



**FILED**  
March 31, 2025  
**Secretary of State**  
**State of Oklahoma**

J. Kevin Stitt  
Office of the Governor  
State of Oklahoma

**EXECUTIVE DEPARTMENT**  
**EXECUTIVE ORDER 2025-08**

WHEREAS, the United States of America was founded on the principle that religious freedom is a fundamental human right granted by the Almighty. As such, this First Freedom is protected by the First Amendment to the U.S. Constitution, which guarantees that no individual or institution shall be penalized or excluded from public life because of their faith or religious practices; and

WHEREAS, religious liberty has long been a cornerstone of American values, preserving the freedom of individuals to worship, serve, and act according to their deeply held beliefs without interference or discrimination by government; and

WHEREAS, Oklahoma, as part of America's heartland, has a proud tradition of honoring faith and religious expression as integral to the character, resilience, and moral strength of its people; and

WHEREAS, recent decisions of the United States Supreme Court—*Trinity Lutheran Church of Columbia, Inc. v. Comer*, 582 U.S. 449 (2017), *Espinoza v. Montana Department of Revenue*, 591 U.S. 464 (2020), and *Carson v. Makin*, 596 U.S. 767 (2022)—have reaffirmed that states may not exclude individuals or entities from public programs or benefits simply because of their religious character or beliefs; and

WHEREAS, the Supreme Court has recognized that such exclusions are a violation of the First Amendment's Free Exercise Clause, which ensures that faith-based organizations and individuals can participate fully in public life without discrimination or penalty; and

WHEREAS, my administration, working with the Oklahoma Legislature, has taken proactive steps to strengthen protections for religious liberty by amending the Oklahoma Religious Freedom Act (RFA), 51 O.S. §§ 251 *et seq.* in 2023 through Senate Bill 404, to expressly prohibit excluding individuals or entities from participation in government programs, funds, or benefits solely because of their religious character or affiliation; and

WHEREAS, despite these legal advancements, certain state statutes, regulations, and administrative practices in Oklahoma and across the nation remain inconsistent with the constitutional requirements articulated by the United States Supreme Court and those contained within RFA, imposing unfair and unconstitutional restrictions on faith-based organizations and perpetuating exclusions that discriminate against religious entities; and

WHEREAS, by filing lawsuits seeking to prevent the nation's first religious charter school, St. Isidore of Seville Catholic Charter School, from opening its doors, Oklahoma's Attorney General

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has fought against Oklahomans' religious liberty with a zeal and aggressiveness that suggests an animosity towards religion<sup>1</sup> and religious liberty; and

WHEREAS, the Attorney General's apparent hostility to religious liberty<sup>2</sup> and the continued existence of state statutes and administrative rules that impermissibly discriminate against religious individuals and entities—despite the United States Supreme Court's clear mandate that it has “repeatedly held that a State violates the Free Exercise Clause when it excludes religious observers from otherwise available public benefits[.]” *Carson*, 596 U.S. at 778—indicates that concerted action is needed to ensure state government is respecting the First Amendment and upholding the free exercise of religion; and

WHEREAS, correcting the errant interpretation of state law and regulation is not only a matter of constitutional law but also a moral imperative, ensuring that Oklahoma continues to uphold the values of equality, opportunity, and the free exercise of religion for all its citizens; and

WHEREAS, the people of Oklahoma overwhelmingly value their faith, their communities, and their freedom, and expect their government to reflect and defend these values by removing unnecessary barriers that prevent religious organizations from contributing to the public good; and

WHEREAS, this administration is committed to making Oklahoma a national leader in defending religious liberty, not just in word but in deed, by actively removing barriers to the free exercise of faith and fostering an environment where religious individuals and organizations can thrive.

NOW THEREFORE, I, J. Kevin Stitt, Governor of the State of Oklahoma, pursuant to the power and authority vested in me by Sections 1, 2, and 8 of Article VI of the Oklahoma Constitution, and to the fullest extent permitted by law, hereby order as follows:

1. It shall be the policy of the State of Oklahoma that no individual or entity shall be excluded from participation in, or denied access to, any public benefit, program, or funding solely on the basis of their religious character or affiliation or intended religious use of such benefits.

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<sup>1</sup> *Drummond v. Okla. Statewide Virtual Charter Sch. Bd.*, 2024 OK 53 \_\_\_ P.3d \_\_\_, cert. granted *Okla. Statewide Charter Sch. Bd. v. Drummond*, No. 24-394 Vide 24-396 (U.S. Jan. 24, 2025).

<sup>2</sup> See, e.g., *Letter from Attorney General Gentner Drummond to Rebecca L. Wilkinson, Ed.D.* (Feb. 23, 2023), <https://tinyurl.com/bddxv78> (“Unfortunately, the approval of a charter school by one faith will compel the approval of charter schools by all faiths, even those most Oklahomans would consider reprehensible and unworthy of public funding”); *Attorney General Drummond comments on St. Isidore filing* (Oct. 7, 2024), <https://tinyurl.com/pp5h28pp> (warning that t. Isidore’s school charter would “open the floodgates and force taxpayers to fund all manner of religious indoctrination, including radical Islam or even the Church of Satan.”); *Drummond remarks on actions of Oklahoma Charter School Board* (Jul. 10, 2024), <https://tinyurl.com/2wa7nuwy> (characterizing the Board as “recklessly committed to using our tax dollars to fund radical religious teachings like Sharia law.”).

2. All state agencies<sup>3</sup> shall actively work to ensure that Oklahoma’s laws, regulations, administrative rules, policies, and practices, whether written or unwritten, are the most robust in protecting the free exercise of religion in the nation and, at a minimum, comply with the First Amendment of the United States Constitution as articulated by the U.S. Supreme Court decisions referenced above.
3. All state agencies are directed to:
  - a. Conduct a comprehensive review of their regulations, contractual provisions, policies, and practices to identify any provisions, policies, or practices that exclude religious entities or otherwise burden the free exercise of religion, whether directly or indirectly.
  - b. Submit a report to the Governor’s Office within thirty (30) days of this Executive Order, detailing any such provisions, policies, or practices and proposing steps for revision or repeal to bring them into compliance with state and federal law.
4. The following statutory and regulatory provisions, which facially exclude religious entities in violation of the Free Exercise Clause, are hereby identified for immediate review, suspension of enforcement, repeal, and/or revision by the relevant agencies:
  - a. 53 O.S. § 171: Prohibits the use of state arts funds to aid religious entities.
  - b. 53 O.S. § 1.18: Prohibits historical preservation funds from being used to benefit religious entities.
  - c. 53 O.S. § 201C: Restricts the use of commission funds that benefit religious entities.
  - d. 70 O.S. § 3904: Prohibits use of Section Thirteen and indemnity land proceeds for religious schools.
  - e. 70 O.S. § 3-136: Requires charter schools to be entirely nonsectarian in operations.
  - f. OKLA. ADMIN. CODE 70:10-3-25: Prohibits religious organizations from applying for arts grants.
  - g. OKLA. ADMIN. CODE 210:10-1-22: Excludes religious entities from contracting with boards of education for administrative services.
5. Each state agency responsible for the implementation of the statutes or regulations listed above shall:
  - a. Suspend enforcement of the identified provisions pending review;
  - b. Review, repeal, or redraft the identified regulatory provisions; and

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<sup>3</sup> In this Executive Order, “state agencies” or “state agency” means, as it does in 61 O.S. § 327(A), “any department, board, commission, institution, or agency or entity of state government.”

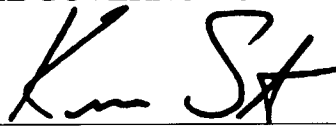
- c. Propose revisions to eliminate any other facial exclusions of religious entities and submit these revisions to the Governor's Office for approval within 30 days of this Order pursuant to 75 O.S. § 250.10.
6. To ensure that all state agencies are faithfully following the supreme law of the land, I also encourage lawmakers in the 1st Regular Session of the 60th Legislature to immediately repeal or redraft the following statutory provisions, which facially exclude religious entities in violation of the Free Exercise Clause to the U.S. Constitution:
  - a. 53 O.S. § 171: Prohibits the use of state arts funds to aid religious entities.
  - b. 53 O.S. § 1.18: Prohibits historical preservation funds from being used to benefit religious entities.
  - c. 53 O.S. § 201C: Restricts the use of commission funds to benefit religious entities.
  - d. 70 O.S. § 3904: Prohibits use of Section Thirteen and indemnity land proceeds for religious schools.
  - e. 70 O.S. § 3-136: Requires charter schools to be entirely nonsectarian in operations.
7. Within 90 days of this Executive Order, each state agency shall submit a written certification to the Governor's Office confirming compliance with this order and the principles of religious liberty outlined herein.
8. Certification shall include evidence of revised policies or practices, if applicable, and confirmation that no facial exclusions remain in the agency's regulations.
9. Any state employee or official found enforcing policies inconsistent with this order may be subject to disciplinary action.

If any provision of this Executive Order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of the Executive Order and the applicability of its other provisions to any other persons or circumstances shall not be affected thereby.

This Executive Order shall be distributed to the directors of all state agencies, the chair of all state boards or commissions, and my advisors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 31st day of March, 2025.

**BY THE GOVERNOR OF THE STATE OF OKLAHOMA**



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ATTEST:



  
Josh Cockroft, Secretary of State