

By: Representatives Brown, Mayo

To: Education

COMMITTEE SUBSTITUTE  
FOR  
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.

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

42                 (b) The confidentiality of the financial hardship  
43 waiver policy adopted by the school board shall apply to any  
44 students who have an inability to pay any fees authorized under  
45 subsection (1) \* \* \* of this section.

46                 (3) In no case shall the inability to pay the assessment of  
47 fees authorized under the provisions of this section result in a  
48 pupil being denied or deprived of any academic awards or  
49 standards, any class selection, grade, diploma, transcript or the  
50 right to participate in any activity related to educational  
51 enhancement.

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