Agency Name: Board of Education

Statutory Authority: 59-1-320, 59-5-60, and 4 U.S.C.1 et seq.

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House Committee: Education and Public Works Committee

Senate Committee: Education Committee

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Subject: Displaying the Flag

History: 4403

By Date Action Description Jt. Res. No. Expiration Date

- 09/27/2013 Proposed Reg Published in SR

- 01/14/2014 Received by Lt. Gov & Speaker 05/14/2014

S 01/14/2014 Referred to Committee

H 01/14/2014 Referred to Committee

H 04/03/2014 Resolution Introduced to Approve 5054

S 05/01/2014 Resolution Introduced to Approve 1267

- 05/14/2014 Approved by: Expiration Date

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provided for in the Regulation

Document No. 4403

**STATE BOARD OF EDUCATION**

CHAPTER 43

Statutory Authority: 1976 Code Sections 59-1-320 (2004), 59-5-60 (2004), and 4 U.S.C. 1 et seq.

43-188.Displaying the Flag

**Synopsis:**

Regulation 43-188, Displaying the Flag, has been in effect since 2006. The purpose of the amendment is to include language to establish further guidance for displaying the flag which may be adopted by the State Board of Education that is not inconsistent with the law.

The Notice of Drafting was published in the *State Register* on July 26, 2013.

**Instructions:**

Regulation 43-188 is replaced in its entirety by the regulation below.

**Text:**

43-188. Displaying the Flag.

I. Display of the United States Flag

Schools shall display the United States flag each school day and shall fly the flag in accordance with the laws regulating the display of the United States flag as set forth in 4 U.S.C. Section 6-10 and consistent with the guidance related to the State Capitol Building as set forth in S.C. Code Ann. Section 10-1-161.

II. South Carolina Flag

The South Carolina flag shall be flown consistent with 4 U.S.C. Section 6-10 and the guidance related to the State Capitol Building as set forth in S.C. Code Ann. Section 10-1-161 as it applies to the flying of state flags with the United States flag.

**Fiscal Impact Statement:**

No additional state funding is requested. The SCDE estimates that no additional costs will be incurred by the State and its political subdivisions in complying with the proposed revisions to Regulation 43-188.

**Statement of Rationale:**

Regulation 43-188, Displaying the Flag, has been in effect since 2006. The purpose of the amendment is to include language to establish further guidance for displaying the flag which may be adopted by the State Board of Education that is not inconsistent with the law.