

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

HOUSE BILL HB2339:

Phillips

AS INTRODUCED

An Act relating to schools; amending Section 1, Chapter 353, O.S.L. 2002 (70 O.S. Supp. 2003, Section 11-101.2), which relates to a minute of silence in public schools; amending 70 O.S. 2001, Section 24-106, which relates to the United State Flag and Pledge of Allegiance in public schools; amending 70 O.S. 2001, Section 24-110, which relates to Oklahoma Statehood Day in public schools; amending 70 O.S. 2001, Section 24-112, which relates to Bill of Rights Day in public schools; amending 70 O.S. 2001, Section 24-152, which relates to Veterans Day in public schools; updating statutory language; modifying time allowed to recite the Pledge of Allegiance; clarifying language; and providing an effective date.

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

SECTION 1. AMENDATORY Section 1, Chapter 353, O.S.L. 2002 (70 O.S. Supp. 2003, Section 11-101.2), is amended to read as follows:

Section 11-101.2 The board of education of each school district shall ensure that the public schools within the district observe approximately one minute of silence each day for the purpose of allowing each student, in the exercise of ~~his or her~~ individual choice of the student, to reflect, meditate, pray, or engage in any other silent activity that does not interfere with, distract, or impede other students in the exercise of their individual choices.

The Attorney General of the State of Oklahoma is hereby authorized to intervene in any legal proceeding to enforce the provisions of this act and shall represent any school district or employee named as a defendant therein. Any school district or employee named as a defendant in any proceeding to enforce the

provisions of this act shall within five (5) days of receiving service of summons notify the Attorney General of the State of Oklahoma of the pendency of the action.

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~~ some point during 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 shall be informed by posting a notice in a conspicuous place that students not wishing to participate in the pledge shall not be required to do so.

SECTION 3. AMENDATORY 70 O.S. 2001, Section 24-110, is amended to read as follows:

Section 24-110. ~~The several school boards of~~ Each board of education in this state and the superintendents, principals, and other school officials may on "Oklahoma Statehood Day" plan and conduct programs commemorating Oklahoma history and the achievements of Oklahoma from an historical viewpoint and may in other appropriate manner conduct a program or programs for the purpose of teaching and inspiring the school children of our state in the appreciation of the rich Oklahoma heritage and the achievements of the sons and daughters of Oklahoma in peace and war.

SECTION 4. AMENDATORY 70 O.S. 2001, Section 24-112, is amended to read as follows:

Section 24-112. ~~The several school boards of~~ Each board of education in this state and the superintendents, principals, and other school officials may on "Bill of Rights Day" plan and conduct programs commemorating the Bill of Rights of the United States Constitution and the Bill of Rights of the Constitution of the State of Oklahoma and may in other appropriate manner conduct programs for the purpose of teaching and inspiring the school children of our state in the appreciation of the significance for individual freedom of said Bills of Rights.

SECTION 5. 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~~ shall 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.

SECTION 6. This act shall become effective November 1, 2004.

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