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Senate of Pennsylvania

February 7, 2003

Dr. Vickie Phillips, Acting Secretary
Pennsylvania Department of Education
333 Market Street, 10th Floor
Harrisburg, Pa 17126-0333

Dear Secretary Phillips:

As Acting Secretary of Education, we trust that you are intimately aware of the recent challenge to Act 157 of 2002 that was filed—regrettably—by the ACLU and Dauphin County's Circle School. As champions of this measure in the General Assembly, we are confident that the law will meet Constitutional scrutiny.

We do wish to seek clarification from you regarding the department's role in enforcing the new law. It was reported in one of the news articles covering the story that Pennsylvania Department of Education attorneys "promised not to enforce the law" until the District Court judge has a chance to hold an injunction hearing and that they had "no interest in enforcing the law immediately." A second article attributed an ACLU official confirming that the department was delaying enforcement. It is with utter bewilderment that we read those accounts.

To the best of our knowledge, Pennsylvania law is not abrogated merely because a suit is filed challenging it nor are administration officials able to voluntarily and gratuitously determine that a law should not be enforced simply because of a court challenge. Act 157 is the law of Commonwealth and it is incumbent upon the affected educational institutions to fully comply with its provisions. The Commonwealth's lead educational agency should not carry such an apparent and cavalier attitude towards compliance. The message that it sends to schools, students and parents alike is that if you do not agree with a law, you do not comply with it until such time as the court decides to address the issue.

We would be happy to discuss this issue with you personally and look forward to your response.

Sincerely,

JEFFREY E. PICCOLA

ALLAN C. EGOLF

From: Allan Egolf
To: Richard J Ellis
Date: Thu, Jan 29, 2004 11:52 AM
Subject: Re: Pledge of Allegiance

Correct, this was introduced prior to 9/11/01. Rep. Egolf initially introduced this on June 15, 1999 as House Bill 1673. It was reported to the Education Committee but never moved so it died at the end of 2000 when that Session was over.

He reintroduced the legislation as House Bill 592 on February 8, 2001. It was referred to the Veterans Affairs & Emergency Preparedness Committee where it was reported as amendmended on June 20, 2001. It was then put into the Rules Committee. That committee re-reported it as committed on 9/24/01. From there it continued to move through both chambers and was signed into law on December 9, 2002 as Act 157.

Teri Root, Secretary to Rep. Egolf

>>> Richard J Ellis <rellis@willamette.edu> 1/28/2004 5:50:22 PM >>>

One specific question I was hoping you might be able to answer for me was whether HB 592 was the first time you had introduced something like this. I know I read it was in the hopper before Sept 11, 2001, but was that the first legislative session that you introduced it (or something like it). Thank you for your time.

On Wed, 28 Jan 2004, Allan Egolf wrote:

> Roll calls can be obtained by contacting the Office of the Chief Clerk
 > within the Pennsylvania House of Representatives at 717-787-5899.
 >
 > Information concerning the legal appeal would have to be obtained from
 > the Office of Attorney General for Pennsylvania. Their contact
 > information is listed below:
 >
 > Louis J. Rovelli, Director
 > Executive Deputy Attorney General
 > Civil Law Division
 > Office of Attorney General
 > (717) 787-1100
 > www.attorneygeneral.gov
 >
 > I hope this information is helpful to you.
 >
 > Teri Root, Secretary to
 > Rep. Allan Egolf
 >

>>> Richard Ellis <rellis@willamette.edu> 1/27/2004 1:22:04 AM >>>

> Dear Representative Egolf:
 > I am conducting research on the Pledge of Allegiance, and have been
 > doing
 > some reading on the bill that you sponsored and that became law.
 > There's a
 > few things I haven't been able to find out, and was hoping you could

> help
> me. I know it passed the House 179-16, but haven't been able to get a
> roll call on that vote. Is that something you can provide for me, or
> tell
> me how I would locate it. Second, I was wondering about the status of
> the
> legal appeal that the attorney general has mounted in the wake of the
> district judge's ruling six months ago. Have they heard oral
> arguments,
> yet? and when do you expect a ruling. Thank you so much for your help
> on
> this.
>
> Richard J. Ellis
> Mark O. Hatfield Professor of Politics
> Willamette University
> Salem, Oregon 97301
> rellis@willamette.edu
> 503-378-0671 (ph)
> 503-370-6720 (fax)
>
>
>
>

Allan Egolf - Re: Pledge of Allegiance

From: Allan Egolf
To: Richard J Ellis
Subject: Re: Pledge of Allegiance

Ok--I just spoke with Rep. Egolf and he wanted me to point out to you that most articles indicated that the bill would require students to recite the Pledge. This is not the case...it would require that the schools provide the opportunity for the students to recite the Pledge but students could opt out due to religious or personal reasons. It also required that the schools have a flag in each classroom.

>>> Richard J Ellis <rellis@willamette.edu> 1/28/2004 4:08:45 PM >>>
 p.s. i've read all the press accounts of the bill that I've been able to get my hands on. Is there anything that the media missed in covering this bill that you think I should know about?

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 > Rep. Allan Egolf
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>

The Court has some apparent misconceptions about the intent of Act 157. One of these is that notification of parents is a form of punishment. There never was any intent of punishment as can be verified by relevant discussions on the House floor.

I certainly do not agree with this court opinion. I am deeply disappointed that our liberal courts feel it is unconstitutional for a school to notify parents about aspects of their child's educational experience, and I am urging the Attorney General to appeal yesterday's decision.

Linda Golden - Message

From: Teri Root
To: Linda Golden
Date: 8/20/2004 10:56 AM
Subject: Message

✓ Jim Brown from American Family Radio News would like to do a 5-10 minutes phone interview with Rep. Egolf either today or Monday regarding the Pledge decision. He's spoke with him before--it's a Christian station. Number is 662-844-8888 ext. 281. I told him someone would call him to schedule a time.

Teri Root
Rep. Allan Egolf
783-1593
Room 401, Irvis Office Building