

CEREMONIES AND OBSERVANCES

The Board of Education directs that the flag of the United States of America shall be raised at the school house and at other appropriate places during all school sessions and on all legal school holidays, weather permitting. The flag shall be raised before the opening of school and taken down at its close every day. The flag will be displayed in each classroom and wherever pupils assemble.

The morning opening exercises will include the pledge of allegiance. Those pupils who have religious or conscientious objections may be excused from participating, but must not disrupt the exercises.

Appropriate exercises shall be held on the last school day preceding the celebration of:

- A. Martin Luther King Jr.'s Birthday
- B. Lincoln's Birthday
- C. Washington's Birthday
- D. Memorial Day
- E. Columbus Day
- F. Veteran's Day
- G. Thanksgiving Day

Suitable exercises are also required by law in all public schools in observance of Flag Day (June 14, day of adoption of the American flag by the Continental Congress in 1777), Arbor Day (last Friday in April), and Commodore John Barry Day (September 13). The Board authorizes the chief school administrator to conduct school observances in commemoration of other persons and events of special historical significance.

Pupils shall be encouraged to develop and/or take part in events and activities in connection with special "days", "weeks" or "months" proclaimed by the nation, state or community.

Holidays and special events may be recognized in the district's schools so long as such recognition respects the rights and feelings of others and is consistent with law.

The Board shall not prevent, or otherwise deny participation in, constitutionally protected prayer in any district school, consistent with guidance issued by the United States Department of Education and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

The policy supersedes any other Board policy that is inconsistent with it.

Legal References:

<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:36-3	Display of and salute to flag; pledge of allegiance
<u>N.J.S.A.</u> 18A:36-4	Period of silence
<u>N.J.S.A.</u> 18A:36-6	Observance of Flag Day
<u>N.J.S.A.</u> 18A:36-7	
through -9	Designation of Arbor Day
<u>N.J.S.A.</u> 18A:36-10	
through -12	Designation of Commodore Barry Day
<u>N.J.S.A.</u> 18A:36-13	Patriotic exercises preceding holidays

U.S.C.A. Const. Amends. 1, 14

No Child Left Behind act of 2001, P. L. 107-110, 20 U.S.C.A. 6301 et seq.

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P.L. 108-447 (December 2004) requires all educational institutions that receive Federal funds for fiscal year to hold an educational program on The United States Constitution on September 17, designated "Constitution Day and Citizenship Day."

West Virginia Bd. of Ed. v. Barnette, 319 U.S. 624 (1943)

Holden v. Elizabeth Board of Education, 46 N.J. 281 (1966)

Lipp v. Morris, 579 F. 2d 834 (1978) (3rd Cir.)

May v. Cooperman, C.A., 780 F.2d 240 (1985)

Karcher v. May, 484 U.S. 72 (1987)

Lee v. Weisman, 505 U.S. 577 (1992)

American Civil Liberties Union v. Blackhorse Pike Regional Board of Education, 84 F.3d 1471 (3rd cir. 1996)

Santa Fe Indep. School District v. Doe, 120 S.Ct. 2266 (June 19, 2000)

Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools, United States Department of Education, February 7, 2003

Possible

- Cross References:**
- *5114 Suspension and expulsion
 - *5127 Commencement activities
 - *5131 Conduct/discipline
 - *6141.2 Recognition of religious beliefs and customs

*Indicates policy is included in the Critical Policy Reference Manual.

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