

By: Representative Cameron

To: Education;
Appropriations

HOUSE BILL NO. 349

1 AN ACT TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO
 2 ESTABLISH A SCHOOL VOUCHER PROGRAM; TO DEFINE CERTAIN TERMS
 3 RELATING TO THE PROGRAM; TO PROVIDE THAT PARENTS SHALL RECEIVE
 4 VOUCHERS FROM THE DEPARTMENT WHICH MAY BE USED FOR THE EDUCATIONAL
 5 EXPENSES OF THEIR CHILDREN ATTENDING PARTICIPATING SCHOOLS; TO
 6 PROVIDE THAT THE VALUE OF A VOUCHER SHALL NOT EXCEED \$3,350.00; TO
 7 ESTABLISH A PROCESS FOR NONPUBLIC SCHOOLS TO BE CERTIFIED FOR
 8 PARTICIPATION IN THE PROGRAM; TO ESTABLISH A PROCEDURE FOR THE
 9 STATE DEPARTMENT OF EDUCATION TO REDEEM VOUCHERS SUBMITTED BY
 10 SCHOOLS; TO REQUIRE CERTAIN INFORMATION TO BE REPORTED TO THE
 11 DEPARTMENT BY PARTICIPATING SCHOOLS; TO AUTHORIZE THE STATE BOARD
 12 OF EDUCATION TO ADOPT RULES AND REGULATIONS FOR THE IMPLEMENTATION
 13 OF THE PROGRAM; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** (1) The following words and phrases, as used in
 16 this section, shall have the meanings ascribed in this subsection
 17 unless the context clearly indicates otherwise:

18 (a) "Approved nonpublic school" means an elementary or
 19 secondary school in the state which maintains educational
 20 standards equivalent to the standards establish by the State
 21 Department of Education for the state schools as outlined in the
 22 Approval Requirements of the State Board of Education for
 23 Nonpublic Schools and which is certified by the department as
 24 eligible to receive vouchers.

25 (b) "Department" means the State Department of
 26 Education.

27 (c) "Eligible parent, guardian or custodian" means a
 28 person who is head of a household in which there is at least one
 29 (1) compulsory-school-age child.

30 (d) "Voucher" means a document issued by the State
 31 Board of Education to an eligible parent, guardian or custodian of
 32 a compulsory-school-age child which may be exchanged by a public



33 school or an approved nonpublic school with the board for money
34 for the educational expenses of the student attending that school.

35 (2) The State Department of Education shall establish and
36 implement a program under which an eligible parent, guardian or
37 custodian of each compulsory-school-age child in the state shall
38 receive from the department a voucher that may be used for
39 educational services at any public school or a participating
40 approved nonpublic school selected by the child's parent, guardian
41 or custodian. The parent, guardian or custodian to whom a voucher
42 is issued may use the voucher only if the child is admitted to a
43 public school or a participating approved nonpublic school. Upon
44 the child's admittance to the school, the parent, guardian or
45 custodian shall present the voucher to the school. The value of
46 the voucher shall be Three Thousand Three Hundred Fifty Dollars
47 (\$3,350.00) or, in the case of a nonpublic school, a sum equal to
48 the actual cost of tuition and fees annually charged by the
49 approved nonpublic school, whichever is less.

50 (3) If an approved nonpublic school desires to be certified
51 by the department as eligible to participate in the voucher
52 program, the school shall apply to the department for
53 certification as a participating approved nonpublic school. The
54 department shall prepare and make available to approved nonpublic
55 schools a form for the application process. The department shall
56 conduct such investigation and inquiries as it deems necessary to
57 determine the qualifications of the approved nonpublic school to
58 be certified for participation in the voucher program.
59 Certification as a participating approved nonpublic school shall
60 be valid for each succeeding school year unless revoked by the
61 department or upon the request of the school.

62 (4) On behalf of each eligible parent, guardian or custodian
63 to whom a voucher is issued, the department shall pay to a school
64 a sum equal to the total value of all vouchers submitted by the
65 school to the department for redemption. The total annual payment



66 to which the school is entitled shall be made in periodic payments
67 throughout the year, at the same time and in the same manner state
68 funds are distributed to school districts by the department. Each
69 payment shall be in the same proportion to the total annual
70 payment to which the school is entitled as the portion of the
71 school year which the payment is intended to cover bears to the
72 total school year. The periodic payments may be adjusted by the
73 department as necessary to account for changes in the enrollment
74 of students in the school or other changes affecting the total
75 annual payment to which the school is entitled. The department
76 shall pay the remainder of the amount of the base student cost
77 funded by the state, if any, for each student participating in the
78 voucher program to the school district from which the student
79 transfers for the purpose of attending the school.

80 (5) The department shall require each school in which
81 students are admitted under the voucher program to provide to the
82 department a record of the students' enrollment and periodic
83 reports of the students' continued enrollment in and attendance at
84 the school. The department also shall require assurance from each
85 participating school that the school does not discriminate in the
86 admission of students on the basis of race, sex, disability, color
87 or economic status.

88 (6) The State Board of Education shall adopt such rules and
89 regulations that may be necessary in the implementation of this
90 section.

91 **SECTION 2.** This act shall take effect and be in force from
92 and after July 1, 2002.

