HOUSE BILL NO. 349

AN ACT TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO
ESTABLISH A SCHOOL VOUCHER PROGRAM; TO DEFINE CERTAIN TERMS
RELATING TO THE PROGRAM; TO PROVIDE THAT PARENTS SHALL RECEIVE
VOUCHERS FROM THE DEPARTMENT WHICH MAY BE USED FOR THE EDUCATIONAL
EXPENSES OF THEIR CHILDREN ATTENDING PARTICIPATING SCHOOLS; TO
PROVIDE THAT THE VALUE OF A VOUCHER SHALL NOT EXCEED $3,350.00; TO
ESTABLISH A PROCESS FOR NONPUBLIC SCHOOLS TO BE CERTIFIED FOR
PARTICIPATION IN THE PROGRAM; TO ESTABLISH A PROCEDURE FOR THE
STATE DEPARTMENT OF EDUCATION TO REDEEM VOUCHERS SUBMITTED BY
SCHOOLS; TO REQUIRE CERTAIN INFORMATION TO BE REPORTED TO THE
DEPARTMENT BY PARTICIPATING SCHOOLS; TO AUTHORIZE THE STATE BOARD
OF EDUCATION TO ADOPT RULES AND REGULATIONS FOR THE IMPLEMENTATION
OF THE PROGRAM; AND FOR RELATED PURPOSES.

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

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

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

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

(c) "Eligible parent, guardian or custodian" means a
person who is head of a household in which there is at least one
(1) compulsory-school-age child.

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

(2) The State Department of Education shall establish and
implement a program under which an eligible parent, guardian or
custodian of each compulsory-school-age child in the state shall
receive from the department a voucher that may be used for
educational services at any public school or a participating
approved nonpublic school selected by the child's parent, guardian
or custodian. The parent, guardian or custodian to whom a voucher
is issued may use the voucher only if the child is admitted to a
public school or a participating approved nonpublic school. Upon
the child's admittance to the school, the parent, guardian or
custodian shall present the voucher to the school. The value of
the voucher shall be Three Thousand Three Hundred Fifty Dollars
($3,350.00) or, in the case of a nonpublic school, a sum equal to
the actual cost of tuition and fees annually charged by the
approved nonpublic school, whichever is less.

(3) If an approved nonpublic school desires to be certified
by the department as eligible to participate in the voucher
program, the school shall apply to the department for
certification as a participating approved nonpublic school. The
department shall prepare and make available to approved nonpublic
schools a form for the application process. The department shall
conduct such investigation and inquiries as it deems necessary to
determine the qualifications of the approved nonpublic school to
be certified for participation in the voucher program.
Certification as a participating approved nonpublic school shall
be valid for each succeeding school year unless revoked by the
department or upon the request of the school.

(4) On behalf of each eligible parent, guardian or custodian
to whom a voucher is issued, the department shall pay to a school
a sum equal to the total value of all vouchers submitted by the
school to the department for redemption. The total annual payment
to which the school is entitled shall be made in periodic payments throughout the year, at the same time and in the same manner state funds are distributed to school districts by the department. Each payment shall be in the same proportion to the total annual payment to which the school is entitled as the portion of the school year which the payment is intended to cover bears to the total school year. The periodic payments may be adjusted by the department as necessary to account for changes in the enrollment of students in the school or other changes affecting the total annual payment to which the school is entitled. The department shall pay the remainder of the amount of the base student cost funded by the state, if any, for each student participating in the voucher program to the school district from which the student transfers for the purpose of attending the school.

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

(6) The State Board of Education shall adopt such rules and regulations that may be necessary in the implementation of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.