S T A T E O F N E W Y O R K

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I N A S S E M B L Y

March 16, 2012

Introduced by M. of A. LATIMER, GABRYSZAK, TENNEY -- Multi-Sponsored by -- M. of A. CERETTO, PEOPLES-STOKES -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the pledge of allegiance

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

Section 1. Subdivision 1 of section 802 of the education law, as amended by chapter 601 of the laws of 1996, is amended to read as follows:

1. It shall be the duty of the commissioner to prepare, for the use of the public schools of the state, a program providing for a salute to the flag and a daily pledge of allegiance to the flag, and instruction in its correct use and display which shall include, as a minimum, specific instruction regarding respect for the flag of the United States of America, its display and use as provided by federal statute and regulation and such other patriotic exercises as may be deemed by him to be expedient, under such regulations and instructions as may best meet the varied requirements of the different grades in such schools. However, such instruction shall include, as a minimum, the provisions of sections one hundred seventy through one hundred seventy-seven of title thirty-six of the United States Code. THE COMMISSIONER SHALL ALSO PREPARE, AS PART OF SUCH PROGRAM, WHICH MAY BE USED BY SCHOOL AUTHORITIES, AN ANNUAL COURSE OF STUDY OF THE HISTORY OF THE AMERICAN FLAG THAT ENCOURAGES PARTICIPATION IN THE PLEDGE OF ALLEGIANCE BY STUDENTS AND FACULTY AND THAT INDICATES THAT THE PLEDGE OF ALLEGIANCE IS TAKEN IN RECOGNITION OF THE SACRIFICES THAT HAVE BEEN MADE BY THE MEN AND WOMEN OF THE ARMED FORCES OF THE UNITED STATES IN DEFENSE OF OUR COUNTRY.

S 2. This act shall take effect on September 1, 2012; provided that the commissioner of education is authorized to promulgate any rules necessary to implement this act on or before its effective date.

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

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