

By: Representatives Brown, Mayo

To: Education

HOUSE BILL NO. 833

1 AN ACT TO AMEND SECTION 37-7-335, MISSISSIPPI CODE OF 1972,
2 TO SPECIFY THE CIRCUMSTANCES UNDER WHICH LOCAL SCHOOL BOARDS SHALL
3 GRANT FINANCIAL HARDSHIP WAIVERS FROM THE PAYMENT OF CERTAIN FEES
4 CHARGED BY THE SCHOOL BOARDS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-7-335, Mississippi Code of 1972, is
7 amended as follows:

8 37-7-335. (1) The school board of any school district shall
9 be authorized to charge reasonable fees, but not more than the
10 actual cost, for the following:

11 (a) Supplemental instructional materials and supplies,
12 excluding textbooks;

13 (b) Any other fees designated by the local school board
14 as fees related to a valid curriculum educational objective,
15 including transportation; and

16 (c) Extracurricular activities and any other
17 educational activities of the school district that are not
18 designated by the local school board as valid curriculum
19 educational objectives, such as band trips and athletic events.

20 (2) (a) All fees authorized to be charged under this
21 section, except those fees authorized under subsection (1)(c) of
22 this section, shall be charged only upon the condition that the
23 school board of each school district shall adopt a financial
24 hardship waiver policy that shall be kept in the strictest of
25 confidence with all files and personal disclosures restricted from
26 review by the general public. The financial hardship waiver
27 policy must be distributed in writing to pupils at the time of
28 enrollment. Any family who qualifies for the National School

29 Lunch Program, as created by the Richard B. Russell National
30 School Lunch Act (42 USCS Section 1751 et seq.), shall receive a
31 financial hardship waiver. Other circumstances causing a family
32 to experience financial hardship, including, but not limited to,
33 an illness, death or change in employment, also shall allow
34 families to receive a financial hardship waiver. Local school
35 boards have the discretion to award a financial hardship waiver
36 under any other circumstances deemed appropriate by a majority of
37 the board.

38 The board shall insure that a pupil eligible to have any such
39 fees waived as a result of an inability to pay for those fees,
40 shall not be discriminated against nor shall there be any overt
41 identification of any pupil who has received a financial hardship
42 waiver by use of special tokens or tickets, announcements, posting
43 or publication of names, physical separation, choice of materials
44 or by any other means. In no case shall any school district's
45 procedures expose any pupil receiving a hardship waiver to any
46 type of stigma or ridicule by other pupils or school district
47 personnel.

48 (b) The confidentiality of the financial hardship
49 waiver policy adopted by the school board shall apply to any
50 students who have an inability to pay any fees authorized under
51 subsection (1) * * * of this section.

52 (3) In no case shall the inability to pay the assessment of
53 fees authorized under the provisions of this section result in a
54 pupil being denied or deprived of any academic awards or
55 standards, any class selection, grade, diploma, transcript or the
56 right to participate in any activity related to educational
57 enhancement.

58 **SECTION 2.** This act shall take effect and be in force from
59 and after July 1, 2007.