

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 700
Education/Higher Education Committee Substitute Adopted 4/21/05
House Committee Substitute Favorable 6/21/06

Short Title: Flag/Pledge of Allegiance in Schools.

(Public)

Sponsors:

Referred to:

March 21, 2005

A BILL TO BE ENTITLED

1 AN ACT DIRECTING LOCAL BOARDS OF EDUCATION, CHARTER SCHOOLS,
2 THE NORTH CAROLINA SCHOOL OF THE ARTS, AND THE NORTH
3 CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS TO REQUIRE THE
4 DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS AND
5 TO REQUIRE THAT RECITATION OF THE PLEDGE OF ALLEGIANCE IS
6 SCHEDULED ON A DAILY BASIS.
7

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 115C-47(29a) reads as rewritten:

10 "**§ 115C-47. Powers and duties generally.**

11 In addition to the powers and duties designated in G.S. 115C-36, local boards of
12 education shall have the power or duty:

13 ...

14 (29a) To ~~Encourage~~Require the Display of the United States and North
15 Carolina Flags, and to ~~Encourage~~Require the Recitation of the Pledge
16 ~~or Oath~~ of Allegiance. – Local boards of education ~~are encouraged to~~
17 shall adopt policies to (i) ~~provide for~~ require the display of the United
18 States and North Carolina flags in each classroom, when available, (ii)
19 ~~provide the opportunity for students to recite the Pledge or Oath of~~
20 Allegiance on a regular basis, require that recitation of the Pledge of
21 Allegiance be scheduled on a daily basis, and (iii) provide
22 age-appropriate instruction on the meaning and historical origins of the
23 flag and the Pledge of Allegiance. These policies shall not compel any
24 person to stand, salute the flag, or recite the Pledge of Allegiance. If
25 flags are donated or are otherwise available, flags shall be displayed in
26 each classroom."

27 **SECTION 2.** G.S. 115C-238.29F is amended by adding a new subsection to

28 read:

1 "(k) The Display of the United States and North Carolina Flags and the Recitation
2 of the Pledge of Allegiance. – A charter school shall (i) display the United States and
3 North Carolina flags in each classroom when available, (ii) require the recitation of the
4 Pledge of Allegiance on a daily basis, and (iii) provide age-appropriate instruction on
5 the meaning and historical origins of the flag and the Pledge of Allegiance. A charter
6 school shall not compel any person to stand, salute the flag, or recite the Pledge of
7 Allegiance. If flags are donated or are otherwise available, flags shall be displayed in
8 each classroom."

9 **SECTION 3.** Chapter 116 of the General Statutes is amended by adding a
10 new section to read:

11 **"§ 116-69.1. Display of the United States and North Carolina flags and the**
12 **recitation of the Pledge of Allegiance.**

13 The school shall (i) display the United States and North Carolina flags in each
14 classroom when available, (ii) require the recitation of the Pledge of Allegiance on a
15 daily basis, and (iii) provide instruction on the meaning and historical origins of the flag
16 and the Pledge of Allegiance. The school shall not compel any person to stand, salute
17 the flag, or recite the Pledge of Allegiance. If flags are donated or are otherwise
18 available, flags shall be displayed in each classroom."

19 **SECTION 5.** G.S. 116-235 is amended by adding a new subsection to read:

20 "(i) The Display of the United States and North Carolina Flags and the Recitation
21 of the Pledge of Allegiance. – The Board of Trustees shall adopt policies to require (i)
22 the display of the United States and North Carolina flags in each classroom when
23 available, (ii) the recitation of the Pledge of Allegiance on a daily basis, and (iii) the
24 instruction on the meaning and historical origins of the flag and the Pledge of
25 Allegiance. These policies shall not compel any person to stand, salute the flag, or recite
26 the Pledge of Allegiance. If flags are donated or are otherwise available, flags shall be
27 displayed in each classroom."

28 **SECTION 6.** This act is effective when it becomes law.