

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

To: Education

SENATE BILL NO. 2321
(As Sent to Governor)

1 AN ACT TO CODIFY SECTION 37-13-6, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE UNITED STATES FLAG SHALL BE DISPLAYED IN EACH
3 PUBLIC SCHOOL CLASSROOM AT ALL TIMES WHILE SCHOOL IS IN SESSION;
4 TO REQUIRE EACH SCHOOL DISTRICT TO PROVIDE STUDENT INSTRUCTION IN
5 THE PROPER ETIQUETTE TOWARD, CORRECT DISPLAY OF, AND RESPECT FOR
6 THE FLAG, AND IN PATRIOTIC EXERCISES; TO REQUIRE THE DAILY
7 RECITATION OF THE PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG
8 AT THE BEGINNING OF THE FIRST HOUR OF CLASS; TO AMEND SECTION
9 37-13-5, MISSISSIPPI CODE OF 1972, TO REQUIRE PUBLIC SCHOOLS TO
10 FLY THE UNITED STATES FLAG AT HALF-STAFF WHENEVER A PRESIDENTIAL
11 ORDER OR INSTRUCTIONS OR FEDERAL LAW REQUIRES THE FLAG TO BE
12 LOWERED; AND FOR RELATED PURPOSES.

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

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

16 37-13-6. (1) The flag of the United States shall be
17 displayed in close proximity to the school building, on a proper
18 staff, at all times during the hours of daylight when the school
19 is in session when the weather will permit without damage to the
20 flag. In addition, the flag of the United States shall be
21 displayed in each classroom and in each principal room of the
22 school building at all times while school is in session. It shall
23 be the duty of the school boards of each school district to
24 provide for the flags, proper flag staffs and their proper
25 display. Each school district shall provide student instruction
26 in the proper etiquette toward, correct display of, and respect
27 for the flag, and in patriotic exercises. The instruction shall
28 be a part of the district's fifth grade social studies curriculum
29 or history curriculum, with the assistance of the State Department
30 of Education.

31 (2) From and after July 1, 2002, the school boards of all
32 public schools of this state shall require the teachers under



33 their control to have all pupils repeat the oath of allegiance to
34 the flag of the United States of America at the beginning of the
35 first hour of class each day school is in session, such oath of
36 allegiance being as follows:

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

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

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

44 37-13-5. (1) The flag of the State of Mississippi and the
45 flag of the United States shall be displayed in close proximity to
46 the school building at all times during the hours of daylight when
47 the school is in session when the weather will permit without
48 damage to the flag. It shall be the duty of the board of trustees
49 of the school district to provide for the flags and their display.

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

59 (3) In all public schools there shall be given a course of
60 study concerning the flag of the United States and the flag of the
61 State of Mississippi. The course of study shall include the
62 history of each flag and what they represent and the proper
63 respect therefor. There also shall * * * be taught in the public
64 schools the duties and obligations of citizenship, patriotism,
65 Americanism and respect for and obedience to law.



66 **SECTION 3.** This act shall take effect and be in force from
67 and after July 1, 2002.

