

By: Senator(s) Norwood

To: Education

SENATE BILL NO. 2617

1 AN ACT TO BRING FORWARD SECTION 37-28-55, MISSISSIPPI CODE OF
2 1972, WHICH PROVIDES FOR PAYMENTS TO CHARTER SCHOOLS FROM THE
3 STATE DEPARTMENT OF EDUCATION, FOR THE PURPOSE OF POSSIBLE
4 AMENDMENT; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-28-55, Mississippi Code of 1972, is
7 brought forward as follows:

8 37-28-55. (1) (a) The State Department of Education shall
9 make payments to charter schools for each student in net
10 enrollment at the charter school, as determined under Section
11 37-151-207, equal to the state share of total funding formula
12 payments for each student, as determined under Section 37-151-211.

13 (b) Payments made pursuant to this subsection by the
14 State Department of Education must be made at the same time and in
15 the same manner as total funding formula payments are made to
16 school districts under Sections 37-151-101 and 37-151-103.

17 Amounts payable to a charter school must be determined by the
18 State Department of Education pursuant to this section and the
19 total funding formula. Enrollment projections made under Section



37-151-207 to determine the net enrollment of a charter school for calculating the state share payment must be reconciled with a charter school's net enrollment using months two (2) and three (3) for the year for which total funding formula funds are being appropriated, and any necessary adjustments must be made to payments during the school's following year of operation. Any necessary adjustment must be based on the state share of the per pupil amount in effect for the year for which net membership did not meet enrollment projections and not any new amount appropriated for the year in which the adjustment will be made. If a charter school is closed by the authorizer before the following year, it must pay to the state any amounts due before completion of the closure.

(2) (a) For students attending a charter school located in the school district in which the student resides, the school district in which the charter school is located shall pay directly to the charter school an amount as follows: the sum of the local pro rata amount, as calculated by the State Department of Education in accordance with Section 37-151-211(2) (b) (local contribution), and the local pro rata amount, as calculated by the State Department of Education in accordance with Section 37-57-105 (school district operational levy), multiplied by the number of resident students enrolled in the charter school, based on the charter school's months two (2) and three (3) net enrollment of resident students for the current school year. However, the



amount to the charter school may not include any taxes levied for the retirement of the local school district's bonded indebtedness or short-term notes or any taxes levied for the support of vocational-technical education programs.

(b) The amount must be paid by the school district to the charter school before January 16 of the current fiscal year. If the local school district does not pay the required amount to the charter school before January 16, the State Department of Education shall reduce the local school district's January transfer of total funding formula funds by the amount owed to the charter school and shall redirect that amount to the charter school. Any such payments made under this paragraph by the State Department of Education to a charter school must be made at the same time and in the same manner as total funding formula payments are made to school districts under Sections 37-151-101 and 37-151-103.

(3) (a) For students attending a charter school located in a school district in which the student does not reside, the State Department of Education shall pay to the charter school in which the students are enrolled an amount as follows: the sum of the local pro rata amount, as calculated by the State Department of Education in accordance with Section 37-151-211(2) (b) (local contribution), and the local pro rata amount, as calculated by the State Department of Education in accordance with Section 37-57-105 (school district operational levy), multiplied by the number of



70 students enrolled in the charter school but residing in that
71 district, based on the charter school's months two (2) and three
72 (3) net enrollment of these students for the current school year.
73 However, the amount to the charter school may not include any
74 taxes levied for the retirement of the local school district's
75 bonded indebtedness or short-term notes or any taxes levied for
76 the support of vocational-technical education programs.

77 (b) The State Department of Education shall reduce the
78 school district's January transfer of total funding formula funds
79 by the amount owed to the charter school and shall redirect that
80 amount to the charter school. Any such payments made under this
81 subsection (3) by the State Department of Education to a charter
82 school must be made at the same time and in the same manner as
83 total funding formula payments are made to school districts under
84 Sections 37-151-101 and 37-151-103.

85 (4) (a) The State Department of Education shall direct the
86 proportionate share of monies generated under federal programs,
87 including, but not limited to, special education, vocational,
88 English Language Learner, and other programs, to charter schools
89 serving students eligible for such funding. The department shall
90 ensure that charter schools with rapidly expanding enrollments are
91 treated equitably in the calculation and disbursement of all
92 federal program dollars. Each charter school that serves students
93 who may be eligible to receive services provided through such



94 programs shall comply with all reporting requirements to receive
95 the aid.

96 (b) A charter school shall pay to a local school
97 district any federal or state aid attributable to a student with a
98 disability attending the charter school in proportion to the level
99 of services for that student which the local school district
100 provides directly or indirectly.

101 (c) Subject to the approval of the authorizer, a
102 charter school and a local school district may negotiate and enter
103 into a contract for the provision of and payment for special
104 education services, including, but not necessarily limited to, a
105 reasonable reserve not to exceed five percent (5%) of the local
106 school district's total budget for providing special education
107 services. The reserve may be used by the local school district
108 only to offset excess costs of providing services to students with
109 disabilities enrolled in the charter school.

110 (5) (a) The State Department of Education shall disburse
111 state transportation funding to a charter school on the same basis
112 and in the same manner as it is paid to school districts.

113 (b) A charter school may enter into a contract with a
114 school district or private provider to provide transportation to
115 the school's students.

116 (6) The State Department of Education shall disburse
117 Education Enhancement Funds for classroom supplies, instructional
118 materials and equipment, including computers and computer software



119 to all eligible charter school teachers on the same basis and in
120 the same manner as it is paid to school districts under Section
121 37-61-33(3)(a)(iii) for the purpose of issuing procurement cards
122 or credentials for a digital solution to eligible teachers.

123 **SECTION 2.** This act shall take effect and be in force from
124 and after July 1, 2025.

