

4769--A

2013-2014 Regular Sessions

I N   S E N A T E

April 23, 2013

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Introduced by Sens. GALLIVAN, MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to instruction relating to the flag

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 1 of section 802 of the education law, as  
2 amended by chapter 601 of the laws of 1996, is amended to read as  
3 follows:  
4     1. It shall be the duty of the commissioner to prepare, for the use of  
5 the public schools of the state, a program providing for a salute to the  
6 flag and a daily pledge of allegiance to the flag, and instruction in  
7 its correct use and display which shall include, as a minimum, specific  
8 instruction regarding respect for the flag of the United States of Amer-  
9 ica, its display and use as provided by federal statute and regulation  
10 and such other patriotic exercises as may be deemed by him to be expedi-  
11 ent, under such regulations and instructions as may best meet the varied  
12 requirements of the different grades in such schools. However, such  
13 instruction shall include, as a minimum, the provisions of sections one  
14 hundred seventy through one hundred seventy-seven of title thirty-six of  
15 the United States Code. THE COMMISSIONER SHALL ALSO PREPARE, AS PART OF  
16 SUCH PROGRAM, WHICH MAY BE USED BY SCHOOL AUTHORITIES, AN ANNUAL COURSE  
17 OF STUDY OF THE AMERICAN FLAG, INCLUDING THE HISTORY AND EVOLUTION OF  
18 THE AMERICAN FLAG AS WELL AS THE HISTORY AND EVOLUTION OF THE PLEDGE OF  
19 ALLEGIANCE, THAT ENCOURAGES PARTICIPATION IN THE PLEDGE OF ALLEGIANCE BY  
20 STUDENTS AND FACULTY AND THAT INDICATES THAT THE PLEDGE OF ALLEGIANCE IS  
21 TAKEN IN RECOGNITION OF THE SACRIFICES THAT HAVE BEEN MADE BY THE MEN

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 AND WOMEN OF THE ARMED FORCES OF THE UNITED STATES IN DEFENSE OF OUR  
2 COUNTRY.

3 S 2. This act shall take effect September 1, 2014; provided that the  
4 commissioner of education is authorized to promulgate any rules and  
5 regulations necessary to implement this act on or before its effective  
6 date.