

By: Senator(s) Rhodes, Berry, Robinson,
McLendon

To: Education

SENATE BILL NO. 2677

1 AN ACT TO AMEND SECTIONS 37-12-5, 37-12-7, 37-12-11,
2 37-13-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A FRAMED COPY
3 OF THE TEN COMMANDMENTS SHALL BE ON DISPLAY IN EVERY CLASSROOM; TO
4 SET THE SIZE REQUIREMENTS FOR THE TEN COMMANDMENTS AND THE U.S.
5 FLAG THAT MUST BE DISPLAYED IN EVERY CLASSROOM; TO PROHIBIT STAFF
6 AND FACULTY OF SCHOOL DISTRICTS FROM DISCRIMINATION AND REPRISAL
7 BASED ON RELIGIOUS VIEWS AND BELIEFS; TO PROVIDE THAT THERE SHALL
8 BE A NONDENOMINAL PRAYER SAID AT THE START OF EACH SCHOOL DAY IN
9 EACH PUBLIC AND CHARTER SCHOOL IN THE STATE; TO PROVIDE THAT ANY
10 STUDENT OR FACULTY MEMBER NOT WISHING TO TAKE PART IN THE DAILY
11 PRAYER OR PLEDGE OF ALLEGIANCE SHALL NOT BE REQUIRED TO
12 PARTICIPATE; TO REQUIRE THE PROVISIONS OF THIS ACT TO BE
13 APPLICABLE BEGINNING IN THE 2024-2025 SCHOOL YEAR; AND FOR RELATED
14 PURPOSES.

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

16 **SECTION 1.** Section 37-12-5, Mississippi Code of 1972, is
17 amended as follows:

18 37-12-5. (1) Students may express their beliefs about
19 religion in homework, artwork, and other written and oral
20 assignments free from discrimination based on the religious
21 content of their submissions. Homework and classroom assignments
22 must be judged by ordinary academic standards of substance and
23 relevance and against other legitimate pedagogical concerns
24 identified by the school district. Students may not be penalized



25 or rewarded on account of the religious content of their work. If
26 an assignment requires a student's viewpoint to be expressed in
27 coursework, artwork or other written or oral assignments, a public
28 school shall not penalize or reward a student on the basis of
29 religious content or a religious viewpoint. In such an
30 assignment, a student's academic work that expresses a religious
31 viewpoint shall be evaluated based on ordinary academic standards
32 of substance and relevance to the course curriculum or
33 requirements of the coursework or assignment.

34 (2) A framed copy of the Ten Commandments in a size and
35 typeface that is legible to a person with average vision shall be
36 on display in every classroom. The copy shall be at least sixteen
37 inches (16") wide and twenty inches (20") tall.

38 (3) Staff and faculty of school districts shall be free from
39 discrimination and reprisal based on religious views and beliefs.

40 **SECTION 2.** Section 37-12-7, Mississippi Code of 1972, is
41 amended as follows:

42 37-12-7. Students in public schools may pray or engage in
43 religious activities or religious expression before, during and
44 after the school day in the same manner and to the same extent
45 that students may engage in nonreligious activities or expression.
46 Students may organize prayer groups, religious clubs, "see you at
47 the pole" gatherings, or other religious gatherings before, during
48 and after school to the same extent that students are permitted to
49 organize other noncurricular student activities and groups.



50 Religious groups must be given the same access to school
51 facilities for assembling as is given to other noncurricular
52 groups without discrimination based on the religious content of
53 the students' expression. If student groups that meet for
54 nonreligious activities are permitted to advertise or announce
55 meetings of the groups, the school district may not discriminate
56 against groups that meet for prayer or other religious speech. A
57 school district may disclaim school sponsorship of noncurricular
58 groups and events in a manner that neither favors nor disfavors
59 groups that meet to engage in prayer or religious speech.

60 Students in public schools may wear clothing, accessories and
61 jewelry that display religious messages or religious symbols in
62 the same manner and to the same extent that other types of
63 clothing, accessories and jewelry that display messages or symbols
64 are permitted.

65 In each public school and charter school in the state, a
66 nondenominational prayer shall be said over the PA System and in
67 each classroom at the start of each scheduled school day.

68 **SECTION 3.** Section 37-12-11, Mississippi Code of 1972, is
69 amended as follows:

70 37-12-11. (1) This chapter shall not be construed to
71 authorize this state or any of its political subdivisions to do
72 either of the following:

73 (a) Require any person to participate in prayer or in
74 any other religious activity.



75 (b) Violate the constitutional rights of any person.

76 (2) Any student or faculty member not wishing to take part
77 in the daily prayer or Pledge of Allegiance shall not be required
78 to participate. Such student or faculty may remain seated at
79 their desk and silent during the prayer and/or Pledge of
80 Allegiance, as applicable.

81 **SECTION 4.** Section 37-13-6, Mississippi Code of 1972, is
82 amended as follows:

83 37-13-6. (1) The flag of the United States shall be
84 displayed in close proximity to the school building, on a proper
85 staff, at all times during the hours of daylight when the school
86 is in session when the weather will permit without damage to the
87 flag. In addition, the flag of the United States shall be
88 displayed in each classroom and in each principal room of the
89 school building at all times while school is in session; provided
90 that such flag shall be at least thirty six inches (36") long and
91 twenty four inches (24") tall. It shall be the duty of the school
92 boards of each school district to provide for the flags, proper
93 flag staffs and their proper display. Each school district shall
94 provide student instruction in the proper etiquette toward,
95 correct display of, and respect for the flag, and in patriotic
96 exercises. The instruction shall be a part of the district's
97 fifth grade social studies curriculum or history curriculum, with
98 the assistance of the State Department of Education.



99 (2) From and after July 1, 2002, the school boards of all
100 public schools of this state shall require the teachers under
101 their control to have all pupils repeat the oath of allegiance to
102 the flag of the United States of America at the beginning of the
103 first hour of class each day school is in session, such oath of
104 allegiance being as follows:

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

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

110 **SECTION 5.** The provisions of this act shall not be construed
111 to expressly grant any additional rule-making authority to a state
112 officer, institution, political subdivision or agency.

113 **SECTION 6.** The provisions of this act shall be applicable
114 beginning in the 2024-2025 school year.

115 **SECTION 7.** This act shall take effect and be in force from
116 and after its passage.

