

THE CIVICS ALLIANCE
NATIONAL ASSOCIATION OF SCHOLARS
MODEL CIVICS LEGISLATION

NATIONAL ANTHEM ACT

Introduction

Several states make provision for learning and singing the national anthem, also known as The Star-Spangled Banner, and for a program of instruction in the national anthem's history and meaning. Our model National Anthem legislation specifies these expectations. Our model also incorporates the modern jurisprudence that grants students and teachers the liberty to refrain from taking part in the singing of the National Anthem.

We think it reasonable, but not essential, for states to add provisions requiring students to learn, sing, and know the history and meaning of the state anthem, as well as songs such as America the Beautiful; God Bless America; My County, 'Tis of Thee; and Hail, Columbia.

Model Legislative Text

SECTION A:

The governing body of any school district or public charter school shall require all students to take a program of instruction in the words and music of the national anthem.

SECTION B:

(1) The governing body of any school district or public charter school shall require all students and teachers in charge each school day to sing one or more verses of the national anthem. When the national anthem is played, teachers and students shall stand at attention, removing their headdress, except when such headdress is worn for religious purposes.

(2) The governing body of any school district or public charter school shall require all students and teachers in charge on all patriotic occasions to sing the entire national anthem. When the national anthem is sung, teachers and students shall stand at attention, removing their headdress, except when such headdress is worn for religious purposes.

(3) The governing body of any school district or public charter school may require all students and teachers in charge immediately preceding any school or interschool event to sing the entire national anthem. When the national anthem is sung, teachers and students shall stand at attention, removing their headdress, except when such headdress is worn for religious purposes.

(4) Any student or teacher who wishes to be excused from the requirements of subsections (1), (2), or (3) of this section shall be excused. Any such student or teacher shall be required to show full respect to the national anthem while the verse or verses are being sung by standing at attention and maintaining a respectful silence.

(5) If a teacher chooses not to lead the singing of the national anthem, the teacher or principal shall select another suitable person to lead the class in the singing of the national anthem.

(6) The governing body of any school district or public charter school shall inform all students and teachers of their right to be excused from the singing of the national anthem.

(7) No school evaluation may refer to whether a student or teacher participated or declined to participate in the singing of the national anthem.

SECTION C:

The governing body of any school district or public charter school shall require all students to take a program of instruction in the meaning and history of the national anthem. This program will instruct students in the object and principles of our government, the sacrifices made by the founders of our nation, the important contributions made by all who have served in the armed services of our country since its inception, and how to love, honor, and respect the national anthem of our country.

SECTION D:

If any provision of this chapter, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this chapter and the application of its provisions to any other person or circumstance shall not be affected thereby.

Existing State Statutes

Florida: [Fla. Stat. § 1003.44](#) [*Patriotic programs; rules*]

Idaho: [Idaho Code § 33-1602](#) [*United States Constitution — National Flag and Colors — National Anthem — “America” — Citizenship — Civics Test*]

Indiana: [IC 20-30-3-3](#) [*National anthem*]

New Hampshire: [NH RSA §189:18](#) [*Patriotic Exercises*]

Pennsylvania: [24 P.S. § 7-771](#) [*Display of United States flag; development of patriotism*]

South Dakota: [SDCL 13-24-17.2](#) [*Right to post flag--Opportunity to recite pledge of allegiance--National anthem*]

Washington: [Rev. Code Wash. § 28A.230.140](#) [*United States flag—Procurement, display, exercises—National anthem*]

Wisconsin: [Wi. Stat. § 118.06](#) [*Flag, pledge of allegiance, and national anthem*]