To: Education

MISSISSIPPI LEGISLATURE

REGULAR SESSION 2002

By: Senator(s) Little, Burton, Robertson, Jackson, Minor, Stogner, Smith, Carmichael, Chaney, Dearing, Dickerson, Gordon, Hewes, Johnson (19th), King, Kirby, Moffatt, Posey, Ross, Thames, White (29th), Hyde-Smith, Jordan, Gollott, Furniss, Chamberlin, Hamilton, White (5th), Harvey, Canon, Harden, Farris

SENATE BILL NO. 2321
(As Sent to Governor)

AN ACT TO CODIFY SECTION 37-13-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE UNITED STATES FLAG SHALL BE DISPLAYED IN EACH PUBLIC SCHOOL CLASSROOM AT ALL TIMES WHILE SCHOOL IS IN SESSION; TO REQUIRE EACH SCHOOL DISTRICT TO PROVIDE STUDENT INSTRUCTION IN THE PROPER ETIQUETTE TOWARD, CORRECT DISPLAY OF, AND RESPECT FOR THE FLAG, AND IN PATRIOTIC EXERCISES; TO REQUIRE THE DAILY RECITATION OF THE PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG AT THE BEGINNING OF THE FIRST HOUR OF CLASS; TO AMEND SECTION 37-13-5, MISSISSIPPI CODE OF 1972, TO REQUIRE PUBLIC SCHOOLS TO FLY THE UNITED STATES FLAG AT HALF-STAFF WHENEVER A PRESIDENTIAL ORDER OR INSTRUCTIONS OR FEDERAL LAW REQUIRES THE FLAG TO BE LOWERED; AND FOR RELATED PURPOSES.

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

SECTION 1. The following provision shall be codified as Section 37-13-6, Mississippi Code of 1972:

37-13-6. (1) The flag of the United States shall be displayed in close proximity to the school building, on a proper staff, at all times during the hours of daylight when the school is in session when the weather will permit without damage to the flag. In addition, the flag of the United States shall be displayed in each classroom and in each principal room of the school building at all times while school is in session. It shall be the duty of the school boards of each school district to provide for the flags, proper flag staffs and their proper display. Each school district shall provide student instruction in the proper etiquette toward, correct display of, and respect for the flag, and in patriotic exercises. The instruction shall be a part of the district's fifth grade social studies curriculum or history curriculum, with the assistance of the State Department of Education.

(2) From and after July 1, 2002, the school boards of all 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 the beginning of the
first hour of class each day school is in session, 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."

Any student or teacher who objects to reciting the oath of
allegiance shall be excused from participating without penalty.

SECTION 2. Section 37-13-5, Mississippi Code of 1972, is
amended as follows:

37-13-5. (1) The flag of the State of Mississippi and the
flag of the United States shall be displayed in close proximity to
the school building at all times during the hours of daylight when
the school is in session when the weather will permit without
damage to the flag. It shall be the duty of the board of trustees
of the school district to provide for the flags and their display.

(2) Whenever the flag of the United States is to be flown at
half-staff by order or instructions of the President or pursuant
to federal law, all public schools shall lower the United States
flag in accordance with the executive order or instructions or
federal law. The school shall announce the reason that the flag
is being flown at half-staff to all students in assembly or by
teachers in the various classrooms or by prominently displaying
written notice throughout the school stating the reason that the
flag has been lowered.

(3) In all public schools there shall be given a course of
study concerning the flag of the United States and the flag of the
State of Mississippi. The course of study shall include the
history of each flag and what they represent and the proper
respect therefor. There also shall * * * be taught in the public
schools the duties and obligations of citizenship, patriotism,
Americanism and respect for and obedience to law.
SECTION 3. This act shall take effect and be in force from and after July 1, 2002.