

PATRIOTIC EDUCATION

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Leonard M. Blackham

AN ACT RELATING TO PUBLIC SCHOOLS; REQUIRING THE STATE BOARD OF EDUCATION TO PROVIDE BY RULE FOR A PROGRAM OF INSTRUCTION WITHIN THE PUBLIC SCHOOLS RELATING TO THE FLAG OF THE UNITED STATES; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

53A-13-101.6, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53A-13-101.6** is enacted to read:

53A-13-101.6. Instruction on the flag of the United States of America.

(1) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the State Board of Education shall provide by rule for a program of instruction within the public schools relating to the flag of the United States.

(2) The instruction shall include the history of the flag, etiquette, customs pertaining to the display and use of the flag, and other patriotic exercises as provided by Sections 36 U.S.C. 170 to 177.

h (3) (a) THE PLEDGE OF ALLEGIANCE TO THE FLAG SHALL BE RECITED AT THE BEGINNING OF THE DAY IN EACH ELEMENTARY AND SECONDARY PUBLIC SCHOOL IN THE STATE.

(b) EACH STUDENT SHALL BE INFORMED BY POSTING A NOTICE IN A CONSPICUOUS PLACE THAT THE STUDENT HAS THE RIGHT NOT TO PARTICIPATE IN RECITING THE PLEDGE.

(c) A STUDENT SHALL BE EXCUSED FROM RECITING THE PLEDGE UPON WRITTEN REQUEST FROM THE STUDENT'S PARENT OR LEGAL GUARDIAN. h

Section 2. **Effective date.**

This act takes effect on July 1, 2000.

Legislative Review Note
as of 12-2-99 10:48 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel