

ENGROSSED HOUSE AMENDMENT

TO

ENGROSSED SENATE BILL NO. 815

By: Rabon of the Senate

and

Erwin of the House

( schools - minute of silence -

codification )

AUTHORS: Remove Erwin as principal House author and substitute Roach as principal House author and show Erwin as first coauthor and add the following House Coauthors: Adair, Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright and Young

AMENDMENT NO. 1. Strike the stricken title, enacting clause and entire bill and insert

"An Act relating to schools; stating purpose; requiring a board of education of a school district to establish a one-minute daily observance of silence; providing for certain duties for teachers; amending 70 O.S. 2001, Section 24-106, which relates to the pledge of allegiance to the flag of the United States of America; modifying notice requirement concerning reciting the pledge; authorizing the board of education of a school district to allow in certain circumstances the posting of the national motto, representations of the American and state flags, and certain historical documents; amending 70 O.S. 2001, Section 24-152, which relates to observance of Veterans Day; requiring schools to include patriotic activities into Veterans Day programs; providing for

codification; providing an effective date; and  
declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in  
the Oklahoma Statutes as Section 11-101.1a of Title 70, unless there  
is created a duplication in numbering, reads as follows:

In order that the right of students to the free exercise of  
religion be guaranteed within a school and that the freedom of each  
student in a school be subject to the least possible pressure from  
the state either to engage in, or to refrain from, religious  
observation on school grounds, the board of education of each school  
district in this state shall establish the daily observance of one (1)  
minute of silence in each classroom of the district.

When the board of education of a school district establishes a  
one-minute period of silence, the teacher responsible for each  
classroom shall take care that all students remain seated and silent  
and make no distracting display to the end that each student may, in  
the exercise of individual choice, meditate, pray, or engage in any  
other silent activity which does not interfere with, distract, or  
impede other students in the like exercise of individual choice.

The Office of the Attorney General shall intervene and shall  
provide legal defense of this law.

SECTION 2. AMENDATORY 70 O.S. 2001, Section 24-106, is  
amended to read as follows:

Section 24-106. A. The board of education of every school  
district in this state shall be required to own and display, either  
inside or outside each classroom building in the district, a United  
States Flag.

B. Instruction in the history and etiquette relating to the United States Flag shall be given in one or more grades in the schools in every school district in this state.

C. Students are authorized to recite, at the beginning of each school day, the pledge of allegiance to the flag of the United States of America as enumerated at 36 U.S.C., Section 172. ~~Each student~~ The principal of each school site shall be informed by posting a notice in a conspicuous place that students not wishing inform teachers at the beginning of each school year and at other appropriate times that their students are not required to participate in the pledge ~~shall not be required~~ if they do not wish to do so.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-106.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

The board of education of a school district may authorize teachers and administrators in the school district as part of an educational or patriotic display or presentation to post in a public school building, in classrooms, or at any school event the national motto of the United States of America "In God We Trust", a true and correct representation of the American or state flag, or material from any historical document or writing relating to the founding of the United States of America or this state. The posted documents and writings may include religious quotations, references, or illustrations.

SECTION 4. AMENDATORY 70 O.S. 2001, Section 24-152, is amended to read as follows:

Section 24-152. A. The date of November 11 is hereby designated "Veterans Day" in and for the public schools of this state. In any year in which the date of November 11 is a Saturday or Sunday or classes are not in regular session, the public schools of this state shall observe the previous school day as "Veterans Day" as provided for in this section.

B. The board of education of each public school district shall ensure that each school in its district will on Veterans Day conduct and observe an appropriate program of at least one class period remembering and honoring American veterans. In addition, schools may choose if scheduling allows, to have a one-minute moment of silence beginning at 11:00 a.m. on November 11 of each year. The benefit of such activity, in addition to honoring American veterans, is to serve to educate students about the termination of World War I at 11:00 a.m. on November 11, 1918, which was first recognized by United States President Woodrow Wilson on the first anniversary of the truce in a proclamation eulogizing fallen Allied soldiers and referring to November 11 as Armistice Day.

C. Schools shall also incorporate activities in the Veterans Day program that educate students about patriotism which will help students develop an understanding and a sense of patriotism. Activities shall include presentations on the history and importance of certain historical documents and writings. Such documents shall include George Washington's farewell address, Patrick Henry's "Give me liberty or give me death" speech, the Declaration of Independence, and Dr. Martin Luther King Jr's "I have a dream" speech.

SECTION 5. This act shall become effective July 1, 2002.

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

Passed the House of Representatives the 22nd day of April, 2002.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2002.

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Presiding Officer of the Senate