

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2090

By: Roach

COMMITTEE SUBSTITUTE

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certain circumstances the posting of the national motto, representations of the American and state flags, and certain historical documents; amending 70 O.S. 2001, Section 24-152, which relates to observance of Veterans Day; authorizing schools to include patriotic activities into Veterans Day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 a school district 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 to 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 may 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 may include presentations on the history and importance of certain historical documents and writings.

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.

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