

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

DRAFT TNL/TNL
HOUSE BILL

By: Representatives M. Berry, Beaty Jr., Bentley, Crawford, Dotson, Haak, Speaks, Vaught, Watson
By: Senator J. English

For An Act To Be Entitled

AN ACT TO REQUIRE THAT PUBLIC SCHOOLS OBSERVE A
MOMENT OF SILENCE FOLLOWING THE RECITATION OF THE
PLEDGE OF ALLEGIANCE; TO REQUIRE THAT PUBLIC SCHOOLS
RECITE THE PLEDGE OF ALLEGIANCE AT SCHOOL ASSEMBLIES
AND SPORTING EVENTS; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THAT PUBLIC SCHOOLS OBSERVE A
MOMENT OF SILENCE FOLLOWING THE DAILY
RECITATION OF THE PLEDGE OF ALLEGIANCE;
AND TO REQUIRE THAT PUBLIC SCHOOLS RECITE
THE PLEDGE OF ALLEGIANCE AT SCHOOL
ASSEMBLIES AND SPORTING EVENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-16-108 is amended to read as follows:
6-16-108. Recitation of the Pledge of Allegiance.

(a) The State Board of Education shall adopt a policy to require that
~~public:~~

(1) Public school students in grades kindergarten through twelve
(K-12) participate in a daily recitation of the Pledge of Allegiance followed
by one (1) minute of silence during the first class of each school day; and
(2)(A) Kindergarten through grade twelve (K-12) public schools
lead or broadcast a recitation of the Pledge of Allegiance followed by one
(1) minute of silence at the commencement of each school-sanctioned assembly

DRAFT

1 and each school-sanctioned sporting event.

2 (B) However, if any part of two (2) or more school-
3 sanctioned sporting events occur on the same day at the same school, a public
4 school may choose to lead or broadcast a recitation of the Pledge of
5 Allegiance followed by one (1) minute of silence at only one (1) of the
6 school-sanctioned sporting events.

7 (b) The policy required under subsection (a) of this section shall:

8 (1) Require that at the time designated for the recitation of
9 the Pledge of Allegiance students shall stand and recite the Pledge of
10 Allegiance while facing the flag with their right hands over their hearts or
11 in an appropriate salute if in uniform;

12 (2)(A) Provide that no student shall be compelled to recite the
13 Pledge of Allegiance if the student or the student's parent or legal guardian
14 objects to the student's participating in the exercise on religious,
15 philosophical, or other grounds.

16 (B) Students who are exempt from reciting the Pledge of
17 Allegiance under subdivision (b)(2)(A) of this section shall be required to
18 remain quietly standing or sitting at their desks while others recite the
19 Pledge of Allegiance;

20 (3)(A) Provide that teachers or other school staff who have
21 religious, philosophical, or other grounds for objecting are exempt from
22 leading or participating in the exercise.

23 (B) If a teacher chooses not to lead the Pledge of
24 Allegiance, the policy shall require that another suitable person shall be
25 designated either by the teacher or principal to lead the class; and

26 (4) Require the school to provide appropriate accommodations for
27 students, teachers, or other staff who are unable to comply with the
28 procedures described in this section due to disability.

29 (5)(A) Provide for the observance of one (1) minute of silence
30 following the recitation of the Pledge of Allegiance.

31 (B) During the one (1) minute of silence following the
32 recitation of the Pledge of Allegiance, each student may reflect, pray,
33 meditate, or engage in any other silent activity that is not likely to
34 interfere with or distract another student.

35 (C) Each public school teacher or other public school
36 employee in charge of students during the period in which the Pledge of

Allegiance is recited and moment of silence is observed shall ensure that
each student remains silent and does not act in a manner that is likely to
interfere with or distract another student.