotional and has no secular purpose. It's no different from a Sunday School lesson—except that students and parents can choose whether or not to attend Sunday School and which Sunday School to attend.

As explained above, the U.S. and Texas Constitutions prohibit public schools from favoring one religion over another and protect impressionable elementary-school students from the coercive pressure of lessons on religion in public schools. The Bluebonnet curriculum violates these straightforward requirements—it clearly favors Christianity over other religions and presents certain Christian ideas and biblical stories as true to impressionable students as young as kindergarten.

Public Schools Are Diverse, and All Students Should Be Welcome

Families and students in Texas practice a wide variety of religions and faiths, and many are nonreligious. Furthermore, different Christian denominations and traditions read different versions of the Bible and have numerous interpretations of their own faith. All families, no matter their religion, should feel welcome in their schools. The Bluebonnet curriculum, however, repeatedly promotes a specific religious perspective, selects a state-sanctioned version of the Christian Bible, and favors Christianity over all other religions. This necessarily excludes members of the community whose religious views do not align with those in the Bluebonnet curriculum. Freedom of religion means that students and their parents—not school or state officials—have the right to decide whether and how to pursue religious education. Parents should be able to trust that their children will not have a particular religious perspective forced on them while attending their public schools.

²⁴ Federal courts, including the U.S. Supreme Court, have repeatedly held that teaching creationism in public schools and other efforts to suppress or undermine evolution education are unconstitutional—no matter what form they may take. See, e.g., *Edwards v. Aguillard*, 482 U.S. 578, 596-97 (1987) (striking down Louisiana's "Balanced Treatment for Creation-Science and Evolution-Science in Public School Instruction Act"); *Epperson v. Arkansas*, 393 U.S. 97, 107-09 (1968) (overturning state law prohibiting the teaching of evolution in public schools as "there can be no doubt that Arkansas has sought to prevent its teachers from discussing the theory of evolution because it is contrary to the belief of some that the Book of Genesis must be the exclusive source of doctrine as to the origin of man"); *Freiler v. Tangipahoa Parish Bd. of Educ.*, 185 F. 3d 337, 349 (5th Cir. 1999) (holding that school-board policy requiring teachers to read classroom disclaimer questioning validity of evolution and promoting creationist beliefs was unconstitutional); *Daniel v. Waters*, 515 F.2d 485, 489-90 (6th Cir. 1975) (striking down state statute that prohibited "the selection of any textbook which teaches evolution unless it also contains a disclaimer stating that such doctrine is 'a theory as to the origin and creation of man and his world and is not represented to be scientific fact'"); *Kitzmiller v. Dover Area Sch. Dist.*, 400 F. Supp.2d 707, 763-66 (M.D. Pa. 2005) (enjoining school-board policy promoting the teaching of intelligent design); *Selman v. Cobb Cnty. Sch. Dist.*, 390 F. Supp. 2d 1286, 1309-12 (N.D. Ga. 2005) (enjoining school-board policy requiring placement of sticker disclaiming evolution as theory, not fact, in all science textbooks), *vacated and remanded on grounds of incomplete trial record*, 449 F.3d 1320 (11th Cir. 2006); *McLean v. Ark. Bd. of Educ.*, 529 F. Supp. 1255, 1274 (E.D. Ark. 1982) (overturning statute that mandated the teaching of creation-science in public schools and holding that "[n]o group, no matter how large or small, may use the organs of government, of which the public schools are the most conspicuous and influential, to foist its religious beliefs on others").

Conclusion

Religious freedom is a fundamental American value. It ensures that we each get to decide for ourselves what to believe about religion—and that families get to decide how and what they will teach their children. But when state officials use public schools to usurp parents' rights to teach about religion, it sows distrust in our schools and divides our communities. That's why the Bluebonnet curriculum, with its promotion of Christianity and the Bible, is so troubling. Public school districts simply have no business proselytizing children about the state's preferred religion. The curriculum violates religious freedom, which has been fundamental to our country since its founding. We therefore urge you to reject this new curriculum.

Thank you for your consideration of this letter. Please do not hesitate to contact us if you would like to discuss this matter further.

Sincerely,

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