

Brick Township Board of Education District Policy

Instructional Program

Series 6000

Ceremonies & Observances

Policy 6115

Date Adopted: May 29, 2008

Date Revised: December 17, 2015

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Weather permitting, 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. The flag shall be raised before the opening of school and taken down at its close every day and shall be displayed in each classroom.

Pupils in the school system 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.

The Superintendent of Schools shall devise appropriate exercises for the development of a higher spirit of patriotism on the last day of school preceding:

Martin Luther King, Jr.'s Birthday

Columbus Day

Lincoln's Birthday

Veterans Day

Washington's Birthday

Thanksgiving Day

Memorial Day

Suitable exercises are also required by law in all New Jersey public schools in observance of Flag Day, Arbor Day, and Commodore John Barry Day. The Board authorizes the Superintendent of Schools 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 school so long as such recognition respects the rights and feelings of others and is consistent with law.

Songs and customs from various elements of the national population may be used to broaden pupil awareness of the many elements that make up 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.

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Legal References

- NJSA 18A:36-3 Display of and salute to flag; pledge of allegiance
18A:36-4 Period of silence (unconstitutional)
18A:36-6 Observance of flag day
18A:36-7 through -9 Designation of Arbor Day ...
18A:36-10 through -12 Designation of Commodore Barry Day ...
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.
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. Warren 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