

By: Representative Ketchings

To: Education;
Appropriations

HOUSE BILL NO. 1398

1 AN ACT TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO
 2 ESTABLISH A SCHOOL VOUCHER PROGRAM; TO DEFINE CERTAIN TERMS
 3 RELATING TO THE PROGRAM; TO PROVIDE THAT PARENTS MEETING CERTAIN
 4 INCOME REQUIREMENTS SHALL BE ELIGIBLE TO RECEIVE VOUCHERS FROM THE
 5 DEPARTMENT WHICH MAY BE USED FOR THE EDUCATIONAL EXPENSES OF THEIR
 6 CHILDREN ATTENDING PARTICIPATING APPROVED NONPUBLIC SCHOOLS; TO
 7 PROVIDE THAT THE VALUE OF A VOUCHER SHALL NOT EXCEED \$2,500.00; TO
 8 ESTABLISH A PROCESS FOR NONPUBLIC SCHOOLS TO BE CERTIFIED FOR
 9 PARTICIPATION IN THE PROGRAM; TO ESTABLISH A PROCEDURE FOR THE
 10 STATE DEPARTMENT OF EDUCATION TO REDEEM VOUCHERS SUBMITTED BY
 11 PARTICIPATING NONPUBLIC SCHOOLS; TO REQUIRE CERTAIN INFORMATION TO
 12 BE REPORTED TO THE DEPARTMENT BY PARTICIPATING SCHOOLS; TO
 13 AUTHORIZE THE STATE BOARD OF EDUCATION TO ADOPT RULES AND
 14 REGULATIONS FOR THE IMPLEMENTATION OF THE PROGRAM; AND FOR RELATED
 15 PURPOSES.

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

17 SECTION 1. (1) The following words and phrases, as used in
 18 this section, shall have the meanings ascribed in this subsection
 19 unless the context clearly indicates otherwise:

20 (a) "Approved nonpublic school" means an elementary or
 21 secondary school in the state which maintains educational
 22 standards equivalent to the standards establish by the State
 23 Department of Education for the state schools as outlined in the
 24 Approval Requirements of the State Board of Education for
 25 Nonpublic Schools and which is certified by the department as
 26 eligible to receive vouchers.

27 (b) "Department" means the State Department of
 28 Education.

29 (c) "Eligible parent, guardian or custodian" means a
 30 person who is head of a household whose family's adjusted gross
 31 income for the prior year is less than Thirty Thousand Dollars
 32 (\$30,000.00) or, in the case of a single parent, guardian or

33 custodian who is head of a household, whose adjusted gross income
34 for the prior year is less than Twenty Thousand Dollars
35 (\$20,000.00).

36 (d) "Voucher" means a document issued by the State
37 Board of Education to an eligible parent, guardian or custodian of
38 a student which may be exchanged by an approved nonpublic school
39 with the board for money for the educational expenses of the
40 student attending that school.

41 (2) The State Department of Education shall establish and
42 implement a program in which an eligible parent, guardian or
43 custodian, upon request, may receive from the department a voucher
44 that may be used for educational services at a participating
45 approved nonpublic school selected by the child's parent, guardian
46 or custodian. The parent, guardian or custodian to whom a voucher
47 is issued may use the voucher only if the child is admitted to a
48 participating approved nonpublic school. Upon the child's
49 admittance to the nonpublic school, the parent, guardian or
50 custodian shall present the voucher to the school. The value of
51 the voucher shall be Two Thousand Five Hundred Dollars (\$2,500.00)
52 or a sum equal to the actual cost of tuition and fees annually
53 charged by the approved nonpublic school, whichever is less. A
54 participating approved nonpublic school may not charge additional
55 tuition to any student enrolled in the school under the voucher
56 program.

57 (3) If an approved nonpublic school desires to be certified
58 by the department as eligible to participate in the voucher
59 program, the school shall apply to the department for
60 certification as a participating approved nonpublic school. The
61 department shall prepare and make available to approved nonpublic
62 schools a form for the application process. The department shall
63 conduct such investigation and inquiries as it deems necessary to
64 determine the qualifications of the approved nonpublic school to
65 be certified for participation in the voucher program.

66 Certification as a participating approved nonpublic school shall
67 be valid for each succeeding school year unless revoked by the
68 department or upon the request of the school.

69 (4) On behalf of each eligible parent, guardian or custodian
70 to whom a voucher is issued, the department shall pay to a
71 participating approved nonpublic school a sum equal to the total
72 value of all vouchers submitted by the nonpublic school to the
73 department for redemption. The total annual payment to which the
74 nonpublic school is entitled shall be made in periodic payments
75 throughout the year, at the same time and in the same manner state
76 funds are distributed to school districts by the department. Each
77 payment shall be in the same proportion to the total annual
78 payment to which the nonpublic school is entitled as the portion
79 of the school year which the payment is intended to cover bears to
80 the total school year. The periodic payments may be adjusted by
81 the department as necessary to account for changes in the
82 enrollment of students in the participating approved nonpublic
83 school or other changes affecting the total annual payment to
84 which the nonpublic school is entitled. The department shall pay
85 the remainder of the amount of the base student cost funded by the
86 state for each student participating in the voucher program to the
87 school district from which the student transfers for the purpose
88 of attending the approved nonpublic school.

89 (5) The department shall require each approved nonpublic
90 school in which students are admitted under the voucher program to
91 provide to the department a record of the students' enrollment and
92 periodic reports of the students' continued enrollment in and
93 attendance at the nonpublic school. The department also shall
94 require assurance from each participating approved nonpublic
95 school that the school does not discriminate in the admission of
96 students on the basis of race, sex, disability, color or economic
97 status.

98 (6) The State Board of Education shall adopt such rules and
99 regulations that may be necessary in the implementation of this
100 section, including an application process and deadline for
101 accepting requests for vouchers from parents, guardians and
102 custodians.

103 SECTION 2. This act shall take effect and be in force from
104 and after July 1, 2001.