

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2919 Session of
2004

INTRODUCED BY EGOLF, ALLEN, ARMSTRONG, BAKER, BARRAR, BASTIAN, BOYD, BUNT, CAPPELLI, CAUSER, CAWLEY, DAILEY, DALLY, DeLUCA, DeWEESE, FEESE, FICHTER, FLEAGLE, FORCIER, GABIG, GEIST, GEORGE, GINGRICH, GOODMAN, HANNA, HARPER, HARRIS, HENNESSEY, HESS, HICKERNELL, HUTCHINSON, KELLER, KILLION, LEDERER, LEH, LESCOVITZ, MAHER, MANN, MARKOSEK, MARSICO, McNAUGHTON, METCALFE, MILLARD, R. MILLER, S. MILLER, MUSTIO, NAILOR, O'NEILL, PAYNE, PHILLIPS, PICKETT, PISTELLA, READSHAW, RIEGER, ROBERTS, ROHRER, SATHER, SAYLOR, SCAVELLO, SHANER, SOLOBAY, STABACK, STERN, R. STEVENSON, T. STEVENSON, TIGUE, VANCE, WALKO, WASHINGTON, WATSON, WILT, WOJNAROSKI, YOUNGBLOOD, ZUG, BALDWIN, REICHLEY, E. Z. TAYLOR, CLYMER, CRAHALLA, GILLESPIE, GRUCELA, BENNINGHOFF AND DENLINGER, OCTOBER 18, 2004

AS REPORTED FROM COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, HOUSE OF REPRESENTATIVES, AS AMENDED, NOVEMBER 8, 2004

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act Relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," further providing for display of
6 United States Flag and development of patriotism.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 771(c) of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended December 9, 2002 (P.L.1334, No.157), is amended to read:

12 Section 771. Display of United States Flag; Development of
13 Patriotism.--* * *

1 (c) (1) All supervising officers and teachers in charge of
2 public[, private or parochial] schools shall cause the Flag of
3 the United States of America to be displayed in every classroom
4 during the hours of each school day and shall provide for the
5 recitation of the Pledge of Allegiance or the national anthem IN <—
6 EACH CLASSROOM at the beginning of each school day. [Students] <—
7 UNDER NO CIRCUMSTANCES MAY ANY TEACHER, SCHOOL ADMINISTRATOR, <—
8 BOARD OF SCHOOL DIRECTORS OR OTHER PERSON WAIVE THE REQUIREMENTS
9 OF THIS PARAGRAPH. HOWEVER, STUDENTS may decline to recite the
10 Pledge of Allegiance and may refrain from saluting the flag on
11 the basis of religious conviction or personal belief. [The
12 supervising officer of a school subject to the requirements of
13 this subsection shall provide written notification to the
14 parents or guardian of any student who declines to recite the
15 Pledge of Allegiance or who refrains from saluting the flag.

16 (2) This subsection shall not apply to any private or
17 parochial school for which the display of the flag, the
18 recitation of the Pledge of Allegiance or the salute of the flag
19 violates the religious conviction on which the school is based.]

20 ~~(3) The supervising officer of each public school shall~~ <—
21 ~~include, in any report of grade proficiency provided to the~~
22 ~~parent or guardian of any student, the following:~~

23 ~~(i) information indicating a student's participation in, or~~
24 ~~abstention from, the activities specified in paragraph (1); and~~
25 ~~(ii) other information concerning the student's~~
26 ~~participation in civics education.~~

27 * * *

28 ~~Section 2. The provisions of this act are severable. If any~~ <—
29 ~~provision of this act or its application to any person or~~
30 ~~circumstance is held invalid, the invalidity shall not affect~~

1 ~~other provisions or applications of this act which can be given~~
2 ~~effect without the invalid provision or application.~~

3 ~~Section 3. This act shall take effect as follows:~~

4 ~~(1) The addition of section 771(c)(3) of the act shall~~
5 ~~take effect August 1, 2005.~~

6 ~~(2) The remainder of this act shall take effect~~
7 ~~immediately.~~

8 SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

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