

paid to the collector or treasurer for the benefit of said school district.<sup>3</sup>

## ARTICLE 17

### INSTRUCTION IN CERTAIN SUBJECTS

Section 801. Courses of instruction in patriotism and citizenship and in the constitution of the United States.

802. Instruction relating to the flag; holidays.

803. Instruction in physical training and kindred subjects.

804. Instruction regarding nature of alcoholic drinks.

805. Enforcement.

806. Courses of instruction in highway safety and traffic regulation; school safety patrols.

807. Fire drills.

808. Instruction in fire prevention.

809. Instruction in the humane treatment of animals and birds.

810. Arbor and Wild Life day.

§ 801. **Courses of instruction in patriotism and citizenship and in the constitution of the United States.** 1. In order to promote a spirit of patriotic and civic service and obligation and to foster in the children of the state moral and intellectual qualities which are essential in preparing to meet the obligations of citizenship in peace or in war, the regents of The University of the State of New York shall prescribe courses of instruction in patriotism and citizenship, to be maintained and followed in all the schools of the state. The boards of education and trustees of the several cities and school districts of the state shall require instruction to be given in such courses, by the teachers employed in the schools therein. All pupils attending such schools, over the age of eight years, shall attend upon such instruction.

Similar courses of instruction shall be prescribed and maintained in private schools in the state, and all pupils in such schools over eight years of age shall attend upon such courses. If such courses are not so established and maintained in a private school, attendance upon instruction in such school shall not be deemed substantially equivalent to instruction given to pupils of like age in the public schools of the city or district in which such pupils reside.

2. The regents shall prescribe courses of instruction in the history and meaning of the provisions of the constitution of the United States, to be maintained and followed in all of the schools of the state. The boards of education and trustees of the several cities and school districts of the state shall require instruction to be given in such courses, by the teachers employed in the schools therein. All pupils attending such schools, in the eighth and higher grades, shall attend upon such instruction.

Similar courses of instruction shall be prescribed and maintained in private schools in the state, and all pupils in such schools

<sup>3</sup> Section unchanged; former § 672.

in grades or classes corresponding to the instruction in the eighth and higher grades of the public schools shall attend upon such courses. If such courses are not so established and maintained in a private school, attendance upon instruction in such school shall not be deemed substantially equivalent to instruction given to pupils in the public schools of the city or district in which such pupils reside.

3. The regents shall determine the subjects to be included in such courses of instruction in patriotism and citizenship and in the history and meaning of the provisions of the constitution of the United States; and the period of instruction in each of the grades in such subjects. They shall adopt rules providing for attendance upon such instruction and for such other matters as are required for carrying into effect the objects and purposes of this section. The commissioner of education shall be responsible for the enforcement of such section and shall cause to be inspected and supervise the instruction to be given in such subjects. The commissioner may, in his discretion, cause all or a portion of the public school money to be apportioned to a district or city to be withheld for failure of the school authorities of such district or city to provide instruction in such courses and to compel attendance upon such instruction, as herein prescribed, and for a non-compliance with the rules of the regents adopted as herein provided.

4. The regents shall designate a week during each year and prescribe a uniform course of exercises in the public schools of the state suitable for pupils of various ages to instill into the minds of such pupils the purpose, meaning and importance of the bill of rights articles in the federal and state constitutions. Such exercises shall be in addition to any prescribed courses of study in the schools.<sup>4</sup>

**§ 802. Instruction relating to the flag; holidays.** 1. It shall be the duty of the commissioner of education to prepare, for the use of the public schools of the state, a program providing for a salute to the flag, for instruction in its correct use and display and such other patriotic exercises as may be deemed by him to be expedient, under such regulations and instructions as may best meet the varied requirements of the different grades in such schools.

2. It shall also be his duty to make special provision for the observance in the public schools of Lincoln's birthday, Washington's birthday, Memorial day and Flag day, and such other legal holidays

<sup>4</sup> Section revised; former §§ 705, 706, 707, 708 and 52-a; section heading amended to cover combination of sections; subd. 1 (former § 705): corporate name capitalized; subd. 2 (former § 707): reference to regents abbreviated in conformity with definition in § 2; "and" substituted for "or"; subd. 3 (former §§ 706 and 708): these sections were worded almost identically; "patriotism and citizenship and in" inserted in former § 708 to effect combination; reference to regents abbreviated; "section" substituted for "article", as whole former article included in section; former § 706 repealed as covered in this subd.; subd. 4 (former § 52-a) added here as most closely related to instruction in the constitution.

CROSS-REFERENCE.—Former § 709 (relating to constitutional oath for teachers) transferred to article 61.