

By: Representatives McCarty, Felsher, Owen

To: Education;
Appropriations

HOUSE BILL NO. 1126

1 AN ACT TO CREATE THE "KEEP OUR KIDS ON TRACK ACT OF 2021"; TO
2 DEFINE CERTAIN TERMS; TO PROVIDE FOR THE AWARDING OF A KEEP OUR
3 KIDS ON TRACK EDUCATIONAL SERVICES GRANT TO THE PARENT OF AN
4 ELIGIBLE PUBLIC SCHOOL STUDENT; TO ESTABLISH DIFFERENT AMOUNTS FOR
5 THE GRANTS BASED UPON THE HOUSEHOLD INCOME OF A STUDENT'S FAMILY;
6 TO REQUIRE SERVICES PAID FOR WITH A GRANT TO BE PROVIDED TO A
7 STUDENT BEFORE AUGUST 1, 2022; TO LIST THE TYPES OF SERVICES AND
8 GOODS FOR WHICH GRANTS MAY BE USED; TO REQUIRE THE STATE
9 DEPARTMENT OF EDUCATION TO ADMINISTER THE GRANT PROGRAM AND TO
10 ADOPT RULES AND POLICIES FOR ITS ADMINISTRATION; AND FOR RELATED
11 PURPOSES.

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

13 **SECTION 1.** This act shall be known and may be cited as the
14 "Keep Our Kids on Track Act of 2021."

15 **SECTION 2.** As used in this chapter, the following words and
16 phrases have the meanings ascribed in the section unless the
17 context clearly indicates otherwise:

18 (a) "Department" means the State Department of
19 Education.

20 (b) "Educational service provider" means an eligible
21 teacher, tutor or other person or organization that provides
22 education-related services and products to eligible students.



(c) "Eligible student" means a K-12 student attending a public school in Mississippi.

(d) "Grant" means a Keep Our Kids on Track educational services grant authorized under Section 3 of this act.

(e) "Parent" means a resident of this state who is a parent, legal guardian, custodian or other person with the authority to act on behalf of the eligible student who is claimed as a dependent on the parent's federal and state tax forms.

(f) "Postsecondary institution" means a community or junior college, college or university accredited by a state, regional or national accrediting organization.

(g) "Teacher" means a person who has earned a valid teacher's license, including a retired teacher.

(h) "Tutor" means a person who:

(i) Is certified or licensed by a state, regional or national certification, licensing or accreditation organization;

(ii) Has earned a valid teacher's license; or

(iii) Has experience teaching at an eligible postsecondary institution.

SECTION 3. (1) Parents of eligible students shall receive a Keep Our Kids on Track educational services grant to assist them in providing supplemental educational services to their children.



Grant eligibility must be determined on the basis of income, according to the following scale, subject to the limitations in subsections (3) through (5) of this section:

(a) Parents with a household income that does not exceed two hundred fifty percent (250%) of the federal poverty income guidelines may receive a grant in the amount of One Thousand Five Hundred Dollars (\$1,500.00) for each eligible student.

(b) Parents with a household income that does not exceed three hundred fifty percent (350%) of the federal poverty income guidelines may receive a grant in the amount of One Thousand Dollars (\$1,000.00) for each eligible student.

(c) Other parents of children attending a Mississippi public school may receive a grant in the amount of Five Hundred Dollars (\$500.00) for each eligible student.

(3) A household, regardless of the number of eligible students, may not receive more than a total of Four Thousand Five Hundred Dollars (\$4,500.00) per household.

(4) A joint filer or surviving spouse filer with an adjusted gross income (AGI) of more than One Hundred Fifty Thousand Dollars (\$150,000.00) is not eligible for the grant.

(5) An individual filer with an adjusted gross income (AGI) of more than Seventy-five Thousand Dollars (\$75,000.00) is not eligible for the grant.



(6) The services must be provided by an educational service provider during the period beginning August 1, 2021, and ending July 31, 2022.

(7) Any grant funds not used for services provided and expenses incurred before August 1, 2022, must revert back to the State General Fund.

(8) The grant may be used on any of the following supplemental educational service expenses, or any combination of the following expenses:

(a) Payment to a tutor.

(b) Payment for the purchase of curriculum, including any supplemental materials required by the curriculum.

(c) Fees for nationally standardized norm-referenced achievement tests, including alternate assessments, and fees for Advanced Placement examinations or similar courses and any examinations related to college or university admission.

(d) Educational services or therapies from a licensed or certified practitioner or provider, including licensed or certified paraprofessionals or educational aides.

(e) Tuition, fees and textbooks related to dual enrollment or academic coursework at a postsecondary institution.

(f) Annual consumable school supplies necessary for educational services and therapies, daily classroom activities and tutoring, not to exceed Fifty Dollars (\$50.00).



94 (g) Computer software and applications, including
95 online services, if a licensed or certified tutor, licensed or
96 certified educational service practitioner or provider, or
97 licensed medical professional verifies in writing that these items
98 are essential for the student.

99 (9) An eligible student, or anyone acting on the student's
100 behalf, may not receive cash or cash-equivalent items, such as a
101 gift card or store credit, from any refunds or rebates from any
102 provider of services or products purchased with a grant under this
103 chapter, which is to be used exclusively for educational purposes.

104 (10) (a) An educational service provider shall provide the
105 parent paying for a supplemental educational service with an
106 original itemized receipt, including the service provider's name
107 and address, for all qualifying expenses. The parent shall
108 provide the original itemized receipt to the department.

109 (b) In lieu of providing the parent with an original
110 itemized receipt, an educational service provider may provide to
111 the department an original itemized receipt approved and signed
112 off on by the parent, including the service provider's name and
113 address, for all qualifying expenses.

114 **SECTION 4.** (1) The department shall create a standard form
115 for the parents of students to submit for the purpose of
116 establishing a student's eligibility for a Keep Our Kids on Track
117 grant. The department shall ensure that the application readily



is available to interested families through various sources,
including the department's website.

(2) The department shall provide parents with a written explanation of the allowable uses of the Keep Our Kids on Track grant, the responsibilities of parents and the duties of the department. This information also must be made available on the department's website.

(3) The department may deduct an amount not to exceed five percent (5%) from appropriations used to fund the Keep Our Kids on Track grant program to cover the costs of overseeing the funds and administering the program.

(4) The department shall make a determination of eligibility, and must approve or deny a grant application, within twenty-one (21) business days of receiving the application for participation in the Keep Our Kids on Track program. Income eligibility must be verified upon receipt of a notarized statement from the parent that the household's previous year's adjusted gross income (AGI) does not exceed either two hundred fifty percent (250%) or three hundred fifty percent (350%) of the most recent federal poverty income guidelines. The department also may require supporting documentation to verify eligibility, such as free/reduced meal participation and eligibility for other income-based entitlement programs.

(5) To ensure that funds are spent appropriately, the State Department of Education shall adopt rules and policies necessary



143 for the administration of the Keep Our Kids on Track program,
144 including the auditing of grant expenditures, and shall conduct or
145 contract for random audits throughout the year.

146 (6) The department shall develop a system for payment of the
147 grants, including, but not limited to, allowing educational
148 service providers to invoice the department for qualified expenses
149 or allowing the parent who submitted the program application to
150 seek reimbursement for qualified expenses.

151 (7) The department may make payments to educational service
152 providers or reimbursement to the parent who submitted the program
153 application via check or warrant or electronic funds transfer or
154 any other means of payment deemed to be commercially viable or
155 cost-effective.

156 (8) The department shall adopt a process for removing
157 educational service providers that defraud parents and for
158 referring cases of fraud to law enforcement.

159 (9) The department shall adopt a process for removing
160 parents who fraudulently use Keep Our Kids on Track grants and for
161 referring cases of fraud to law enforcement.

162 (10) The department shall establish or contract for the
163 establishment of an online anonymous fraud reporting service and
164 an anonymous telephone hotline for fraud reporting.

165 **SECTION 5.** This act shall take effect and be in force from
166 and after July 1, 2021.

