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Effective: September 1, 2003

Vernon's Texas Statutes and Codes Annotated [Currentness](#)

Education Code ([Refs & Annos](#))

Title 2. Public Education ([Refs & Annos](#))

Subtitle E. Students and Parents

▢ [Chapter 25](#). Admission, Transfer, and Attendance ([Refs & Annos](#))

▢ [Subchapter C](#). Operation of Schools and School Attendance

➔ **§ 25.082. School Day; Pledges Of Allegiance; Minute Of Silence**

(a) A school day shall be at least seven hours each day, including intermissions and recesses.

(b) The board of trustees of each school district shall require students, once during each school day at each school in the district, to recite:

(1) the **pledge of allegiance** to the United States flag in accordance with [4 U.S.C. Section 4](#), and its subsequent amendments; and

(2) the **pledge of allegiance** to the state flag in accordance with Subchapter C, Chapter 3100, Government Code. [\[FN1\]](#)

(c) On written request from a student's parent or guardian, a school district shall excuse the student from reciting a pledge of allegiance under Subsection (b).

(d) The board of trustees of each school district shall provide for the observance of one minute of silence at each school in the district following the recitation of the **pledges of allegiance** to the United States and Texas flags under Subsection (b). During the one-minute period, each student may, as the student chooses, reflect, pray, meditate, or engage in any other silent activity that is not likely to interfere with or distract another student. Each teacher or other school employee in charge of students during that period shall ensure that each of those students remains silent and does not act in a manner that is likely to interfere with or distract another student.

CREDIT(S)

Added by [Acts 1995, 74th Leg., ch. 260, § 1, eff. May 30, 1995](#). Amended by [Acts 2003, 78th Leg., ch. 126, §§ 1, 2, eff. Sept. 1, 2003](#).

[\[FN1\]](#) V.T.C.A., Government Code § 3100.101 et seq.

HISTORICAL AND STATUTORY NOTES

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Section 3 of Acts 2003, 78th Leg., ch. 126 provides:

“This Act applies beginning with the 2003-2004 school year.”

Prior Laws:

Acts 1905, 29th Leg., p. 263.

Rev.Civ.St.1911, art. 2903.

Vernon's Ann.Civ.St. art. 2906, subd. (a).

Acts 1969, 61st Leg., p. 2735, ch. 889, § 1.

[V.T.C.A., Education Code § 21.004.](#)

LAW REVIEW COMMENTARIES

“Under [God](#)” does not need to be placed under wraps: The phrase “under God” used in the pledge of allegiance is not an impermissible recognition of religion. Walter Lynch, 41 Hous.L.Rev. 647 (Summer 2004).

LIBRARY REFERENCES

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[Schools](#)  164.

Westlaw Topic No. [345](#).

[C.J.S. Schools and School Districts §§ 701, 782 to 783, 817.](#)

RESEARCH REFERENCES

2011 Electronic Update

ALR Library

[110 ALR, Federal 211](#), Constitutionality of Regulation or Policy Governing Prayer, Meditation, or “Moment of Silence” in Public Schools.

Encyclopedias

[TX Jur. 3d Constitutional Law § 161](#), Establishment of Religion.