

**Policy**

CEREMONIES AND OBSERVANCES

The flag of the United States of America shall be raised above the school 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.

Students in the Alloway Township School shall start each day with the salute and pledge of allegiance to the flag. New Jersey state law requires students to show respect for the flag of the United States of America. If a student is conscientiously opposed to pledge or salute, he/she may abstain from participation in these ceremonies but must remain respectfully silent.

Appropriate recognition shall be given in all schools on the last school day preceding (or the following Monday in the case of Constitution Day and Citizenship Day if September 17<sup>th</sup> falls on a Sunday):

- A. Martin Luther King Jr.'s Birthday;
- B. Lincoln's Birthday;
- C. Washington's Birthday;
- D. Memorial Day;
- E. Constitution Day and Citizenship Day (Sept. 17);
- F. Columbus Day;
- G. Veterans' Day;
- H. Thanksgiving Day.

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

Students 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 school so long as such recognition respects the rights and feelings of others and is consistent with law.

Songs and customs which have come to us from the various elements of our national population may be used to broaden our students' awareness of the many elements that make up our American culture.

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.

Adopted: November 26, 2002  
Revised: December 16, 2003

CEREMONIES AND OBSERVANCES (continued)

NJSBA Review/Update: January 2020  
 Readopted:

Key Words

Ceremonies and Observances, Holidays, Patriotic Exercises

**Legal References:** N.J.S.A. 18A:36-3 Display of and salute to flag; pledge of allegiance  
N.J.S.A. 18A:36-4 Period of silence (unconstitutional)  
N.J.S.A. 18A:36-6 Observance of Flag Day  
N.J.S.A. 18A:36-7  
 through -9 Designation of Arbor Day ...  
N.J.S.A. 18A:36-10  
 through -12 Designation of Commodore Barry Day ...  
N.J.S.A. 18A:36-13 Patriotic exercises preceding holidays

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

Every Student Succeeds Act of 2015, P. L. 114-95, 20 U.S.C.A. 6301 et seq.

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 (3<sup>rd</sup> 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.