

Attendance: Compulsory School Age Requirements

Compulsory School Age Requirements ECS Information Clearinghouse March 1997

Part I: Age Ranges

State/Commonwealth	Requirement	Code Citation
Alabama	7-16	Ala. Code § 16-18-23
Alaska	7-16 or h.s. grad.	Alaska Stat. § 14-30-010
Am. Samoa	6-18	Not Available
Arizona	6-16 or completed 10th	Ariz. Rev. Stat. § 15-802
Arkansas	5-17	Ark. Stat. Ann. § 6-18-201
California	6-18	Cal Ed Code § 48200
Colorado	7-16	Colo. Rev. Stat. § 22-33-104
Connecticut	7-16	Conn. Gen. Stat. § 10-184
Delaware	5-16	14 Del. Code Ann. §2702
District of Columbia	5-18	D.C. Code Ann. § 31-402
Florida	6-16	Fla. Stat. § 232.01
Georgia	7-16	Ga. Code Ann. § 20-2-690.1
Hawaii ¹	6-18	Haw. Rev. Stat. § 302A-1132
Idaho	7-16	Idaho Code § 33-202
Illinois	7-16	105 Ill. Comp. Stat. Ann. 5/26-1
Indiana ²	7-18	Ind. Code Ann. § 20-8.1-3-17
Iowa	6-16	Iowa Code §299.1A
Kansas	7-16	Kan. Stat. Ann. § 72-1111
Kentucky ³	6-16	Ky. Rev. Stat. Ann. § 159.010
Louisiana	7-17	La. Rev. Stat. Ann. § 17:221
Maine	7-17	Me. Rev. Stat. Ann. § 3271
Maryland	5-16	Md. Code Ann., Educ. § 7-301
Massachusetts	6-16	603 CMR 8.02
Michigan	6-16	Mich. Stat. Ann. § 15.41561
Minnesota ⁴	7-16	Minn. Stat. § 120.101

Mississippi	6-17	Miss. Code Ann. § 37-13-91
Missouri	7-16	Mo. Rev. Stat. § 167.031
Montana ⁵	7-16	Mont. Code Ann. § 20-5-102
Nebraska	7-16	Neb. Rev. Stat. Ann. § 79-201
Nevada	7-17	Nev. Rev. Stat. Ann. § 392.040
New Hampshire	6-16	N.H. Rev. Stat. Ann. § 193:1
New Jersey	6-16	N.J. Rev. Stat. § 18A:38-25
New Mexico	5-18	N.M. Stat. Ann. § 22-8-2; § 22-12-2
New York ⁶	6-16	N.Y. Educ. Law § 3205
North Carolina	7-16	N.C. Gen. Stat. § 115C-378
North Dakota	7-16	N.D. Cent. Code § 15-34.1-01
Ohio	6-18	Ohio Rev. Code Ann. § 3321.01
Oklahoma	5-18	70 Okla. Stat. § 10-105
Oregon	7-18	Or. Rev. Stat. § 339.010
Pennsylvania	8-17	Pa. Stat. Ann. § 13-1326
Puerto Rico	5-18	Not Available
Rhode Island	6-16	R.I. Gen. Laws § 16-19-1
South Carolina ⁷	5-17	S.C. Code Ann. § 59-65-10
South Dakota ⁵	6-16	S.D. Codified Laws § 13-27-1
Tennessee	7-17	Tenn. Code Ann. § 49-6-3001
Texas	6-17	Tex. Educ. Code Ann. § 25.085
Utah	6-18	Utah Code Ann. § 53A-11-101
Vermont	7-16	Vt. Stat. Ann. § 1121
Virgin Islands	5-16 or h.s. grad.	Not Available
Virginia	5-18	Va. Code Ann. § 22.1-254
Washington ⁸	8-18	Wash. Rev. Code § 28A.400.200
West Virginia	6-16	W. Va. Code § 18-8-1
Wisconsin	6-18 or h.s. grad.	Wis. Stat. § 118.15
Wyoming	7-16	Wyo. Stat. Ann. § 21-4-102

Notes:

- ¹ Hawaii allows students over the age of 16 to withdraw with the approval of both the principal and the student's guardian, and if an alternative education program exists.
- ² An individual in Indiana is required to stay in school until he or she: graduates; is between 16 and 18 and meets the requirements for an exit interview; or reaches at least 18 years of age. Withdrawal before 18 requires parent/guardian's and principal's written permission.
- ³ In Kentucky, a student between the ages of 16 and 18 must have written parental permission in order to withdraw from school (a student is between 16 and 18 when he has reached his 16th birthday and has not yet passed his 18th birthday).
- ⁴ For the 2000-2001 school year and later school years in Minnesota, "every child between 7 and 18 years of age shall receive instruction . . ."
- ⁵ Montana and South Dakota require that a child shall remain in school until the later of either the child's 16th birthday or the date of completion of the work of the eighth grade.
- ⁶ In New York, both New York City and Buffalo require minors to attend school from the age of 6 until the age of 17.
- ⁷ In South Carolina, kindergarten is mandatory. However, state statutes permit parental waiver for kindergarten at age five.
- ⁸ Early withdrawal possible in Washington if the student is age 16 or older, is regularly and lawfully employed, has met graduation requirements, or has received a certificate of educational competence.

Part II: Statutory Excerpts

Alabama - "Every child between the ages of 7 and 16 . . ."

Alaska - "Every child between 7 and 16 years of age . . ."

American Samoa - Language for the compulsory age requirements was not available

Arizona - "Every child between the ages of 6 and 16 years . . ."

Arkansas - ". . . age 5 through 17 years on October 1 of that year . . ."

California - "Each person between the ages of 6 and 18 . . ."

Colorado - "Every child who has attained the age of 7 years and is under the age of 16 years . . ."

Connecticut - ". . . a child 7 years of age and over and under 16 years of age . . ."

Delaware - ". . . a child between 5 years of age and 16 years of age . . ."

District of Columbia - ". . . a minor who has reached the age of 5 years or will become 5 years of age on or before December 31st of the current school year . . . until the minor reaches the age of 18 years."

Florida - "All children who have attained the age of 6 years or who will have attained the age of 6 years by February 1 of any school year or who are older than 6 years of age but who have not attained the age of 16 years . . ."

Georgia - ". . . between their 7th and 16th birthdays . . ."

Hawaii - ". . . all children who will have arrived at the age of 6 years, and who will not have arrived at the age of 18 years, by January 1 of any school year . . ."

Idaho - ". . . any child resident in this state who has attained the age of 7 years at the time of commencement of school in his district, but not the age of 16 years . . ."

Illinois - ". . . any child between the ages of 7 and 16 years . . ."

Indiana - ". . . the individual becomes 7 years of age until . . . the individual reaches at least 18 years of age . . ."

Iowa - "A child who has reached the age of 6 and is under 16 years of age by September 15 . . ."

Kansas - ". . . any child who has reached the age of 7 years and is under the age of 16 years . . ."

Kentucky - ". . . any child between the ages of 6 and 16 . . . A child's age is between 6 and 16 when the child has reached his 6th birthday and has not passed his 16th birthday . . ."

Louisiana - ". . . from that child's 7th birthday until his 17th birthday . . ."

Maine - "Persons . . . who are at 7 and under 17 years of age . . ."

Maryland - ". . . each child who . . . is 5 years old or older and under 16 . . ."

Massachusetts - ". . . each child shall attend school in September of the calendar year in which he attains the age of 6 . . ." (Language for the maximum age was not available)

Michigan - ". . . a child from the age of 6 to the child's 16th birthday . . ."

Minnesota - ". . . every child between 7 and 16 years of age . . ."

Mississippi - ". . . a child who has attained or will attain the age of 6 years on or before September 1 of the calendar year and who has not attained the age of 17 years on or before September 1 of the calendar

year."

Missouri - "... a child between the ages of 7 and 16 years ..."

Montana - "... any child who is 7 years of age or older prior to the first day of school in any school fiscal year ... until ... the child's 16th birthday ..."

Nebraska - "... any child not less than 7 years of age and not more than 16 years of age ..."

Nevada - "... any child between the ages of 7 and 17 years ..."

New Hampshire - "... any child at least 6 years of age and under 16 years of age ..."

New Jersey - "... a child between the ages of 6 and 16 years ..."

New Mexico - "... is at least 5 years of age prior to 12:01 a.m. on September 1 of the school year ... and ... until attaining the age of majority [18] ..."

New York - "... each minor from 6 to 16 years of age ..."

North Carolina - "... a child between the ages of 7 and 16 years ..."

North Dakota - "... child of an age of 7 years to 16 years ..."

Ohio - "A child between 6 and 18 years of age is 'of compulsory age' ..."

Oklahoma - "... a child who is over the age of 5 years, and under the age of 18 years ..."

Oregon - "... all children between the ages of 7 and 18 years ..."

Pennsylvania - "... not be later than at the age of 8 years, until the age of 17 years."

Puerto Rico - Language for the compulsory age requirements was not available

Rhode Island - "Every child who has completed or will have completed 6 years of life on or before December 31 of any school year and has not completed 16 years of life ..."

South Carolina - "... the child or ward is 5 years of age before September first until the child or ward attains his 17th birthday ..."

South Dakota - "... a child who is 6 years old by the first day of September and who has not exceeded the age of 16 ..."

Tennessee - "... any child or children between 7 years of age and 17 years of age, both inclusive ..."

Texas - "... a child who is at least 6 years of age ... and who has completed the academic year in which the child's 17th birthday occurred ..."

Utah - "... a minor between 6 and 18 years of age ..."

Vermont - "... a child between the ages of 7 and 16 years ..."

Virgin Islands - "All children shall commence their school education ... in the calendar year in which they reach their 5th birthday ... until the expiration of the school year nearest their 16th birthday ..."

Virginia - "... any child who will have reached the 5th birthday on or before September 30 of any school year and who has not passed the 18th birthday ..."

Washington - "... any child 8 years of age and under 18 years of age ..."

West Virginia - "Compulsory school attendance shall begin with the school year in which the 6th birthday is reached prior to the first day of September of such year ... and continue to the 16th birthday."

Wisconsin - "... a child who is between the ages of 6 and 18 years old ..."

Wyoming - "... a child ... whose 7th birthday falls on or before September 15 of any year and who has not attained his 16th birthday ..."

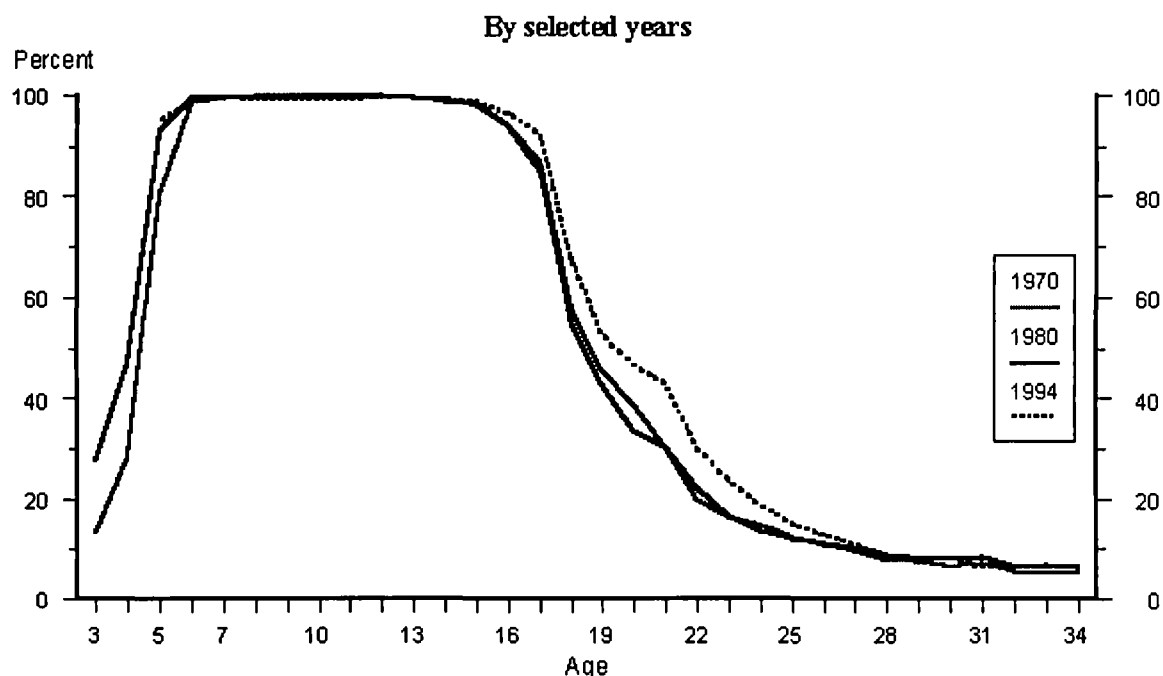
COMMENTS

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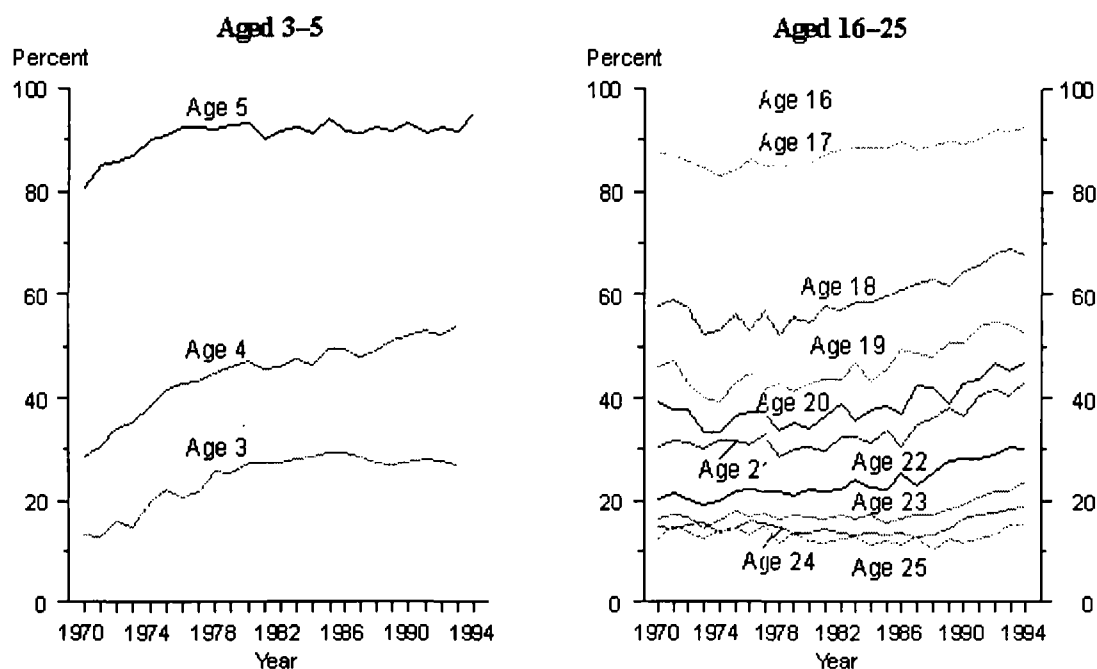
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*The Condition of Education 1996, Indicator 1, Chart 1***Indicator 1-1: Percentage of the population enrolled in school, by age: Selected Octobers 1970–94**

NOTE: For 1990 and 1994, comparable data were not available for children aged 3 and 4 due to changes in survey procedures.



*The Condition of Education 1996, Indicator 1, Chart 2***Indicator 1-2: Percentage of the population enrolled in school, by age: Selected Octobers 1970–94**

NOTE: For 1990 and 1994, comparable data were not available for children aged 3 and 4 due to changes in survey procedures.



The Condition of Education 1997 / A. Access, Participation, and Progress

A wide variety of educational opportunities are available to both children and adults in the United States. Preprimary education prepares young children socially and academically for first grade; elementary and secondary education provide a foundation of basic skills that prepare young people to become productive members of society; and postsecondary education provides a wide range of options for individuals to gain advanced knowledge and skills either immediately after high school or later in life. In addition, many employers help workers upgrade their skills or reorient them to meet the demands of changing technologies.

The benefits one obtains from formal education are closely related to the degree of participation. Thus, the extent to which individuals and groups have access to educational opportunities and how they progress through various levels is important to monitor. While the data show increased access to and participation in many types of educational activities, there continue to be discrepancies in access, participation, and progress according to family income, parents' education, and race/ethnicity.

Access and participation

Because of mandatory school attendance laws, enrollment rates for children aged 6-15 have been close to 100 percent for many years (*Indicator 1, Condition 1996*). However, increasing emphasis on the importance of education in recent years has brought greater participation by age groups for whom attendance is not compulsory.

In 1995, 37 percent of 3-year-olds, 61 percent of 4-year-olds, and 90 percent of 5-year-olds were enrolled in a center-based program or kindergarten (*Indicator 1*). For each age group, the 1995 enrollment rate was greater than the 1991 rate. Preprimary programs are not equally accessible to all children, however. In both 1991 and 1995, enrollment rates for 3- and 4-year-olds were closely related to family income, with children from families with incomes greater than \$50,000 being much more likely than those from families with lower incomes to be enrolled. Enrollment rates for 3- and 4-year-olds also rise with parents' education level.

Parents can help prepare their children for school by reading to them, telling them stories, and taking them to the library. Between 1991 and 1995, the percentage of children aged 3-5 who participated in each of these activities increased (*Indicator 2*). Participation rates for these activities increased with parents' education level, and were higher for white children than for black or Hispanic children.

Participation in postsecondary education is increasing, although enrollment varies by income, race/ethnicity, and socioeconomic status (SES). For example, in 1972, 49 percent of high school graduates went directly to college, compared to 62 percent in 1995 (*Indicator 8*). Eighty-three percent of high school graduates from families with incomes in the top 20 percent, compared to 34 percent of those from families with incomes in the bottom 20 percent, went directly to college in 1995. In addition, college enrollment rates for whites aged 18-24 grew substantially between 1982 and 1995 (11 percentage points), but grew more moderately for blacks (8 percentage points) (*Indicator 10*). Finally, even among students in the highest test quartile in high school, enrollment within 2 years of graduating from high school was much greater for students in the highest SES quartile (97 percent) than for those in the lowest SES quartile (78 percent) (*Indicator 9*).

The cost of postsecondary education to students and their families affects access, and costs have been rising faster than income. In 1980, the average undergraduate tuition, room, and board at 2- and 4-year public institutions amounted to 11 percent of the median family income, compared to 15 percent in 1995 (*Indicator 12*). Lower income families have been hit particularly hard: At the 20th percentile of family income, college costs increased from 22 to 32 percent of family income between 1980 and 1995, while costs rose from 7 to 9 percent for higher income families.

On-the-job training represents a firm's investment in the continuing education of its work force. The percentage of workers who participated in skill improvement training for their current job increased

slightly from 30 to 32 percent between 1991 and 1995 (*Indicator 14*).

The availability of technology in schools is another aspect of access to educational opportunity. Computers have become an essential tool in today's society; in fact, the dramatic increase in the use of computers at school over the past decade reflects this trend. For example, 39 percent of 4th-graders used computers at school in 1984, compared to 86 percent who did so in 1994 (*Indicator 5*). While older students were less likely to report using computers than younger students, older students were more likely to use a computer every day. The percentage of schools with access to the Internet has increased rapidly in the last few years as well, rising from 35 percent in fall 1994 to 65 percent in fall 1996.*

Library media center resources provide another indication of student accessibility of computer technology. In the 1993–94 school year, 34 percent of public school library media centers had computers equipped with modems (*Indicator 6*). The extent that such resources are more available to some students than to others raises equity issues. Schools with relatively few low income students were much more likely than those with relatively high proportions of such students to have library media centers equipped with this technology.

Progress

To benefit fully from educational opportunities, individuals must show evidence of their development through and completion of various levels of education. Thus, it is just as important to monitor students' progress as it is to monitor their access and participation.

Children who experience problems in school during their early years may be at a higher risk for experiencing similar problems later on. Twenty percent of first- and second-graders aged 6–8 had parents who reported that they had academic problems with school work in 1995 (down from 24 percent in 1991) (*Indicator 3*). Black first- and second-graders were more likely than their white or Hispanic peers to have academic problems. In addition, the education level of parents was related to their children's behavioral problems and problems with school work: The lower the parents' education level, the more likely they were to report that their children had behavioral problems and problems with school work.

Students who repeat one or more grades are at greater risk of dropping out of school. In 1992 and 1995, about 10 percent of all children aged 5–17 had repeated at least one grade (*Indicator 4*). Children who had a disabling condition were more likely than children who did not have a disabling condition to repeat a grade in 1995 (25 versus 9 percent); however, unlike other children, the percentage of children who had a disabling condition and who repeated a grade declined between 1992 and 1995 (from 29 to 25 percent).

Because dropping out of school has negative economic and social consequences, it is important to monitor dropout rates. In October 1995, 6 percent of the students who had been in grades 10–12 a year earlier left without graduating (*Indicator 7*). Black and Hispanic students were more likely than white students to drop out, as were students from low income families compared to students from middle or high income families.

Subbaccalaureate programs offer occupationally specific training or may serve as the first step toward attaining a bachelor's degree. Many of those who enroll in these programs do not complete them, at least within 5 years. Of students who enrolled in postsecondary education for the first time in the 1989–90 academic year, 57 percent of those working toward an associate's degree and 46 percent of those seeking a certificate had not attained any degree by spring 1994 (*Indicator 11*). Attending part time and (for associate's degree seekers) delaying enrollment for at least 1 year after high school graduation were associated with lower completion rates.

Working while enrolled helps students better afford postsecondary education, but working a substantial amount may have negative consequences for persistence and attainment. Five years after their initial enrollment, students who began postsecondary education in the 1989–90 academic year and who worked full time (34 or more hours per week) were less likely than those who worked part time to have earned a

degree or to be still enrolled (*Indicator 13*).

NOTE: *U.S. Department of Education, National Center for Education Statistics, *Advanced Telecommunications in U.S. Public Elementary and Secondary Schools* (NCES 97-944), Fall 1996.

[Issues in Focus: Postsecondary Persistence and Attainment]



[Indicator 1]

Sources of Data | Glossary

*EDUCATION INDICATORS: An International Perspective***Participation and Student Flows**

The supply of formal education is a primary concern of the United States, as it is for most other countries. Nations have increasingly turned to formal education for a number of political and economic purposes, including the training of a competitive labor force and the reduction of social problems.¹ Indeed, policymakers around the world have actively embraced the notion that a highly educated citizenry is vital to a country's economic success.²

While the United States does not stand out on measures of compulsory schooling or overall enrollment in formal education, its rate of participation in noncompulsory education (preprimary, high school, and higher education) differed from many of the G-7 countries.

In 1992, the enrollment of 5- to 29-year-olds in formal education in the United States was in the mid-range of enrollment in the G-7 countries⁵⁴ students enrolled per 100 5- to 29-year-olds. In all of the G-7 countries except Italy, approximately 60-67 percent of enrollment was in primary and lower secondary education (Indicator 1).

Early childhood education. Approximately 29 percent of 3-year-olds in the United States were enrolled in early childhood education in 1992. Corresponding rates for 3-year-olds in the G-7 countries ranged from 23 percent in Japan to 99 percent in France (Indicator 2). Structural differences in early childhood education systems help to explain these differences. For instance, in the United States, children begin early childhood education as early as age 3, although it is not until age 5 that the vast majority of children are enrolled. In many other countries, children typically begin early childhood education at different ages (e.g., age 2 in France and Belgium, age 4 in the Netherlands, and age 5 in Switzerland).

Differential enrollment rates also stem from cross-country differences in how early childhood education is defined and how data are collected. To illustrate, some countries only reported education programs in their measure of early childhood education, while others also included programs that focused primarily on physical and social development. The United States reported only enrollments in schools or other educational institutions.

Compulsory education. Since the 1960s, there has been a persistent increase in the proportion of children attending formal schooling, especially at the elementary, middle/junior high, and high school levels. Enrollment at these levels is almost universal in most developed countries. Since schooling at these levels is typically compulsory, it is not surprising that participation rates are almost universal for 14- to 15-year-olds (Indicator 3).

Postcompulsory education. Compulsory education ends at different ages across the G-7 countries. In the United States,³ Canada, France, Germany, and the United Kingdom, mandatory schooling ends at age 16; the end point is age 14 in Italy and 15 in Japan. In Germany, full-time compulsory education ends at age 16, although students are required to be enrolled at least part-time through age 18. (See the matrix entitled *Structure and Governance of Education Systems in G-7 Countries*.)

After compulsory education, enrollment rates drop off, but the drop-off patterns differ in different countries. In the United States, enrollment in secondary education dropped from 72 percent for 17-year-olds to 21 percent for 18-year-olds. In contrast, the rate declined as early as age 16 in the United Kingdom, whereas several countries (e.g., the former West Germany) had a sizable percentage of 19-year-olds still enrolled in secondary education (Indicator 3).

Differences in the structure and processes inherent in the education systems of these countries help to explain the differential drop-off. The student certification processes of the United States, the United Kingdom, and Germany are a case in point. In the United States, the first opportunity for students to

receive secondary certification is upon completing high school, usually at age 17 or 18. In the United Kingdom, students take the examination for the general certificate of secondary education when they are 16. Youth who do not continue to upper secondary schooling and are unemployed are eligible for training programs supported by the government but outside the education system. In Germany, the majority of secondary school students who continue after age 16 and are not preparing for university education participate in vocational training at the upper secondary level, including the country's dual system of part-time schooling and part-time apprenticeship. Because the certification offered by the dual system is a prerequisite for many fields, a significant number of students enroll in it. There are sizable upper secondary participation rates in Germany even after age 19 because students may enroll in a second upper secondary program after completing one program.

Differential enrollment and drop-off also reflect differences in the types of programs offered or classified as upper secondary or higher education. To illustrate, nursing training takes place in any variety of posthigh schools. The end point of compulsory education also varies within the United States. In some states, mandatory schooling ends later than age 16, training programs in the United States (nonbaccalaureate and baccalaureate). In France, it occurs in nonbaccalaureate programs at schools of nursing; and in Austria and Germany, it occurs at the secondary level in full-time nurse training schools.

Participation in higher education in the United States and Canada was among the highest in the world in 1992 (Indicator 4, Indicator 5). However, this does not mean that young adults the age of U.S. college students are more likely to be enrolled in education programs in the United States than in other countries. For example, when higher education and upper secondary education are considered together (Indicator 6), the percentage of 19-year-olds who are enrolled in education programs is higher in many countries, including France and the former West Germany, than in the United States.

One reason that young adults in the United States are among the most likely of those in the G-7 countries to pursue higher education is that the U.S. system of higher education is more accessible and less restrictive than that of many other countries. Many countries limit access to higher education through mandatory examinations or by offering a relatively small number of slots in their institutions of higher education.

Footnotes

1/ J. Meyer, F. Ramirez, R. Robinson, and J. Boli-Bennet, "The World Educational Revolution, 1950-70," in *National Development and the World System, Educational, Economic, and Political Change, 1950-70*, ed. J. Meyer and M. Hannan (Chicago: University of Chicago Press, 1979).

2/ U.S. Department of Labor, Secretary's Commission on Achieving Necessary Skills, *Learning a Living* (Washington, D.C.: 1992).

*EDUCATION INDICATORS: An International Perspective***Indicator 3: Secondary Education Enrollment**

The end point of compulsory education typically occurs during secondary education, and this event influences the percentage of students of a particular age cohort enrolled in secondary education. Secondary education enrollment also reflects the desirability and importance of secondary-level credentials. Secondary education enrollment rates for some countries may be higher than those for others because certain programs offered at higher levels of education in other countries are offered at the secondary level.

Sidebar: The structure of upper secondary education**Sidebar: Strategies for preparing youth employment**

- In 1992, enrollment in secondary education was nearly universal for 14- and 15-year-olds in the G_7 countries for which data were available and in the other countries reported, with the exception of Hungary, Poland, and Turkey.
- Secondary enrollment dropped off at different ages in different countries. In the United States, the largest decline occurred between ages 17 and 18, from 72 to 21 percent. The rate declined as early as age 15 in Russia and age 16 in the United Kingdom, whereas several countries had a sizable percentage of 19-year-olds still enrolled in secondary education. For example, more than half of 19-year-olds in the former West Germany were enrolled in secondary education.

Table 3: Enrollment in all public and private secondary education /1 /2, by age and country: 1992

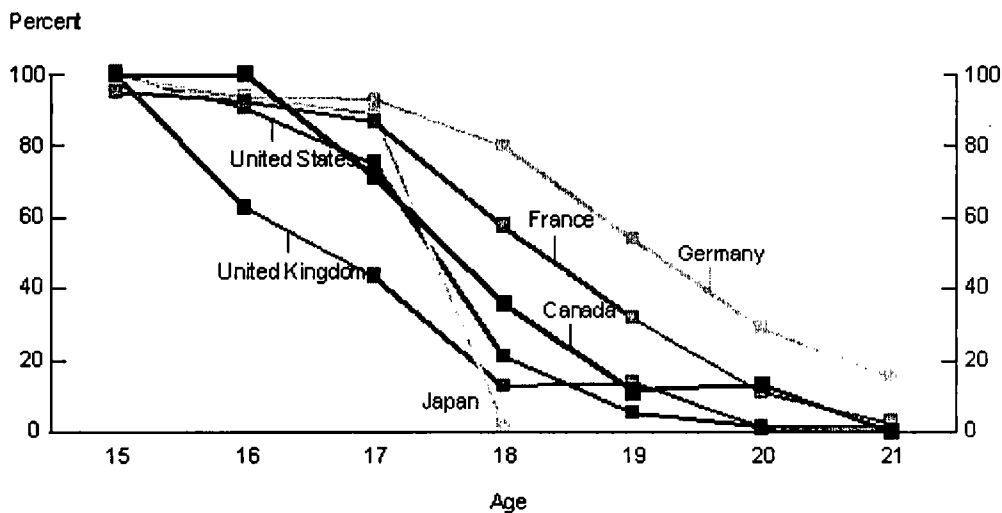
Country	Percent enrolled by single year of age							
	14	15	16	17	18	19	20	21
G-7 /3								
Canada	99.8	98.7	96.3	72.0	36.9	11.1	14.0	0.0
France	94.3	94.1	92.1	87.2	58.6	34.0	12.0	3.1
West Germany (former)	93.9	93.1	95.3	92.8	82.3	55.0	29.3	16.0
Japan	101.6	96.8	95.1	90.3	1.8	-	-	-
United Kingdom	99.6	98.9	75.3	55.3	18.7	4.3	1.9	1.2
United States	98.7	95.7	91.4	72.0	20.6	5.8	1.7	0.6
Other								
Belgium	98.9	98.7	97.2	93.6	49.8	25.1	10.6	4.4
Czech Republic	106.4	90.2	86.9	39.4	0.0	0.0	0.0	0.0
Denmark	93.4	97.8	92.4	80.1	68.9	48.4	28.3	16.3
Finland	99.8	99.8	94.5	85.8	79.7	26.8	16.5	15.3
Greece	94.2	86.1	88.4	62.1	19.4	10.5	4.7	3.1
Hungary	88.7	84.4	75.2	45.4	12.2	3.9	1.4	0.0
Ireland	97.6	94.3	87.5	70.2	33.1	11.5	7.0	3.6
Netherlands	98.7	99.0	97.3	90.8	67.9	42.3	25.4	14.7
New Zealand	98.9	96.7	87.8	65.7	20.8	5.9	2.4	1.7
Norway	99.4	99.3	92.8	86.6	77.2	34.6	17.6	11.9
Poland	1.4	81.6	85.1	81.6	49.8	17.3	5.8	-
Russia	95.1	59.6	47.7	8.4	0.1	-	-	-
Spain	100.4	91.0	75.6	66.9	35.5	20.7	17.2	10.6
Sweden	99.7	95.6	89.2	87.0	59.6	11.5	2.7	1.7
Switzerland	98.3	95.8	85.2	82.0	74.2	48.9	20.6	8.2
Turkey	47.5	45.9	39.3	33.9	19.8	9.7	6.0	0.0

- Not available.
- 1/ Full-time equivalent.
- 2/ Enrollment rates that exceed 100 reflect measurement error.
- 3/ No data available for Italy.

NOTE: See supplemental note to Indicator 3 for details on indicator calculation for the Czech Republic, Denmark, Finland, Greece, Hungary, Ireland, Norway, Spain, Sweden, and the United States, for an explanation of the calculation of full-time equivalent enrollments, and for information on the calculation of enrollment rates.

SOURCE: Organization for Economic Co-operation and Development, Center for Educational Research and Innovation, International Indicators Project, 1995.

Figure 3: Percentage enrolled in secondary education, by age and G-7 country /*: 1992



* No data available for Italy.

SOURCE: Organization for Economic Co-operation and Development, Center for Educational Research and Innovation, International Indicators Project, 1995.

See Supplemental Notes on figure and tables

[Indicator 2] [Prev](#) [Go Back](#) [Next](#) [Indicator 4]

ED339092 91 Identifying Potential Dropouts. ERIC Digest.

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The percentage of Americans completing high school has increased steadily over the past fifty years. Not only have dropout rates been falling, but many dropouts return to high school or obtain an equivalency certificate within a few years after dropping out. According to U.S. Census Bureau figures, in 1940 less than 40 percent of all persons aged 25 to 29 had completed high school; by 1980, over 85 percent had done so (Finn 1987). Frase (1989) notes that there was an increase in the annual dropout rate between 1968 and 1978, but the rate has been declining since then.

Nonetheless, concern about the dropout issue has increased among educators, policymakers, and the public. Dropout rates remain disturbingly high in certain areas, particularly major cities, and among certain populations, such as Hispanics. Moreover, as changes in the nation's economy eliminate jobs for unskilled workers, dropouts will increasingly suffer in the job market.

Recent legislation to raise high school graduation requirements has provoked concern that students unable to meet these requirements will drop out, says Rumberger (1987). State and federal efforts to evaluate and improve school performance have stimulated attempts to more accurately measure dropout rates, to identify potential dropouts, and to develop programs to help them.

WHICH STUDENTS ARE MOST AT RISK?

Most studies agree that the main factors associated with dropping out include students' socioeconomic status, location, school behavior, and academic achievement.

"Dropout rates are higher for students coming from low socioeconomic backgrounds, from single-parent families, and from non-English language family backgrounds," stated Frase in the first annual report by the National Center for Education Statistics. This nationwide study also found higher dropout rates for students living in cities than in suburbs or rural areas, and in the South and West rather than in the Northeast. Students who marry or have children, or who have had problems with the law or school authorities, are also at greater risk.

Academic factors are clearly related to dropping out. Students who received poor grades, who had repeated a grade, who were overage for their class, and who had poor attendance for reasons other than illness were more likely to drop out. "A powerful predictor...was the attendance record during the first four months of tenth grade," Frase reported.

Barrington and Hendricks (1989) found that dropouts in a Wisconsin community showed clear indications of academic problems by the third grade. Their achievement test scores were significantly lower than those of their classmates and also below their ability as measured by intelligence tests; teacher comments alone identified potential dropouts with 63 percent accuracy. Poor attendance, failing grades, and low overall GPA marked these students' high school careers.

Unfortunately, uncontrolled variables complicate the process of accurately identifying dropouts, as we shall see below.

HOW ARE DROPOUTS DEFINED AND CALCULATED?

Definitions vary among states, districts, and even among schools within the same district. In addition, the criteria used to define dropout are sometimes questionable, resulting in statistics that don't accurately reflect the problem.

For example, some institutions count as dropouts students who transfer to other schools, are hospitalized, take longer than four years to graduate, or are admitted early to college. "One district treated a student who had died as a dropout," note Barber and McClellan (1987). Some don't count students who leave to get married, who attend for four full years, or who exceed the compulsory attendance age but haven't fulfilled graduation requirements.

LeCompte and Goebel (1987) describe how recordkeeping problems can contribute to inaccurate totals. In one pilot study, 25 percent of a group of "dropouts" turned out to have transferred; the transfer requests in their folders just hadn't been entered into the computer. And if "acts of dropping out" are measured, a student who drops in and out repeatedly will be counted more than once. On the other hand, if students who have dropped out remain on the rolls, the error benefits schools whose funding depends on enrollment--a situation that doesn't encourage vigorous attempts at accuracy.

When the count is made also affects the totals. If dropouts are recorded only during the academic year, students who don't return after the summer--which may constitute one-third of all dropouts--are overlooked. And collecting statistics only from grades 9 through 12 misses kids who dropped out earlier (LeCompte and Goebel).

WHY IS PREDICTING DROPOUTS DIFFICULT?

Although a number of factors are correlated with dropping out, this does not mean that these factors "cause" individuals to drop out (Finn). In addition, the interaction of multiple, complex variables makes it hard to determine which ones are significant.

For example, overall dropout rates are higher for African-Americans than for whites, but race turns out not to be the crucial factor. When social background is factored in, reports Frase, "dropout rates for blacks are not higher, and in some cases may be lower, than those for whites."

On the other hand, Fernandez and Shu (1988) found that Hispanic students in a national sample dropped out at significantly higher rates than other students, even when factors such as family income, academic achievement, and parents' educational level were considered.

Different risk factors are important in different communities. Even within the same school, students drop out for different reasons. Finally, most dropouts are simply unexplained. The majority of students with any particular risk factor do not drop out, and the majority of dropouts are not in the at-risk groups.

For example, as Frase reports, "Of the dropouts from the 1980 sophomore class: 66 percent were white, 86 percent had an English language home background, 68 percent came from two-parent families, 42 percent had neither children nor spouses, and 71 percent had never repeated a grade."

HOW USEFUL ARE CURRENT MODELS FOR PREDICTING DROPOUTS?

The margin for error in current prediction models clearly limits their value. For example, in 1987 the Texas legislature required school districts to identify students who were at risk of dropping out. Four criteria were mandated: being overage for grade, being two or more years below grade level in mathematics or reading skills, failing two or more courses during a semester, or failing any section of the state minimum skills tests.

Evaluators at the Houston Independent School District found these criteria had serious limitations (Bowman and others 1991). To begin with, 40.6 percent of the district's secondary school students fell into at least one of the at-risk categories, over 50 percent on some campuses, too large a target for meaningful intervention.

In terms of predictive accuracy, only 13.9 percent of Houston's at-risk students actually dropped out, and almost half the dropouts were not predicted. A study of nine other Texas districts found even lower accuracy: 61.7 percent of dropouts were not predicted (Parsons, Saye, and McNamara 1990).

Bowman and his colleagues found that using combinations of the four criteria increased accuracy to 32.3 percent at best--an improvement, but still disappointing.

WHAT CAN BE DONE TO IMPROVE PREDICTION?

Before we can predict who will drop out, we must know who is dropping out. Experts agree that educators and policymakers must set a standard definition of dropping out before accurate, comparable data can be collected. LeCompte and Goebel say only a federal mandate can ensure uniformity in definitions as well as in basic reporting procedures among states and districts.

To date, most studies have covered only the high school years; more data are needed on younger dropouts. The National Education Longitudinal Study of 1988, which follows a representative nationwide sample of eighth-graders, will ultimately provide more data than its predecessor, High School and Beyond, which began with tenth-graders (Frase). Several researchers urge that statistics be collected starting with elementary school. It is hoped such studies will identify characteristics that permit earlier intervention.

More accurate recordkeeping is essential. Barber and McClellan believe the necessary technology and personnel are already available. However, LeCompte and Goebel express concern about the ability of smaller and poorer districts to finance up-to-date, computerized recordkeeping systems.

A systematic means of tracking transfers would be desirable. LeCompte and Goebel suggest a nationwide system modeled after the Migrant Student Record Transfer system but acknowledge the cost may be prohibitive. As a low-tech alternative, they suggest districts be required to request transcripts for all transfer students and record requests in a uniform manner.

Research may eventually produce more accurate models for predicting dropouts. In the meantime, although educators may want to pay special attention to students with the risk factors mentioned above, they must not overlook the majority of potential dropouts who are not obviously "at risk."

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-- D R A F T --

New Ideas for the Safe and Drug-Free Schools Reauthorization

1. **Mandatory expulsion for bombs.** Amend the Gun-Free Schools Act to specifically include bombs and other incendiary devices. This would require all states to pass laws providing for the mandatory, one-year expulsion of any student who brings a firearm or bomb to school.
2. **Mandatory counseling for violent and dangerous youth.** Require that all schools applying for Safe and Drug-Free School funds have policies ensuring that all students who threaten, attempt, or commit serious acts of violence be referred to a mental health professional for assessment and -- if it is determined the student poses an imminent threat to himself or others -- that the student receive appropriate counseling before being allowed to return to school. *suicide?*
3. **Mental health counselors.** Specifically authorize \$50 million for substance abuse and mental health counselors to work with schools.
4. **Gun education and prevention.** Allow discretionary Safe and Drug-Free Schools grants at the state and federal level to be used for education and prevention programs that target gun violence. This includes programs that educate children about the risks associated with handling guns and enable them to make safe choices and avoid injury (e.g., Straight Talk About Risks, or START), as well as programs that help schools identify and seize illegal guns through "gun tip" hot lines, consent searches of students' lockers and homes, or other such methods.
5. **Values-based drug and violence prevention.** Allow discretionary Safe and Drug-Free Schools grants at the state and federal level to be used for values-based drug and violence prevention programs that include the faith community. *Governor's set aside*
6. **Alternative schools for disruptive and troubled students.** Allow discretionary Safe and Drug-Free Schools grants at the state and federal level to be used to support alternative schools that target the needs of disruptive or troubled youth. Also, give priority consideration for the development of such schools to charter school and other ESEA funds.

Safe School - Healthy Children connection?

Prof. Dev. program to recognize signs of potential violence

Competitive grant for mediation training

Inter-agency research forum to understand issue better

Prof. Dev. for Counseling Corps

Crisis prevention + response planning grant required for S+DF #

Remove cap on security spending

Security equipment donation program

"Characteristics of a safe school are characteristics of an effective school."

The Pledge of Allegiance A Short History

by Dr. John W. Baer

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Francis Bellamy (1855 - 1931), a Baptist minister, wrote the original Pledge in August 1892. He was a Christian Socialist. In his Pledge, he is expressing the ideas of his first cousin, Edward Bellamy, author of the American socialist utopian novels, **Looking Backward** (1888) and **Equality** (1897).

Francis Bellamy in his sermons and lectures and Edward Bellamy in his novels and articles described in detail how the middle class could create a planned economy with political, social and economic equality for all. The government would run a peace time economy similar to our present military industrial complex.

The Pledge was published in the September 8th issue of **The Youth's Companion**, the leading family magazine and the **Reader's Digest** of its day. Its owner and editor, Daniel Ford, had hired Francis in 1891 as his assistant when Francis was pressured into leaving his baptist church in Boston because of his socialist sermons. As a member of his congregation, Ford had enjoyed Francis's sermons. Ford later founded the liberal and often controversial Ford Hall Forum, located in downtown Boston.

In 1892 Francis Bellamy was also a chairman of a committee of state superintendents of education in the National Education Association. As its chairman, he prepared the program for the public schools' quadricentennial celebration for Columbus Day in 1892. He structured this public school program around a flag raising ceremony and a flag salute - his 'Pledge of Allegiance.'

His original Pledge read as follows: 'I pledge allegiance to my Flag and (to*) the Republic for which it stands, one nation, indivisible, with liberty and justice for all.' He considered placing the word, 'equality,' in his Pledge, but knew that the state superintendents of education on his committee were against equality for women and African Americans. [* 'to' added in October, 1892.]

Dr. Mortimer Adler, American philosopher and last living founder of the Great Books program at Saint John's College, has analyzed these ideas in his book, **The Six Great Ideas**. He argues that the three great ideas of the American political tradition are 'equality, liberty and justice for all.' 'Justice' mediates between the often conflicting goals of 'liberty' and 'equality.'

In 1923 and 1924 the National Flag Conference, under the 'leadership of the American Legion and the Daughters of the American Revolution, changed the Pledge's words, 'my Flag,' to 'the Flag of the United States of America.' Bellamy disliked this change, but his protest was ignored.

In 1954, Congress after a campaign by the Knights of Columbus, added the words, 'under God,' to the Pledge. The Pledge was now both a patriotic oath and a public prayer.

Bellamy's granddaughter said he also would have resented this second change. He had been pressured into leaving his church in 1891 because of his socialist sermons. In his retirement in Florida, he stopped attending church because he disliked the racial bigotry he found there.

What follows is Bellamy's own account of some of the thoughts that went through his mind in August, 1892, as he picked the words of his Pledge:

It began as an intensive communing with salient points of our national history, from the

Declaration of Independence onwards; with the makings of the Constitution...with the meaning of the Civil War; with the aspiration of the people...

The true reason for allegiance to the Flag is the 'republic for which it stands.' ...And what does that vast thing, the Republic mean? It is the concise political word for the Nation - the One Nation which the Civil War was fought to prove. To make that One Nation idea clear, we must specify that it is indivisible, as Webster and Lincoln used to repeat in their great speeches. And its future?

Just here arose the temptation of the historic slogan of the French Revolution which meant so much to Jefferson and his friends, 'Liberty, equality, fraternity.' No, that would be too fanciful, too many thousands of years off in realization. But we as a nation do stand square on the doctrine of liberty and justice for all...

If the Pledge's historical pattern repeats, its words will be modified during this decade. Below are two possible changes.

Some prolife advocates recite the following slightly revised Pledge: 'I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all, **born and unborn.**'

A few liberals recite a slightly revised version of Bellamy's original Pledge: 'I pledge allegiance to my Flag, and to the Republic for which it stands, one nation, indivisible, with **equality**, liberty and justice for all.'

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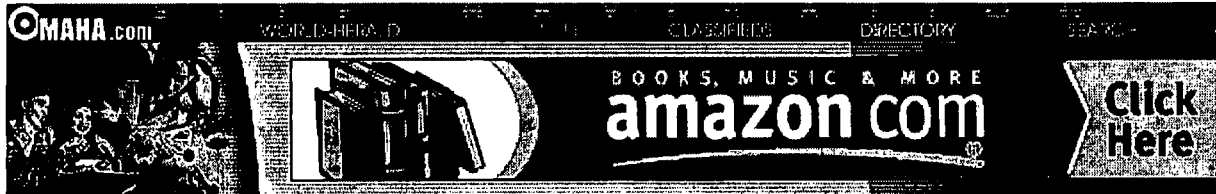
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For more information about the history of the Pledge, be sure to also read the three online chapters of *The Pledge of Allegiance, A Centennial History, 1892 - 1992* by Dr. Baer:

- [The Youth's Companion's Pledge](#)
- [American Socialists and Reformers](#)
- [The Life of Francis Bellamy](#)

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Students Stay Seated During the Pledge of Allegiance

BY NANCY MONTGOMERY
THE SEATTLE TIMES

Seattle - It might look like adolescent goofiness, but when Mariner High School students perform a Nazi salute, pound their chests or improvise words during the Pledge of Allegiance, it's actually a protest, they say.

A daily pledge to the flag and to the republic for which it stands roboticizes them and is an affront to their intellectual independence, the students say.

(click to enlarge)
High school senior Sheila King, who is the student body president, often opts to sit during the Pledge of Allegiance at school.

"It's like a brainwashing technique," said student Sheila King. "You can't pound someone into patriotism."

King is no ordinary malcontent. She's the Mariner student body president and swim team captain. She takes Advanced Placement classes and gets very good grades.

But sometimes she stays in her seat during the pledge, refusing to participate, along with several other students in her class.

"I don't make a scene. But I'm not going to say it just to say it," she said. "I'm going to say it because I mean it."

King has become the driving force behind an effort at her school in Mukilteo, north of Seattle, to stop saying the pledge daily, as a little-known state law mandates. King is asking the School Board to ask state officials to waive daily recitation and to allow Mariner students to return to a weekly pledge, as they did until this year.

The Pledge of Allegiance - penned in 1892 by Francis Bellamy, an ordained minister and circulation manager of The Youth's Companion magazine - started out as a way to help commemorate the 400-year anniversary of Columbus' landing in America.

It was a huge hit, and by 1915 Washington state had a law on the books requiring it be said at least once a week in all public schools in the state.

In 1981, the law was revised, ordering the pledge be

said daily in all public schools. There is no penalty, however, for not saying it, and many schools don't observe the law.

While Washington is one of about 25 states that have laws requiring pledge recitation, no one can legally be forced to say it or even stand up for it, the U.S. Supreme Court ruled in 1943.

In the meantime at Mariner High School, students who do make a scene - by making a straight-arm salute or saluting the chalkboard, or saying "one nation, under goddess" - are not mocking the flag or the country but mocking the mindlessness, the numbing repetition, of swearing the oath every day, King said.

"It's funny," she said.

It's not funny to everyone. The American Legion, the largest organization for military veterans, supports daily recitation of the pledge as a reminder of the "core values of the nation that the flag represents."

"It's always discouraging when people don't want to say the Pledge of Allegiance," said Steve Thomas, spokesman at American Legion headquarters in Indianapolis.

Mukilteo School Board members also were unamused when King asked them to permit Mariner students to say the pledge only on Mondays, something she said would result in a more meaningful, respectful pledge.

"We shouldn't give in to disrespectfulness and change the rules," said Marko Liias, a senior at Kamiak High School and a student member of the School Board. "It's important to keep citizenship in front of the students."

Liias said those who misbehave during the pledge should be punished. There are worse things we could be asking them to do," he said. We could be asking them to sing the national anthem."

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The Strange Origin of the Pledge of Allegiance

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[See additional/newer references at bottom]

By John W. Baer,
Propaganda Review, Summer 89.

Every class day over 60 million public and parochial school teachers and students in the US recite the Pledge of Allegiance along with thousands of Americans at official meetings of the Boy Scouts, Girl Scouts, Elks, Masons, American Legion, and others. During the televised bicentennial celebration of the US Constitution for the school children on September 17, 1987, the children as a group did not recite any part of the Constitution. However, President Reagan did lead the nation's school children in reciting the Pledge. Yet probably not one of them knows the history or original meaning of the Pledge.

In the presidential campaign of 1988, George Bush successfully used the Pledge in his campaign against Mike Dukakis. Ironically, Bush did not seem to know the words of the Pledge until his campaign manager told him to memorize it. The teachers and students in the New England private schools he attended, Greenwich Country Day School and Phillips Andover Academy, did not recite the pledge. By contrast, Dukakis and his mother, a public school teacher, recited the Pledge in the public schools. Yet Bush criticized Dukakis for vetoing a bill in Massachusetts requiring public school teachers but not private school teachers to recite the Pledge. Dukakis vetoed the bill on grounds that it violated the constitutional right of free speech.

[[Actually, the case Dukakis cited (and was subsequently attacked by Bush for it) was a religious freedom case (!); see the file with the speech by ACLU director Ira Glasser which, like this article, contains a lot of information you don't hear much about in the mainstream press. It also happens to be among the best speeches I've ever heard, and demonstrates devastatingly what many of us already knew; what a bad job Dukakis did responding to Bush's attacks about being "liberal" and (God forbid) and being a member of the ACLU. --HB]]

How did this Pledge of Allegiance to a flag replace the US Constitution and Bill of Rights in the affections of many Americans? Among the nations in the world, only the USA and the Philippines, imitating the USA, have a pledge to their flag. Who institutionalized the Pledge as the cornerstone of American patriotic programs and indoctrination in the public and parochial schools?

In 1892, a socialist named Francis Bellamy created the Pledge of Allegiance for *Youth's* *Companion*, a national family magazine for youth published in Boston. The magazine had the largest national circulation of its day with a circulation around 500 thousand. Two liberal businessmen, Daniel Ford and James Upham, his nephew, owned *Youth's* *Companion*.

One hundred years ago the American flag was rarely seen in the classroom or in front of the school. Upham changed that. In 1888, the magazine began a campaign to sell American flags to the public schools. By 1892, his magazine had sold American flags to about 26 thousands schools(1).

In 1891, Upham had the idea of using the celebration of the 400th anniversary of Christopher Columbus' discovery of America to promote

the use of the flag in the public schools. The same year, the magazine hired Daniel Ford's radical young friend, Baptist minister, Nationalist, and Christian Socialist leader, Francis Bellamy, to help Upham in his public relations work. Bellamy was the first cousin of the famous American socialist, Edward Bellamy. Edward Bellamy's futuristic novel, *Looking* *Backward*, published in 1888, described a utopian Boston in the year 2000. The book spawned an elitist socialist movement in Boston known as "Nationalism," whose members wanted the federal government to nationalize most of the American economy. Francis Bellamy was a member of this movement and a vice president of its auxiliary group, the Society of Christian Socialists(2). He was a baptist minister and he lectured and preached on the virtues of socialism and the evils of capitalism. He gave a speech on "Jesus the Socialist" and a series of sermons on "The Socialism of the Primitive Church." In 1891, he was forced to resign from his Boston church, the Bethany Baptist church, because of his socialist activities. He then joined the staff of the *Youth's* *Companion*(3).

By February 1892, Francis Bellamy and Upham had lined up the National Education Association to support the *Youth's* *Companion* as a sponsor of the national public schools' observance of Columbus Day along with the use of the American flag. By June 29, Bellamy and Upham had arranged for Congress and President Benjamin Harrison to announce a national proclamation making the public school flag ceremony the center of the national Columbus Day celebrations for 1892(4).

Bellamy, under the supervision of Upham, wrote the program for this celebration, including its flag salute, the Pledge of Allegiance. His version was,

"I pledge allegiance to my flag and to the Republic for which it stands -- one nation indivisible -- with liberty and justice for all."

This program and its pledge appeared in the September 8 issue of *Youth's* *Companion*(5). He considered putting the words "fraternity" and "equality" in the Pledge but decided they were too radical and controversial for public schools(6).

The original Pledge was recited while giving a stiff, uplifted right hand salute, criticized and discontinued during WWII. The words "my flag" were changed to "the flag of the United States of America" because it was feared that the children of immigrants might confuse "my flag" for the flag of their homeland. The phrase, "Under God," was added by Congress and President Eisenhower in 1954 at the urging of the Knights of Columbus(7).

The American Legion's constitution includes the following goal: "To foster and perpetuate a one hundred percent Americanism." One of its major standing committees was the "Americanism Commission" and its subsidiary, the "Counter Subversive Activities Committee." To the fear of immigrants, it added the fear of communism(8).

Over the years the Legion has worked closely with the NEA and with the US Office of Education. The Legion insisted on "one hundred percent" Americanism in public school courses in American history, civics, geography and English. The Pledge was a part of this Americanism campaign(9) and, in 1950, the Legion adopted the Pledge as an official part of its own ritual(10).

In 1922, the Ku Klux Klan, which also had adopted the "one hundred percent Americanism" theme along with the flag ceremonies and the Pledge, became a political power in the state of Oregon and arranged for legislation to be passed requiring all Catholic children to attend public schools. The US Supreme Court later overturned this

From Walter's Web World at ddi.digital.net/~kenaston.

The Pledge of Allegiance

Compiled by: Walter Bunn Kenaston

See also The U. S. Flag.

Most of us have said the pledge of allegiance, usually being taught to do so in schools, but we've never been taught the significance of what we were doing. One day I discovered in the Statutes At Large the three Public Laws regarding the display and use of the flag, including the pledge. I have placed the text of these laws (without the marginal notes) below. The cites for these three Public Laws are:

56 Stat. 377, Chapter 435, June 22, 1942;
56 Stat. 1074, Chapter 806, December 22, 1942; and
68 Stat. 249, Chapter 810, June 14, 1954.

These laws are evidence that the Government is operating in a **military commercial** mode.

The first law, passed June 22, 1942, gives the rules for the use of the flag, and prohibited uses. It is clear that the intended audience are commercial people (see sections 4(d),(f)-(i)). In section 7, giving the pledge, one sees that it is directed at military members (a.k.a. citizens) who are required to salute in contradistinction to **civilians** who must render respect by merely standing at attention. Another thing to note there is the Romanesque salute of



extending the hand toward the flag (see picture "Saying The Pledge" from Alabama Department of Archives and History). This supports the claim made by some that A. Lincoln imported the Justinian Code (Roman Civil Law - which term is synonymous with "civil law", see definition from Black's 3rd quoted below) when he waged war against the States.

The second law, passed December 22, 1942, amends (reenacts) these rules. Of particular interest are sections 5 and 6. These have been clarified showing the difference between those people being "**present**" who are required to salute, while **aliens**, not being within the meaning of "**present**", are required to stand at attention. Placing the hand over the heart is a salute. This again shows the primary target of the joint resolution, being the citizens of the government, are military people.

The third law, passed June 14, 1954, amends section 7 changing the pledge to include the phrase "one Nation under God". The same exemption for civilians from saying the pledge remains.

Trivia (?)

Here's a web site showing the US flag of commerce, as opposed to a national flag.

Supernumerary - Words & Phrases Judicially Defined, Vol. 7, West's Publishing Co., 1905

"Supernumerary" was the term used in Revolutionary times to designate officers of a reduced regiment who were thrown out and became detached by its being broken up and consolidated. Williams v. United States, 11 Sup. Ct. 43, 48, 137 U. S. 113, 34 L. Ed. 590.

"Supernumerary," as used in Acts May, 1779, c. 6, providing that all such officers who shall become supernumerary shall be entitled to half pay during life, etc. is just as much an officer as any other, but his battalion or corps has been reposed or disbanded, or so arranged in some way as to leave him for the present no command; and the state, to save expense of full pay and subsistence, discharges him from actual service. Commonwealth v. Lilly's Adm'r (Va.) 1 Leigh, 525, 529.

CIVIL LAW. - Black's Law Dictionary, 3rd edition (1933)

"Civil law," "Roman law" and "Roman civil law" are convertible phrases, meaning the same system of jurisprudence.

The word "civil," as applied to the laws in force in Louisiana, before the adoption of the Civil Code, is not used in contradistinction to the word "criminal," but must be restricted to the Roman law. It is used in contradistinction to the laws of England and those of the respective states. Jennison v. Warmack, 5 La. 493.

The system of jurisprudence held and administered in the Roman empire, particularly as set forth in the compilation of Justinian and his successors, -- comprising the Institutes, Code, Digest, and Novels, and collectively denominated the "*Corpus Juris Civilis*," -- as distinguished from the common law of England and the canon law.

That rule of action which every particular nation, commonwealth, or city has established peculiarly for itself; more properly called "municipal" law, to distinguish it from the "law of nature," and from international law. See Bowyer, Mod. Civil Law, 19; Sevier v. Riley, 189 Cal. 170, 244 P. 323, 325.

That division of municipal law which is occupied with the exposition and enforcement of civil rights as distinguished from criminal law.

CIVIL RIGHTS. - Black's Law Dictionary, 3rd edition (1933)

A term applied to certain rights secured to citizens by the 13th and 14th Amendments to the constitution, or by various acts state and federal. *Clyatt v. U.S.*, 197 U.S. 207, 25 S. Ct. 429, 49 L. Ed. 726; (remaining cites omitted)

ROMAN LAW. - Black's Law Dictionary, 3rd edition (1933)

This term, in a general sense, comprehends all the laws which prevailed among the Romans, without regard to the time of their origin, including the collections of Justinian. In a more restricted sense, the Germans understand by this term merely the law of Justinian, as adopted by them. Mackeld. Rom. Law, § 18. In England and America, it appears to be customary to use the phrase, indifferently with "the civil law", to designate the whole system of Roman jurisprudence, including the *Corpus Juris Civilis*; or, if any distinction is drawn, the expression "civil law" denotes the system of jurisprudence obtaining in those countries of continental Europe which have derived their juridical notions and principles from the Justinian collection, while "Roman law" is reserved as the proper appellation of the body of law developed under the government of Rome from the earliest times to the fall of the empire.

Now existing; at hand; relating to the present time; considered with reference to the present time.

NATION:

"When legislating for the District of Columbia, Congress acts as a legislature of national character, exercising complete legislative control as contrasted with the limited power of a state legislature or with the limited sovereignty which Congress exercises within boundaries of the states. U.S.C.A. Const. art. 1, § 8, cl. 17." *App.D.C.* 1940. *Neild v. District of Columbia*, 110 F.2d 246, 71 App.D.C. 306; *D.C.Va.* 1942. *Winkler v. Daniels*, 43 F.Supp. 265.

56 STAT. 377

[CHAPTER 435]

June 22, 1942
[H. J. Res. 303]
[Public Law 623]

JOINT RESOLUTION

To codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following codification of existing rules and customs pertaining to the display and use of the flag of the United States of America be, and it is hereby, established for the use of such civilians or civilian groups or organizations [378] as may not be required to conform with regulations promulgated by one or more executive

departments of the Government of the United States.

SEC. 2. (a) It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, the flag may be displayed at night upon special occasions when it is desired to produce a patriotic effect.

(b) The flag should be hoisted briskly and lowered ceremoniously.

(c) The flag should not be displayed on days when the weather is inclement.

(d) The flag should be displayed on all days when the weather permits, especially on New Year's Day, January 1; Inauguration Day, January 20; Lincoln's Birthday, February 12; Washington's Birthday, February 22; Army Day, April 6; Easter Sunday (variable); Mother's Day, second Sunday in May; Memorial Day (half staff until noon), May 30; Flag Day, June 14; Independence Day, July 4; Labor Day, first Monday in September; Constitution Day, September 17; Columbus Day, October 12; Navy Day, October 27; Armistice Day, November 11; Thanksgiving Day, last Thursday in November; Christmas Day, December 25; such other days as may be proclaimed by the President of the United States; the birthdays of States (dates of admission); and on State holidays.

(e) The flag should be displayed daily, weather permitting, on or near the main administration building of every public institution.

(f) The flag should be displayed in or near every polling place on election days.

(g) The flag should be displayed during school days in or near every schoolhouse.

SEC. 3. That the flag, when carried in a procession with another flag or flags, should be either on the marching right; that is, the flag's own right, or, if there is a line of other flags, in front of the center of that line.

(a) The flag should not be displayed on a float in a parade except from a staff, or as provided in subsection (i).

(b) The flag should not be draped over the hood, top, sides, or back of a vehicle or of a railroad train or a boat. When the flag is displayed on a motorcar, the staff shall be fixed firmly to the chassis or clamped to the radiator cap.

(c) No other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States of America, except during church services conducted by naval chaplains at sea, when the church pennant may be flown above the flag during church services for the personnel of the Navy.

(d) The flag of the United States of America, when it is displayed with another flag against a wall from crossed staffs, should be on the right, the flag's own right, and its staff should be in front of the staff of the other flag.

(e) The flag of the United States of America should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs.

(f) When flags of States, cities, or localities, or pennants of societies are flown on the same halyard with the flag of the United States, the latter should always be at the peak. When the flags are flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the right of the flag of the United States. [379]

(g) When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.

(h) When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half staff. When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.

(i) When the flag is displayed otherwise than by being flown from a staff, it should be displayed flat, whether indoors or out. When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right; that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way; that is, with the union or blue field to the left of the observer in the street.

(j) When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or to the east in a north and south street.

(k) When used on a speaker's platform, the flag, if displayed flat should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, if it is displayed in the chancel of a church, or on the speaker's platform in a public auditorium, the flag should occupy the position of honor and be placed at

the clergyman's or speaker's right as he faces the congregation or audience. Any other flag so displayed in the chancel or on the platform should be placed at the clergyman's or speaker's left as he faces the congregation or audience. But when the flag is displayed from a staff in a church or public auditorium elsewhere than in the chancel or on the platform it shall be placed in the position of honor at the right of the congregation or audience as they face the chancel or platform. Any other flag so displayed should be placed on the left of the congregation or audience as they face the chancel or platform.

(l) The flag should form a distinctive feature of the ceremony of unveiling a statue or monument, but it should never be used as the covering-for the statue or monument.

(m) The flag, when flown at half staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. By "half staff" is meant hauling the flag to one-half the distance between the top and bottom of the staff. Crepe streamers may be affixed to spear heads or flagstaves in a parade only by order of the President of the United States.

(n) When the flag is used to cover a casket, it should be so placed that the union is at the head and over the left shoulder. The flag should not be lowered into the grave or allowed to touch the ground.

SEC. 4. That no disrespect should be shown to the flag of the United States of America: the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor.

(a) The flag should never be displayed with the union down save as a signal of dire distress.

(b) The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise. [380]

(c) The flag should never be carried flat or horizontally, but always aloft and free.

(d) The flag should never be used as drapery of any sort whatsoever, never festooned, drawn back, nor up, in folds, but always allowed to fall free. Bunting of blue, white, and red, always arranged with the blue above, the white in the middle, and the red below, should be used for covering a speaker's desk, draping the front of a platform, and for decoration in general.

(e) The flag should never be fastened, displayed, used, or stored in such a manner as will permit it to be easily torn, soiled, or damaged in any way.

(f) The flag should never be used as a covering for a ceiling.

(g) The flag should never have placed upon it, nor on part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature.

(h) The flag should never be used as a receptacle for receiving, holding, carrying, or delivering anything.

(i) The flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard; or used as any portion of a costume or athletic uniform. Advertising signs should not be fastened to a staff or halyard from which the flag is flown.

(j) The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

SEC. 5. That during the ceremony of hoisting or lowering the flag or when passing in a parade or in a review, all persons present should face the flag, stand at attention, and salute. Those present in uniform should render the right-hand salute. When not in uniform, men should remove the headdress with the right hand holding it at the left shoulder, the hand being over the heart. Men without hats merely stand at attention. Women should salute by placing the right hand over the heart. The salute to the flag in the moving column should be rendered at the moment the flag passes.

SEC. 6. That when the national anthem is played and the flag is not displayed, all present should stand and face toward the music. Those in uniform should salute at the first note of the anthem, retaining this position until the last note. All others should stand at attention, men removing the headdress. When the flag is displayed, the salute to the flag should be given.

SEC. 7. That the pledge of allegiance to the flag, "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation indivisible, with liberty and justice for all", be rendered by standing with the right hand over the heart; extending the right hand, palm upwards, toward the flag at the words "to the flag" and holding this position until the end, when the hand drops to the side. However, civilians will always show full respect to the flag by merely standing at attention, men removing the headdress. Persons in uniform shall render the military salute.

SEC. 8. Any rule or custom pertaining to the display of the flag of the United States of America, set forth herein, may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed, by the Commander in Chief of the Army and Navy of the United States, whenever he deems it to be appropriate or desirable; and any such alteration or additional rule shall be set forth in a proclamation.

Approved June 22 1942.

56 STAT. 1074

[CHAPTER 806]

December 22, 1942
[H.J.Res. 359]
[Public Law 829]

JOINT RESOLUTION

To amend Public Law Numbered 623, approved June 22, 1942, entitled "Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America".

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, That Public Law Numbered 623, approved June 22, 1942, entitled "Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America, be, and the same is hereby amended to read as follows:

That the following codification of existing rules and customs pertaining to the display and use of the flag of the United States of America be, and it is hereby, established for the use of such civilians or civilian groups or organizations as may not be required to conform with regulations promulgated by one or more executive departments of the Government of the United States.

SEC. 2. (a) It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaves in the open. However, the flag may be displayed at night upon special occasions when it is desired to produce a patriotic effect.

(b) The flag should be hoisted briskly and lowered ceremoniously.

(c) The flag should not be displayed on days when the weather is inclement.

(d) The flag should be displayed on all days when the weather permits, especially on New Year's Day, January 1; Inauguration Day, January 20; Lincoln's Birthday, February 12; Washington's Birthday, February 22; Army Day, April 6; Easter Sunday (variable) ; Mother's [1075] Day, second Sunday in May; Memorial Day (half staff until noon), May 30; Flag Day, June 14; Independence Day, July 4; Labor Day, first Monday in September; Constitution Day, September 17; Columbus Day, October 12; Navy Day, October 27; Armistice Day, November 11; Thanksgiving Day, fourth Thursday in November; Christmas Day, December 25; such other days as may be proclaimed by the President of the United States; the birthdays of States (dates of admission); and on State holidays.

(e) The flag should be displayed daily, weather permitting, on or near the main administration building of every public institution.

(f) The flag should be displayed in or near every polling place on election days.

(g) The flag should be displayed-during school days in or near every schoolhouse.

SEC. 3. That the flag, when carried in a procession with another flag or flags, should be either on the marching-right; that is, the flag's own right, or, if there is a line of other flags, in front of the center of that line.

(a) The flag should not be displayed on a float in a parade except from a staff, or as provided in subsection (i).

- (b) The flag should not be draped over the hood, top, sides, or back of a vehicle or of a railroad train or a boat. When the flag is displayed on a motorcar, the staff shall be fixed firmly to the chassis or clamped to the radiator cap.
- (c) No other flag or pennant should be placed above or, if on the same level, to the right of the flag, of the United States of America, except during church services conducted by naval chaplains at sea, when the church pennant may be flown above the flag during church services for the personnel of the Navy.
- (d) The flag -of the United States of America, when it is displayed with another flag against a wall from crossed staffs, should be on the right, the flag's own right, and its staff should be in front of the staff of the other flag.
- (e) The flag of the United States of America should be at the center and at the highest point of the group when a number of flags of States or localities or pennants or societies are grouped and displayed from staffs.
- (f) When flags of States, cities, or localities, or pennants of societies are flown on the same halyard with the flag of the United States, the latter should always be at the peak. When the flags are flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the right of the flag of the United States.
- (g) When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.
- (h) When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half staff. When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.
- (i) When the flag is displayed otherwise than be being flown from a staff, it should be displayed flat, whether indoors or out, or so suspended that its folds fall as free as though the flag were staffed. [1076]
- (j) When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or to the east in a north and south street.
- (k) When used on a speaker 's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, if it is displayed in the chancel of a church, or on the speaker's platform in a public auditorium, the flag should occupy the position of honor and be placed at the clergyman's or speaker's right as he faces the congregation or audience. Any other flag so displayed in the chancel or on the platform should be placed at the clergyman's or speaker's left as he faces the congregation or audience. But when the flag is displayed from a staff in a church or public auditorium elsewhere than in the chancel or on the platform it shall be placed in the position of honor at the right of the congregation or audience as they face the chancel or platform. Any other flag so displayed should be placed on the left of the congregation or audience as they face the chancel or platform.
- (l) The flag should form a distinctive feature of the ceremony of unveiling a statue or monument, but it should never be used as the covering, for the statue or monument.
- (m) The flag, when flown at half staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should again be raised to the peak before it is lowered for the day. By "half staff" is meant lowering the flag to one-half the distance between the top and bottom of the staff. - Crepe streamers may be affixed to spear heads of flagstaves in a parade only by order of the President of the United States.
- (n) When the flag is used to cover a casket, it should be so placed that the union is at the head and over the left shoulder. The flag should not be lowered into the grave or allowed to touch the ground.

SEC. 4. -That no disrespect should be shown to the flag of the United States of America; the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor.

- (a) The flag should never be displayed with the union down save as a signal of dire distress.
- (b) The flag should never touch anything beneath it, such as the ground, the floor, or merchandise.
- (c) The flag should never be carried flat or horizontally, but always aloft and free.
- (d) The flag should never be used as drapery of any sort whatsoever, never festooned, drawn back-, nor up, in folds, but always allowed to fall free. Bunting of blue, white, and red, always arranged with the blue above, the white in the middle, and the red below, should be used for covering a speaker's desk, draping the front of a platform, and for decoration in general.

- (e) The flag should never be fastened, displayed used, or stored in such a manner as will permit it to be easily torn, soiled, or damaged in any way.
- (f) The flag should never be used as a covering for a ceiling.
- (g) The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature.
- (h) The flag should never be used as a receptacle for receiving, holding, carrying, or delivering anything.
- (i) The flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed [1077] for temporary use and discard; or used as any portion of a costume or athletic uniform. Advertising signs should not be fastened to a staff or halyard from which the flag is flown.
- (j) The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

SEC. 5. That during the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in a review, all persons present should face the flag, stand at attention, and salute. Those present in uniform should render the military salute. When not in uniform, men should remove the headdress with the right hand holding it at the left shoulder, the hand being over the heart. Men without hats should salute in the same manner. Aliens should stand at attention. Women should salute by placing the right hand over the heart. The salute to the flag in the moving column should be rendered at the moment the flag passes.

SEC. 6. That when the national anthem is played and the flag is not displayed, all present should stand and face toward the music. Those in uniform should salute at the first note of the anthem, retaining this position until the last note. All others should stand at attention, men removing the headdress. When the flag is displayed, all present should face the flag and salute.

SEC. 7. That the pledge of allegiance to the flag, "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation indivisible, with liberty and justice for all", be rendered by standing with the right hand over the heart. However, civilians will always show full respect to the flag when the pledge is given by merely standing at attention, men removing the headdress. Persons in uniform shall render the military salute.

SEC. 8. Any rule or custom pertaining to the display of the flag of the United States of America, set forth herein, may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed, by the Commander in Chief of the Army and Navy United States, whenever he deems it to be appropriate or desirable; and any such alteration or additional rule shall be set forth in a proclamation.

Approved, December 22, 1942.

68 Stat. 249

Public Law 396 CHAPTER 297

June 14, 1954
[H. J. Res. 243]

JOINT RESOLUTION

To amend the pledge of allegiance to the flag of the United States of America.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the joint resolution entitled "Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America", approved June 22, 1942, as amended (36 U.S. C, sec. 172), is amended to read as follows:

"SEC. 7. The following is designated as the pledge of allegiance to the flag: 'I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all'. Such pledge should be rendered standing with the right hand over the heart. However, civilians will always show full respect to the flag when the pledge is given by merely standing at attention, men removing the headdress. Persons in uniform shall render the military salute."

Approved June 14, 1954.