Merchantville Board of Education 130 South Centre Street Merchantville, NJ 08109	File Code : 6115 Adopted : 9/27/1988 Revised : 4/25/2000 Revised : 09/22/2022 Reviewed : 07/15/2024

Ceremonies & Observances

The morning opening exercises will include the pledge of allegiance. Those pupils who have religious or conscientious objections may be excused from participating, but must not disrupt the exercises.

Appropriate recognition shall be given in all schools on the last school day preceding (or the following Monday in the case of Constitution Day and Citizenship Day if September 17th falls on a Sunday):

A. Martin Luther King Jr.'s Birthday;

B. President's Day

C. Memorial Day;

D. Constitution Day and Citizenship Day (Sept. 17);

E. Indigenous People's Day;

F. Veterans' Day;

G. Thanksgiving Day.

Suitable exercises are also required by law in all New Jersey public schools in observance of Flag Day (June 14, day of adoption the American flag by the Continental Congress in 1777), Arbor Day (last Friday in April), and Commodore John Barry Day (September 13th). The board authorizes the chief school administrator to conduct school observances in commemoration of other persons and events of special historical significance.

Pupils shall be encouraged to develop and/or take part in events and activities in connection with special "days", "weeks" or "months" proclaimed by the nation, state or community.

Holidays and special events may be recognized in the district's schools so long as such recognition respects the rights and feelings of others and is consistent with law.

Songs and customs which have come to us from the various elements of our national population may be used to broaden our pupils' awareness of the many elements that make up our American culture.

The board shall not prevent, or otherwise deny participation in, constitutionally protected prayer in any district school, consistent with guidance issued by the United States Department of Education and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

This policy supersedes any other board policy that is inconsistent with it.

Key Words

Ceremonies and Observances, Holidays, Patriotic Exercises

Legal References: N.J.S.A. 18A:36-3 Display of and salute to flag; pledge of allegiance

N.J.S.A. 18A:36-4 Period of silence (unconstitutional)
N.J.S.A. 18A:36-6 Observance of flag day
N.J.S.A. 18A:36-7 through -9 Designation of Arbor Day ...
N.J.S.A. 18A:36-10 through -12 Designation of Commodore Barry Day ...
N.J.S.A. 18A:36-13 Patriotic exercises preceding holidays
U.S.C.A. Const. Amends. 1, 14
No Child Left Behind act of 2001, P. L. 107-110, 20 U.S.C.A. 6301 et seq.

P.L. 108-447 (December 2004) requires all educational institutions that receive Federal funds for fiscal year to hold an educational program on The United States Constitution on September 17, designated "Constitution Day and Citizenship Day."

West Virginia Bd. of Ed. v. Barnette, 319 U.S. 624 (1943)

Holden v. Elizabeth Board of Education, 46 N.J. 281 (1966)

Lipp v. Morris, 579 F. 2d 834 (1978) (3rd Cir.)

May v. Cooperman, C.A., 780 F.2d 240 (1985)

Karcher v. May, 484 U.S. 72 (1987)

Lee v. Weisman, 505 U.S. 577 (1992)

American Civil Liberties Union v. Blackhorse Pike Regional Board of Education, 84 F.3d 1471 (3rd cir. 1996)

Santa Fe Indep. School District v. Doe, 120 S.Ct. 2266 (June 19, 2000)

Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools, United States Department of Education, February 7, 2003

Possible Cross References:
*5114 Suspension and expulsion
*5127 Commencement activities
*5131 Conduct/discipline
*6141.2 Recognition of religious beliefs and customs

*Indicates policy is included in the Critical Policy Reference Manual.

NJSBA File Date: 5/06