

CEREMONIES AND OBSERVANCES

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

Appropriate recognition shall be given in school on the last school day preceding:

- A. Martin Luther King's Birthday
- B. Lincoln's Birthday
- C. Washington's Birthday (President's Day);
- D. Memorial Day;
- E. Commodore Barry Day
- F. Columbus Day;
- G. Veterans' Day;

Suitable exercises are also suggested in observance of Flag Day, Arbor Day and Thanksgiving Day. The Board authorizes the Superintendent to conduct school observances in commemoration of other persons and events of special historical significance.

All schools receiving federal funds must provide students with a program on the United States Constitution on September or on the school day closest to September if that day falls on a non-school day.

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 District's 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 the 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.

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

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

CEREMONIES AND OBSERVANCES (continued)**Legal References: (continued)**

- 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
- No Child Left Behind act of 2001, pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
- 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 (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
- Consolidated Appropriations Act of 2005, Division J, Pub. L. 108-447, section 111

- 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.

Key Words

Ceremonies and Observances, Holidays, Patriotic Exercises

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