

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 140

Short Title: Moment of Silence.

(Public)

Sponsors: Senators Carpenter, Albertson; Kerr, Little, Clark, Ledbetter, Parnell, Perdue, Foxx, Davis, Smith, Hoyle, McDaniel, East, Ballantine, Allran, Warren, Cochrane, Martin of Pitt, Hartsell, Lucas, Dannelly, Speed, Edwards, Blackmon, Jordan, and Forrester.

Referred to: Education/Higher Education.

February 6, 1995

A BILL TO BE ENTITLED  
AN ACT TO REQUIRE THE OBSERVANCE OF A MOMENT OF SILENCE IN ALL  
SCHOOL UNITS AND TO ENSURE FREEDOM OF RELIGION IN THE PUBLIC  
SCHOOLS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-47(29) reads as rewritten:

" (29) To ~~Authorize~~Require the Observance of a Moment of  
~~Silence.~~Silence in All School Units. ~~Local boards of education~~  
~~may~~Every local board of education shall adopt policies a  
policy to authorize~~require~~ the observance of a moment of  
silence at the commencement of the first class of each day in  
all grades in the public schools. Such a policy shall provide  
that the teacher in charge of the room in which each class is  
held ~~may~~shall announce that a period of silence not to exceed  
one minute in duration shall be observed and that during that  
period silence shall be maintained and no one may engage in  
any other activities. Such period of silence shall be totally and

1 completely unstructured and free of guidance or influence of  
2 any kind from any sources."

3 Sec. 2. G.S. 115C-47 is amended by adding a new subdivision to read:

4 "(29a) To Ensure Freedom of Religion. – No local board of  
5 education shall have a policy of denying, or that effectively  
6 prevents participation in, prayer in public schools by  
7 individuals on a voluntary basis. No local board of education  
8 shall require any person to participate in prayer or influence the  
9 form or content of any prayer in public schools. This  
10 subdivision shall not be construed to direct any local board of  
11 education to take any action in violation of the Constitutions of  
12 North Carolina or the United States."

13 Sec. 3. This act becomes effective July 1, 1995, and applies to all school years  
14 beginning with the 1995-96 school year.