MISSISSIPPI LEGISLATURE
REGULAR SESSION 1999

By: Representative Smith (35th)

HOUSE BILL NO. 522

AN ACT TO AUTHORIZE LOCAL SCHOOL DISTRICTS TO DEVELOP AND IMPLEMENT A COMPREHENSIVE K-12 PROGRAM FOR CHARACTER EDUCATION; TO PRESCRIBE THE CHARACTER TRAITS TO BE DEVELOPED BY THE PROGRAM; TO REQUIRE THE STATE BOARD OF EDUCATION TO REVIEW SCHOOL DISTRICTS' PROPOSED CHARACTER EDUCATION PROGRAMS; TO AMEND SECTION 37-13-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT STUDENTS WITH A RELIGIOUS OR CONSCIENTIOUS OBJECTION SHALL NOT BE REQUIRED TO SAY THE PLEDGE OF ALLEGIANCE TO THE FLAG; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The local school boards of the public school districts, in their discretion, may develop and implement, at the beginning of the 1999-2000 school year, a comprehensive program for character education in Grades K-12. This program of character education shall focus on students' development of the following character traits: courage, patriotism, citizenship, honesty, pride in quality work, fairness, respect for and obedience to the law, respect for others, kindness, cooperation, self-respect, self-control, courtesy, compassion, diligence, generosity, punctuality, cleanliness, cheerfulness, school pride, respect for the environment, patience, creativity, sportsmanship, loyalty, perseverance, friendship, responsibility and self-discipline. The program of character education shall include the Pledge of Allegiance to the flag as required in Section 37-13-7. The definition of the character traits chosen by the school district for implementation shall reflect and be in keeping with both the spirit and the letter of the following founding documents: the Mississippi Constitution of 1890; the Constitution of the United States of America; the Declaration of Independence; and state and federal law. A public school may not define or teach character or character traits in any manner that might promote or encourage

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students to participate in conduct that would violate any state or federal law.

**SECTION 2.** Assessment of the students' understanding of the character traits chosen to be taught in public school shall be limited to and must reflect the material taught in the classroom. Students shall not be evaluated in any way as to whether or not the students evidence a specific character trait in their own lives.

**SECTION 3.** The State Board of Education shall review the proposed character education programs of the individual school districts to ascertain if the programs comply with the criteria set forth in Section 1 of this act. Review of the programs shall not exceed a time period of sixty (60) days. If a review extends beyond this time period, the proposal will be deemed in compliance with the law.

If the proposed character education program is rejected, the State Board of Education shall set forth in writing the specific areas of objection. These objections must be based on and limited to the following criteria: the definition of the character traits chosen by the school district for implementation shall reflect and be in keeping with both the spirit and letter of our founding documents; no instruction shall promote or encourage participation in any conduct that would violate existing state or federal law; and no student shall be assessed or evaluated as to whether or not the student evidences a specific character trait in his or her own life.

**SECTION 4.** Section 37-13-7, Mississippi Code of 1972, is amended as follows:

37-13-7. (1) The boards of trustees of the public schools of this state shall require the teachers under their control to have all pupils repeat the oath of allegiance to the flag of the United States of America at least once during each school month, such oath of allegiance being as follows:

"I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

(2) The official pledge of the State of Mississippi shall read as follows:
"I salute the flag of Mississippi and the sovereign state for which it stands with pride in her history and achievements and with confidence in her future under the guidance of Almighty God."

The Pledge of Allegiance to the Mississippi flag shall be taught in the public schools of this state, along with the Pledge of Allegiance to the United States flag.

(3) A pupil with a religious or conscientious objection shall not be required to repeat the Pledge of Allegiance to the United States or the Mississippi flag.

SECTION 5. This act shall take effect and be in force from and after July 1, 1999.