

- SUBJECT:** Pledges of allegiance to the U.S. and Texas flags in charter schools
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 11 ayes — Aycock, Allen, J. Davis, Deshotel, Dutton, Farney, Huberty, K. King, Ratliff, J. Rodriguez, Villarreal
- 0 nays
- WITNESSES:** For — Kyle Borel and Gina Gregory, Harmony Public Schools; Ann Stevenson, Uplift Education; (*Registered, but did not testify:* Matthew Abbott, Wayside Schools; Michelle Bonton and Angeil Washington, The Rhodes School; Ramazan Coskuner, Harmony Public Schools; Mark DiBella, YES Prep Public Schools; Monty Exter, Association of Texas Professional Educators; Gavino Fernandez Jr., LULAC 4861; Lindsay Gustafson, Texas Classroom Teachers Association; Natalie Leffall, The Rhodes School; Janna Lilly, Texas Council for Administrators of Special Education; Nelson Salinas, Texas Association of Business; Larkin Tackett, IDEA Public Schools; Adrianna Fernandez and three other individuals.)
- Against — None
- On — (*Registered, but did not testify:* David Anderson, Texas Education Agency)
- BACKGROUND:** In 2003, the Legislature passed SB 83 by Wentworth, requiring that public schools have students each day recite the pledges of allegiance to the U.S. and Texas flags, followed by one minute of silence. During the one-minute period, a student may reflect, pray, meditate, or engage in any other silent activity that does not disrupt. On written request from a student's parents or guardian, a school district must excuse the student from reciting a pledge.
- DIGEST:** HB 773 would apply to the governing boards of open-enrollment charter schools the law for the boards of trustees of traditional public schools requiring that they have students each day recite the pledges of allegiance to the U.S. and Texas flags, followed by a minute of silence. The bill would require charter schools to excuse students from reciting a pledge of allegiance on written request from a student's parent or guardian.

HB 773 would apply starting with the 2013-2014 school year.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2013.

**SUPPORTERS
SAY:**

HB 773 would align open-enrollment charter schools with traditional public schools by requiring students to say the pledge of allegiance to the U.S. and Texas flags and to participate in one minute of silence during each school day. Reciting the pledges is a time-honored school tradition that helps foster a spirit of citizenship. The minute of silence helps set a positive tone for the school day by giving students time to engage in prayer or reflection. Students who choose not to pray may engage in any silent activity that does not disrupt other students. Many charter schools already have incorporated the pledges and minute of silence into their daily schedule and all should be required to do so.

**OPPONENTS
SAY:**

Charter schools were designed to be free of many of the rules and regulations that apply to traditional public schools and HB 773 is an example of “mandate creep.” The decision to include the pledges and minute of silence should be up to each charter school governing board.

NOTES:

The Senate companion, SB 1362 by Schwertner, was reported favorably without amendment from the Senate Education Committee on April 4.