

By: Senator(s) Gandy

To: Education

SENATE BILL NO. 2209

1 AN ACT TO CREATE AN OPPORTUNITY SCHOLARSHIP PROGRAM FOR  
 2 LOW-INCOME STUDENTS TO ATTEND AN APPROVED NONPUBLIC SCHOOL; TO  
 3 PROVIDE AN INCOME TAX CREDIT FOR CONTRIBUTORS TO THE PROGRAM; TO  
 4 AMEND SECTIONS 37-15-29 AND 37-15-31, MISSISSIPPI CODE OF 1972, TO  
 5 PROVIDE FOR THE TRANSFER OF STUDENTS ATTENDING FAILING SCHOOLS TO  
 6 A SCHOOL OF CHOICE UPON THE PETITION OF THE PARENT OR GUARDIAN OF  
 7 SUCH STUDENT; TO PROVIDE THAT TRANSPORTATION OF SUCH STUDENT TO  
 8 THE TRANSFEREE SCHOOL SHALL BE THE RESPONSIBILITY OF THE PARENT OR  
 9 GUARDIAN UNLESS THE SCHOOL DISTRICT AGREES TO PROVIDE  
 10 TRANSPORTATION; TO AMEND SECTION 37-151-93, MISSISSIPPI CODE OF  
 11 1972, TO PROVIDE THAT NO SCHOOL DISTRICT ACCEPTING ANY TRANSFER  
 12 STUDENT SHALL CHARGE THE STUDENT ANY TUITION FEES; TO AMEND  
 13 SECTIONS 37-15-13 AND 37-15-15, MISSISSIPPI CODE OF 1972, IN  
 14 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** (1) There is created an Opportunity Scholarship  
 17 Program to give low-income public school students the opportunity  
 18 to enroll and attend an approved nonpublic school. The program  
 19 shall be administered by a Scholarship Granting Organization (SGO)  
 20 selected by the State Board of Education as hereinafter provided.

21 (2) A public school student's parent may request and receive  
 22 from the SGO an opportunity scholarship for the student to enroll  
 23 in an approved nonpublic school in accordance with the provisions  
 24 of this section if:



25           (a) (i) The student has spent the prior school year in  
26 attendance at a public school graded "D" or "F" and that has had  
27 two (2) school years in a four-year period of such low  
28 performance, and the student's attendance occurred during a school  
29 year in which such designation was in effect; or

30           (ii) The student is entering Kindergarten or First  
31 Grade and lives within the attendance zone of such a school for  
32 the next school year;

33           (b) The family income of the student is up to two  
34 hundred fifty percent (250%) of the established poverty level; and

35           (c) The parent has obtained acceptance for admission of  
36 the student to an approved nonpublic school and has notified the  
37 SGO and the school district of the request for an opportunity  
38 scholarship no later than July 1 of the first year in which the  
39 student intends to use the scholarship.

40           (3) The provisions of this section shall not apply to  
41 students enrolled in a school operated for providing educational  
42 services to youth juvenile justice system commitment programs.

43           **SECTION 2.** (1) A school district shall, for each student  
44 enrolled in or assigned to a school that has been graded "D" or  
45 "F" for two (2) school years in a four-year period, timely notify  
46 the parent of the student as soon as such designation is made of  
47 all options available pursuant to this act.

48           (2) Transportation costs to an approved nonpublic school  
49 shall be the responsibility of the family.



50           **SECTION 3.** (1) To be eligible to participate in the  
51 Opportunity Scholarship Program, a school must be a nonpublic  
52 school operating in Mississippi, may be sectarian or nonsectarian,  
53 and must:

54           (a) Demonstrate fiscal soundness by being in operation  
55 for one (1) school year or provide the Department of Education  
56 with a statement by a certified public accountant confirming that  
57 the school desiring to participate is insured. In addition, the  
58 owner or owners must have sufficient capital or credit to operate  
59 the school for the upcoming year serving the number of students  
60 anticipated with expected revenues from tuition and other sources  
61 that may be reasonably expected. In lieu of such a statement, a  
62 surety bond or letter of credit for the amount equal to the  
63 opportunity scholarship funds available for any quarter may be  
64 filed with the department.

65           (b) Notify the Department of Education of its intent to  
66 participate in the program under this section by May 1 of the  
67 school year preceding the school year in which it intends to  
68 participate. The notice shall specify the grade levels and  
69 services that the school has available for the Opportunity  
70 Scholarship Program.

71           (c) Comply with the antidiscrimination provisions of 42  
72 USC 2000d.

73           (d) Meet state and local health and safety laws and  
74 codes.



75 (e) Accept scholarship students on an entirely random  
76 and religious-neutral basis without regard to the student's past  
77 academic history; however, the school may give preference in  
78 accepting applications to siblings of students who have already  
79 been accepted on a random and religious-neutral basis.

80 (f) Be academically accountable to the parent for  
81 meeting the educational needs of the student. The school must  
82 furnish a school profile that includes student performance.

83 (g) Employ or contract with teachers who hold a  
84 baccalaureate or higher degree, or have at least three (3) years  
85 of teaching experience in public or nonpublic schools, or have  
86 special skills, knowledge or expertise that qualifies them to  
87 provide instruction in subjects taught.

88 (h) Comply with all state statutes relating to  
89 nonpublic schools.

90 (i) Adhere to the tenets of its published disciplinary  
91 procedures prior to the expulsion of any opportunity scholarship  
92 student.

93 (2) The State Board of Education shall determine eligible  
94 nonpublic schools based upon the criteria set forth in subsection  
95 (1) of this section and shall maintain a list of approved  
96 nonpublic schools.

97 **SECTION 4.** (1) Any student participating in the Opportunity  
98 Scholarship Program must remain in attendance throughout the  
99 school year, unless excused by the school for illness or other



100 good cause, and must comply fully with the school's code of  
101 conduct.

102 (2) The parent of each student participating in the  
103 Opportunity Scholarship Program must comply fully with the  
104 school's parental involvement requirements, unless excused by the  
105 school for illness or other good cause.

106 **SECTION 5.** (1) The maximum opportunity scholarship granted  
107 for an eligible student shall be a calculated amount equivalent to  
108 ninety percent (90%) of base student cost, or the amount of the  
109 approved nonpublic school's cost of educating the child, whichever  
110 is less. Fees eligible for reimbursement from the scholarship  
111 shall include textbook fees, lab fees and other fees related to  
112 instruction, including transportation.

113 (2) No liability shall arise on the part of the state based  
114 on any grant or use of an opportunity scholarship.

115 **SECTION 6.** (1) The State Board of Education shall select a  
116 Scholarship Granting Organization (SGO) to serve as administrator  
117 of the Opportunity Scholarship Program and establish compensation  
118 for services performed. The SGO shall demonstrate to the board  
119 that it has been granted exemption from the federal income tax as  
120 an organization described in Section 501(c)(3) of the Internal  
121 Revenue Code.

122 (2) The SGO shall:

123 (a) Create a fund to be designated the "Opportunity  
124 Scholarship Fund" which shall consist of money designated for



125 deposit therein from gifts, donations or contributions from  
126 individuals, corporations or any other source, public or private.  
127 Unexpended monies in the fund and interest earned thereon shall  
128 not be used or expended for any purpose except as authorized in  
129 this act.

130 (b) Notify the department of scholarships awarded to  
131 students attending approved nonpublic schools.

132 (c) Distribute periodic scholarship payments as checks  
133 made out to a student's parent or guardian and mailed to the  
134 qualifying school where the student is enrolled. The parent or  
135 guardian must endorse the check before it can be deposited.

136 (d) Provide a department-approved receipt to taxpayers  
137 for contributions made to the SGO.

138 (e) Ensure that at least ninety-three percent (93%) of  
139 its revenue from donations is spent on scholarships, and that all  
140 revenue from interest or investments is spent on scholarships.

141 (f) Ensure that scholarships are portable during the  
142 school year and can be used at any approved nonpublic school that  
143 accepts the eligible student according to a parent's wishes. If a  
144 student moves to a new qualifying school during a school year, the  
145 scholarship amount may be prorated.

146 (g) Publicly report to the department by June 1 of each  
147 year the following information prepared by a certified public  
148 accountant regarding its grants in the previous calendar year:



149 (i) The total number and total dollar amount of  
150 contributions received during the previous calendar year; and

151 (ii) The total number and total dollar amount of  
152 scholarships awarded during the previous calendar year, the total  
153 number and total dollar amount of scholarships awarded during the  
154 previous year to students qualifying for the federal free and  
155 reduced-price lunch program, and the percentage of first-time  
156 recipients of scholarships who were enrolled in a public school  
157 during the previous year.

158 (h) Ensure scholarships are not provided for students  
159 to attend a school with paid staff or board members, or relatives  
160 thereof, in common with the SGO.

161 (i) Annually submit to the department a financial  
162 information report for the organization that complies with uniform  
163 financial accounting standards established by the department and  
164 conducted by a certified public accountant, certifying that the  
165 report is free of material misstatements.

166 (3) All participating schools shall demonstrate financial  
167 viability, if they are to receive donations of Fifty Thousand  
168 Dollars (\$50,000.00) or more during the school year, by:

169 (a) Filing with the SGO prior to the start of the  
170 school year a surety bond payable to the SGO in an amount equal to  
171 the aggregate amount of contributions expected to be received  
172 during the school year; or



173 (b) Filing with the SGO prior to the start of the  
174 school year financial information that demonstrates the financial  
175 viability of the participating school.

176 (4) (a) The SGO shall ensure that participating schools  
177 that accept its scholarship shall:

178 (i) Annually administer either the state  
179 achievement tests or nationally recognized norm-references tests  
180 that measure learning gains in math and language arts to all  
181 participating students in grades that require testing under the  
182 state's accountability testing laws for public schools;

183 (ii) Allow costs of the testing requirements to be  
184 covered by the scholarships distributed by the SGO;

185 (iii) Provide the parents of each student who was  
186 tested with a copy of the results of the tests on an annual basis,  
187 beginning with the first year of testing;

188 (iv) Provide the test results to the department on  
189 an annual basis, beginning with the first year of testing;

190 (v) Report student information that would allow  
191 the state to aggregate data by grade level, gender, family income  
192 level and race; and

193 (vi) Provide graduation rates of participating  
194 students to the department in a manner consistent with nationally  
195 recognized standards.

196 (b) The department shall:





197 (i) Ensure compliance with all student privacy  
198 laws;

199 (ii) Collect all test result; and

200 (iii) Provide the test results and associated  
201 learning gains to the public via a state website after the third  
202 year of test and test-related data collection. The findings shall  
203 be aggregated by the students' grade level, gender, family income  
204 level, number of years of participation in the scholarship program  
205 and race.

206 (5) Individuals and corporations contributing to the  
207 Opportunity Scholarship Fund shall be eligible for a tax credit  
208 pursuant to Section 7 of this act. Donations accepted by the SGO  
209 in any one (1) calendar year shall not exceed Ten Million Dollars  
210 (\$10,000,000.00).

211 (6) The SGO shall promulgate rules necessary to effectuate  
212 the purposes of this act. Such rules shall include a means of  
213 informing the public of the existence of the Opportunity  
214 Scholarship Program and the application process for scholarship  
215 candidates.

216 **SECTION 7.** This section shall be codified in Title 27,  
217 Chapter 7, of the Mississippi Code of 1972, as follows:

218 (1) Any individual, corporation or other entity having  
219 taxable income in this state is allowed an annual tax credit for  
220 taxes imposed by Section 27-7-5 for donations made to the  
221 "Opportunity Scholarship Fund" created by Section 6 of this act.



222 Any unused portion of the credit may be carried forward for three  
223 (3) tax years.

224 (2) Any donation to the fund must be verified by submission  
225 to the Department of Revenue of a copy of the receipt provided to  
226 the donor taxpayer by the Scholarship Granting Organization or  
227 such other written verification as may be required by the  
228 Department of Revenue.

229 (3) The maximum amount of donations accepted by the  
230 administrator of the Opportunity Scholarship Program created by  
231 this act in any one (1) calendar year shall not exceed Ten Million  
232 Dollars (\$10,000,000.00).

233 **SECTION 8.** Section 37-15-29, Mississippi Code of 1972, is  
234 amended as follows:

235 37-15-29. (1) Except as provided in subsections (2), (3),  
236 (4) \* \* \*, (5) and (6) of this section, no minor child may enroll  
237 in or attend any school except in the school district of his  
238 residence, unless such child be lawfully transferred from the  
239 school district of his residence to a school in another school  
240 district in accord with the statutes of this state now in effect  
241 or which may be hereafter enacted.

242 (2) Those children whose parent(s) or legal guardian(s) are  
243 instructional personnel or certificated employees of a school  
244 district may at such employee's discretion enroll and attend the  
245 school or schools of their parent's or legal guardian's employment  
246 regardless of the residence of the child.



247 (3) No child shall be required to be transported in excess  
248 of thirty (30) miles on a school bus from his or her home to  
249 school, or in excess of thirty (30) miles from school to his or  
250 her home, if there is another school in an adjacent school  
251 district located on a shorter school bus transportation route by  
252 the nearest traveled road. Those children residing in such  
253 geographical situations may, at the discretion of their parent(s)  
254 or legal guardian(s), enroll and attend the nearer school,  
255 regardless of the residence of the child. In the event the parent  
256 or legal guardian of such child and the school board are unable to  
257 agree on the school bus mileage required to transport the child  
258 from his or her home to school, an appeal shall lie to the State  
259 Board of Education, or its designee, whose decision shall be  
260 final. The school districts involved in the appeal shall provide  
261 the Mississippi Department of Education with any school bus route  
262 information requested, including riding the buses as necessary, in  
263 order to measure the bus routes in question, as needed by the  
264 State Board of Education in considering the appeal.

265 (4) Those children lawfully transferred from the school  
266 district of his residence to a school in another school district  
267 prior to July 1, 1992, may, at the discretion of their parent(s)  
268 or legal guardian(s), continue to enroll and attend school in the  
269 transferee school district. Provided further, that the brother(s)  
270 and sister(s) of said children lawfully transferred prior to July  
271 1, 1992, may also, at the discretion of their parent(s) or legal



272 guardian(s), enroll and attend school in the transferee school  
273 district.

274 (5) Those children whose parent(s) or legal guardian(s) are  
275 active members of the United States Armed Forces or civilian  
276 military personnel and reside on a military base, may, at the  
277 discretion of their parent(s) or legal guardian(s), enroll an  
278 attend the school district of their parent's or legal guardian's  
279 choosing, regardless of the residence of the child, provided the  
280 school district where the student resides or in an adjacent school  
281 district and the parent's or guardian's choice of school district  
282 does not violate the provision of subsection (3) of this section  
283 prohibiting the transportation of students in excess of thirty  
284 (30) miles.

285 (6) Those children who are attending a school in a school  
286 district in this state may transfer to the school of the parent's  
287 choice, provided (a) the student has spent the prior school year  
288 in attendance at a public school graded "D" or "F" and that has  
289 had two (2) school years in a four-year period of such low  
290 performance, and the student's attendance occurred during a school  
291 year in which such designation was in effect; and provided (b)  
292 that the transferee school district accepts enrollment based on  
293 available capacity in the manner provided in Section 37-15-31(b).

294 **SECTION 9.** Section 37-15-31, Mississippi Code of 1972, is  
295 amended as follows:



296 37-15-31. (1) (a) Except as provided in subsections (2)  
297 through (5) of this section, upon the petition in writing of a  
298 parent or guardian resident of the school district of an  
299 individual student filed or lodged with the president or secretary  
300 of the school board of a school district in which the pupil has  
301 been enrolled or is qualified to be enrolled as a student under  
302 Section 37-15-9, or upon the aforesaid petition or the initiative  
303 of the school board of a school district as to the transfer of a  
304 grade or grades, individual students living in one school district  
305 or a grade or grades of a school within the districts may be  
306 legally transferred to another school district, by the \* \* \*  
307 consent of the school \* \* \* board of \* \* \* the transferee  
308 school \* \* \* district concerned, which consent must be given in  
309 writing and spread upon the minutes of \* \* \* the transferee school  
310 district with a copy of such pertinent part of the minutes  
311 transmitted to the transferring school district for its records.

312 (b) \* \* \* The school board of the \* \* \* transferee  
313 school district involved \* \* \* shall act on such request for  
314 transfer as soon as possible after the \* \* \* request for transfer  
315 is made, and a failure of such transferee board to act within such  
316 time shall constitute a rejection of such request. If such a  
317 transfer is approved by the transferee board, then such decision  
318 shall be final. If such a transfer should be refused by the  
319 school board of \* \* \* the transferee school district, then such  
320 decision shall be final. Whether to consent to the student



321 transfer is in the sole discretion of the school board of the  
322 transferee school district based upon available capacity; however,  
323 selection of transferring students shall be done following an  
324 approved, uniform policy for random selection.

325 (c) Any legal guardianship formed for the purpose of  
326 establishing residency for school district attendance purposes  
327 shall not be recognized by the affected school board. Students  
328 seeking transfer for any nonacademic reason shall not be approved.

329 (2) (a) Upon the petition in writing of any parent or  
330 guardian who is a resident of Mississippi and is an instructional  
331 or licensed employee of a school district, but not a resident of  
332 such district, the school board of the employer school district  
333 shall consent to the transfer of such employee's dependent  
334 school-age children to its district and shall spread the same upon  
335 the minutes of the board. Upon the petition in writing of any  
336 parent or guardian who is not a resident of Mississippi and who is  
337 an instructional or licensed employee of a school district in  
338 Mississippi, the school board of the employer school district  
339 shall consent to the transfer of such employee's dependent  
340 school-age children to its district and shall spread the same upon  
341 the minutes of the board.

342 (b) The school board of any school district \* \* \* shall  
343 adopt a uniform policy to allow the enrollment and attendance of  
344 the dependent children of noninstructional and nonlicensed  
345 employees, who are residents of Mississippi but are not residents



346 of their district. Such policy shall be based upon the employment  
347 needs of the district, implemented according to job classification  
348 groups and renewed each school year.

349 (c) The employer transferee school district shall  
350 notify in writing the school district from which the pupil or  
351 pupils are transferring, and the school board of the transferor  
352 school district shall spread the same upon its minutes.

353 (d) Any such agreement by school boards for the legal  
354 transfer of a student shall include a provision providing for the  
355 transportation of the student. In the absence of such a provision  
356 the responsibility for transporting the student to the transferee  
357 school district shall be that of the parent or guardian.

358 (e) Any school district which accepts a student under  
359 the provisions of this subsection shall not assess any tuition  
360 fees upon such transferring student in accordance with the  
361 provisions of Section 37-19-27.

362 (3) \* \* \* In regard to the transfer of students under  
363 subsection (1) of this section, the responsibility for  
364 transporting the student to the transferee school district shall  
365 be that of the parent or guardian unless the school district  
366 agrees to provide transportation.

367 (4) Upon the petition in writing of any parent or legal  
368 guardian of a school-age child who was lawfully transferred to  
369 another school district prior to July 1, 1992, as described in  
370 Section 37-15-29(4), the school board of the transferee school



371 district shall consent to the transfer of such child and the  
372 transfer of any school-age brother and sister of such child to its  
373 district, and shall spread the same upon the minutes of the board.

374 (5) (a) If the board of trustees of a municipal separate  
375 school district with added territory does not have a member who is  
376 a resident of the added territory outside the corporate limits,  
377 upon the petition in writing of any parent or legal guardian of a  
378 school-age child who is a resident of the added territory outside  
379 the corporate limits, the board of trustees of the municipal  
380 separate school district and the school board of the school  
381 district adjacent to the added territory shall consent to the  
382 transfer of the child from the municipal separate school district  
383 to the adjacent school district. The agreement must be spread  
384 upon the minutes of the board of trustees of the municipal  
385 separate school district and the school board of the adjacent  
386 school district. The agreement must provide for the  
387 transportation of the student. In the absence of such a  
388 provision, the parent or legal guardian shall be responsible for  
389 transporting the student to the adjacent school district. Any  
390 school district that accepts a student under this subsection may  
391 not assess any tuition fees against the transferring student.

392 (b) Before September 1 of each year, the board of  
393 trustees of the municipal separate school district shall certify  
394 to the State Department of Education the number of students in the  
395 added territory of the municipal separate school district who are





396 transferred to the adjacent school district under this subsection.  
397 The municipal separate school district also shall certify the  
398 total number of students in the school district residing in the  
399 added territory plus the number of those students who are  
400 transferred to the adjacent school district. Based upon these  
401 figures, the department shall calculate the percentage of the  
402 total number of students in the added territory who are  
403 transferred to the adjacent school district and shall certify this  
404 percentage to the levying authority for the municipal separate  
405 school district. The levying authority shall remit to the school  
406 board of the adjacent school district, from the proceeds of the ad  
407 valorem taxes collected for the support of the municipal separate  
408 school district from the added territory of the municipal separate  
409 school district, an amount equal to the percentage of the total  
410 number of students in the added territory who are transferred to  
411 the adjacent school district.

412 (6) This subsection (6) shall be applied in school districts  
413 wherein the student (a) the student has spent the prior school  
414 year in attendance at a public school graded "D" or "F," and that  
415 (b) has had two (2) school years in a four-year period of such low  
416 performance, and the student's attendance occurred during a school  
417 year in which such designation was in effect; or upon the petition  
418 in writing of any parent or legal guardian of a school-age child  
419 who is attending a school in a school district in this state  
420 described above, the school board of the transferee school



421 district shall, provided that there is available capacity, approve  
422 the transfer of the child and shall spread the consent upon the  
423 minutes of the board. If the transferee school is in the same  
424 school district, the superintendent of schools may, in his  
425 discretion, approve the transfer of the child, which consent shall  
426 be subject to the ratification of the local school board and  
427 spread upon the minutes of the board. The selection of students  
428 desiring to transfer shall be done following a MDE-approved  
429 uniform policy for random selection. The responsibility for  
430 transporting the student to the transferee school district or  
431 transferee school shall be that of the parent or guardian, unless  
432 the school district agrees to provide transportation.

433       **SECTION 10.** Section 37-151-93, Mississippi Code of 1972, is  
434 amended as follows:

435       37-151-93. (1) Legally transferred students going from one  
436 school district to another shall be counted for adequate education  
437 program allotments by the school district wherein the pupils  
438 attend school, but shall be counted for transportation allotment  
439 purposes in the school district which furnishes or provides the  
440 transportation. The school boards of the school districts which  
441 approve the transfer of a student under the provisions of Section  
442 37-15-31 shall enter into an agreement and contract for the  
443 payment or nonpayment of any portion of their local maintenance  
444 funds which they deem fair and equitable in support of any  
445 transferred student. Except as provided in subsection (2) of this



446 section, local maintenance funds shall be transferred only to the  
447 extent specified in the agreement and contract entered into by the  
448 affected school districts. The terms of any local maintenance  
449 fund payment transfer contract shall be spread upon the minutes of  
450 both of the affected school district school boards. The school  
451 district accepting any transfer students shall be authorized to  
452 accept tuition from such students under the provisions of Section  
453 37-15-31(1) \* \* \*. No school district accepting any transfer  
454 students under the provisions of Section 37-15-31(2), which  
455 provides for the transfer of certain school district employee  
456 dependents, shall be authorized to charge such transfer students  
457 any tuition fees. No school district accepting any transfer  
458 students under the provisions of Section 37-15-31(6) shall be  
459 authorized to charge such transfer students any tuition fees.

460 (2) Local maintenance funds shall be paid by the home school  
461 district to the transferee school district for students granted  
462 transfers under the provisions of Sections 37-15-29(3) and  
463 37-15-31(3), Mississippi Code of 1972, not to exceed the "base  
464 student cost" as defined in Section 37-151-5, Mississippi Code of  
465 1972, multiplied by the number of such legally transferred  
466 students. Under the open-enrollment policy, local dollars do not  
467 transfer from one district to another.

468 **SECTION 11.** Section 37-15-13, Mississippi Code of 1972, is  
469 amended as follows:



470           37-15-13. When any child qualified under the requirements of  
471 Section 37-15-9 shall apply or present himself for enrollment in  
472 or admission to the public schools of any school district of this  
473 state, the school board of such school district shall have the  
474 power and authority to designate the particular school or  
475 attendance center of the district in which such child shall be  
476 enrolled and which he shall attend; no enrollment of a child in a  
477 school shall be final or permanent until such designation shall be  
478 made by said school board. No child shall be entitled to attend  
479 any school or attendance center except that to which he has been  
480 assigned by the school board; however, the principal of a school  
481 or superintendent of the district may, in proper cases, permit a  
482 child to attend a school temporarily until a permanent assignment  
483 is made by the school board. Beginning with the 2014-2015 school  
484 year, a child who is attending a school in a low-performing school  
485 district in this state may attend a school of parental choice in  
486 the manner prescribed in Section 37-15-31(6).

487           **SECTION 12.** Section 37-15-15, Mississippi Code of 1972, is  
488 amended as follows:

489           37-15-15. In making assignments of children to schools or  
490 attendance centers, the school board shall take into consideration  
491 the educational needs and welfare of the child involved, the  
492 welfare and best interest of all the pupils attending the school  
493 or schools involved, the availability of school facilities,  
494 sanitary conditions and facilities at the school or schools



495 involved, health and moral factors at the school or schools, and  
496 in the community involved, the accreditation rating of the school  
497 involved, and all other factors which the school board may  
498 consider pertinent, relevant or material in their effect on the  
499 welfare and best interest of the school district and the  
500 particular school or schools involved. All such assignments shall  
501 be on an individual basis as to the particular child involved and,  
502 in making such assignment, the school board shall not be limited  
503 or circumscribed by the boundaries of any attendance areas which  
504 may have been established by such board.

505         **SECTION 13.** This act shall take effect and be in force from  
506 and after July 1, 2014.

