

By: Representative Formby

To: Education

HOUSE BILL NO. 1210

1 AN ACT TO CREATE NEW SECTION 37-13-7.1, MISSISSIPPI CODE OF
2 1972, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO WITHHOLD
3 ADEQUATE EDUCATION PROGRAM FUNDS FROM SCHOOL DISTRICTS FAILING TO
4 PROPERLY DISPLAY THE NATIONAL AND STATE FLAGS AND TO LEAD STUDENTS
5 IN THE PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG; AND FOR
6 RELATED PURPOSES.

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

8 **SECTION 1.** The following shall be codified as Section
9 37-13-7.1, Mississippi Code of 1972:

10 37-13-7.1. Any person may file a complaint with the State
11 Department of Education alleging that a school district is not
12 complying with the requirements of Section 37-13-5 or 37-13-7, or
13 both. Upon receipt of a complaint, the department shall notify
14 the school board of the school district of the complaint and shall
15 determine whether or not the alleged noncompliance is occurring in
16 the district. If the department finds that the school district is
17 not in compliance with the requirements of Section 37-13-5 or
18 37-13-7, or both, and the school district fails to take such
19 action as may be necessary to rectify the noncompliance within
20 thirty (30) days after receiving notice of the department's
21 finding, the department shall withhold the school district's
22 Adequate Education Program funds until the school district
23 demonstrates, to the satisfaction of the department, full
24 compliance with the requirements of Sections 37-13-5 and 37-13-7.

25 **SECTION 2.** This act shall take effect and be in force from
26 and after July 1, 2004.