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August 26, 2022

The Honorable Mike Morath
Commissioner of Education
1701 North Congress Avenue
Austin, TX 78701

Re: Section 1.004, Education Code

Dear Commissioner Morath:

Senate Bill 797 took effect September 1, 2021. Now codified as Section 1.004, Education Code, the law requires a public elementary or secondary school to "display in a conspicuous place in each building of the school" the United States national motto, "In God We Trust," if the poster or framed copy is donated for display or purchased using donated funds. The poster or framed copy "must contain a representation of the United States flag centered under the national motto and a representation of the state flag," and it "may not depict any words, images, or other information. . . ."

Format of the Motto on display

The motto "In God We Trust" was adopted by Congress in 1956 and is codified as the national motto at 36 U.S.C. § 302. In both the United States Code and the Texas Education Code, the motto is set out in quotation marks and is presented in English. Accordingly, the statutory prescription that the motto be displayed as it appears in the statute, and with no other "words, images, or other information," limits the legally mandated display of the motto to only posters or framed copies presented in English.

Number of displays required

Section 1.004 also requires a school only to display "a durable poster or framed copy" of the motto. This singular reference is intended to limit the required display to one poster, so that donations of the motto, whether made in good faith or bad faith, do not burden or overwhelm schools. A school is required to display a qualifying poster or framed copy if one is provided, but it is only required to display one copy.

Display of the Motto in other languages

Nothing in state law prohibits a school from displaying the national motto in any other language. The purpose of the law is to inform and remind students of the motto adopted by the United States Congress to assert the country's collective trust in God. In pursuit of this purpose, a school is allowed to display the motto in any language it chooses. However, the law requires only the display of a poster or framed copy as specifically set out in the statute.

Sincerely,

DISTRICT ONE