

SCHOOL CEREMONIES AND OBSERVATIONS

Code **IMD** Issued **4/05**

Purpose: To establish the board's vision for school ceremonies and observances.

Pledge of Allegiance

State law requires that all students say the Pledge of Allegiance at a specific time during each school day. Each school will designate this time.

Any person who does not wish to say the Pledge of Allegiance does not have to participate. The district will not penalize him/her for failing to participate.

Any person who does not wish to participate may leave the classroom and stand by the classroom in the hallway or remain in his/her seat. The person may express his/her non-participation in any form that does not materially infringe upon the rights of others or disrupt school activities.

Adopted 8/13/91; Revised 10/13/92, 11/12/02, 4/12/05

Legal references:

A. S. C. Code of Laws, 1976, as amended:

1. Section 59-1-455 - Time for Pledge of Allegiance required.
2. Section 59-1-320 - Head of public school to display U.S. And S.C. Flags.
3. Sections 59-1-441 and 59-1442 - South Carolina Student-Led Messages Act.

B. United States Supreme Court:

1. West Virginia State Board of Education v. Barnette, 319 U.S. 624 (1943) - The mandatory saluting of the flag and the repeating of the Pledge of Allegiance is unconstitutional when those practices conflict with religious beliefs of the student. Hence students with religious objections must be exempted from any such requirements.
2. Frain v. Baron, 307 F. Supp 27, 1969.
3. Goetz v. Ansell, 402 F. Supp. 26, 1973.
4. Banks v. Board of Public Instruction, F. Supp. 285. 1970.
5. Elk Grove Unified School District v. Newdow 124 S. Ct. 2301 (2004).