

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2006-137
SENATE BILL 700**

AN ACT DIRECTING LOCAL BOARDS OF EDUCATION, CHARTER SCHOOLS, THE NORTH CAROLINA SCHOOL OF THE ARTS, AND THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS TO REQUIRE THE DISPLAY OF THE UNITED STATES AND NORTH CAROLINA FLAGS AND TO REQUIRE THAT RECITATION OF THE PLEDGE OF ALLEGIANCE IS SCHEDULED ON A DAILY BASIS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-47(29a) reads as rewritten:

"§ 115C-47. Powers and duties generally.

In addition to the powers and duties designated in G.S. 115C-36, local boards of education shall have the power or duty:

...

(29a) To ~~Encourage~~Require the Display of the United States and North Carolina Flags, and to ~~Encourage~~Require the Recitation of the Pledge ~~or Oath~~ of Allegiance. – Local boards of education ~~are encouraged to~~ shall adopt policies to (i) ~~provide for~~ require the display of the United States and North Carolina flags in each classroom, when available, (ii) ~~provide the opportunity for students to recite the Pledge or Oath of Allegiance on a regular basis~~, require that recitation of the Pledge of Allegiance be scheduled on a daily basis, and (iii) provide age-appropriate instruction on the meaning and historical origins of the flag and the Pledge of Allegiance. These policies shall not compel any person to stand, salute the flag, or recite the Pledge of Allegiance. If flags are donated or are otherwise available, flags shall be displayed in each classroom."

SECTION 2. G.S. 115C-238.29F is amended by adding a new subsection to read:

"(k) The Display of the United States and North Carolina Flags and the Recitation of the Pledge of Allegiance. – A charter school shall (i) display the United States and North Carolina flags in each classroom when available, (ii) require the recitation of the Pledge of Allegiance on a daily basis, and (iii) provide age-appropriate instruction on the meaning and historical origins of the flag and the Pledge of Allegiance. A charter school shall not compel any person to stand, salute the flag, or recite the Pledge of Allegiance. If flags are donated or are otherwise available, flags shall be displayed in each classroom."

SECTION 3. Chapter 116 of the General Statutes is amended by adding a new section to read:

"§ 116-69.1. Display of the United States and North Carolina flags and the recitation of the Pledge of Allegiance.

The school shall (i) display the United States and North Carolina flags in each classroom when available, (ii) require the recitation of the Pledge of Allegiance on a daily basis, and (iii) provide instruction on the meaning and historical origins of the flag and the Pledge of Allegiance. The school shall not compel any person to stand, salute the flag, or recite the Pledge of Allegiance. If flags are donated or are otherwise available, flags shall be displayed in each classroom."

SECTION 5. G.S. 116-235 is amended by adding a new subsection to read:

"(i) The Display of the United States and North Carolina Flags and the Recitation of the Pledge of Allegiance. – The Board of Trustees shall adopt policies to require (i) the display of the United States and North Carolina flags in each classroom when available, (ii) the recitation of the Pledge of Allegiance on a daily basis, and (iii) the instruction on the meaning and historical origins of the flag and the Pledge of Allegiance. These policies shall not compel any person to stand, salute the flag, or recite the Pledge of Allegiance. If flags are donated or are otherwise available, flags shall be displayed in each classroom."

SECTION 6. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 12th day of July, 2006.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 7:33 p.m. this 19th day of July, 2006