

INSTRUCTION

Ceremonies and ObservancesA. Generally

The school board encourages the observance throughout the school division of such special days and occurrences as are proclaimed by the Governor of the State of Virginia and the President of the United States. Such observances should be of educational value to the students and in acceptable taste.

B. Flags

In accordance with the Code of Virginia, the flags of the United States of America and the Commonwealth shall be flown at each school. Instruction in the history and principles of the flags shall be provided. Instruction should include etiquette and conventions for respecting the dignity and appropriate display of the flags.

C. Commencements/Other Ceremonies

Administrators are confronted with difficult decisions in order to disassociate the schools from any potential endorsement of religion. In coping with such decisions the school board urges the superintendent, or a designee, to solicit advisories from the division's legal counsel.

Legal Reference

Code of Va., § 22.1-133. Flags.--"The flags of the United States of America and of the Commonwealth shall be flown in accordance with protocol and in an appropriate place at every public school. A flag of the Commonwealth shall be furnished by the Commonwealth for each new public school upon request of the school board directed to the Governor." (1980)

Code of Va., § 22.1-202 Instruction in history and principles of flags of United States and Virginia; pledge of allegiance to American flag; guidelines developed by the Board

A. Instruction in the history and principles of the flag of the United States and the flag of the Commonwealth shall be given in one or more grades in every school division. The instruction shall include the pledge of allegiance and the appropriate etiquette and conventions for respecting the dignity and appropriate display of such flags.

B. To promote compliance with constitutional restrictions as well as observance of constitutional rights, the Board of Education shall, in consultation with the Office of the Attorney General, develop guidelines on constitutional rights and restrictions relating to the recitation of the pledge of allegiance to the American flag in public schools. The Board's guidelines shall include, but shall not be limited to, provisions which address the following: the initiative and involvement of local school boards, individual schools, administrators, teachers, and students; the propriety and constitutionality of any recitation or participation requirements; appropriate etiquette and conventions for

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respecting the dignity and appropriate display of the flag of the United States and the flag of the Commonwealth; and relevant state and federal constitutional concerns, such as freedom of speech and religion.

These guidelines shall not be subject to the requirements of the Administrative Process Act (§ [9-6.14:1](#) et seq.). However, to provide appropriate opportunity for involvement by the general public, teachers, and local school boards, the Board of Education shall conduct public hearings prior to establishing such guidelines. Thirty days prior to conducting such hearings, the Board shall give written notice by mail of the date, time, and place of the hearings to all local school boards and any other persons requesting to be notified of the hearings and publish notice of its intention to hold such hearings in the Virginia Register of Regulations. Interested parties shall be given reasonable opportunity to be heard and present information prior to the adoption of such guidelines.

U. S. Supreme Court, *Lee v. Weisman*, June 24, 1992.

Adopted by School Board: December 5, 1972

Revised by School Board: June 19, 1973

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