MISSISSIPPI LEGISLATURE
REGULAR SESSION 2021
By: Senator(s) Horhn
To: Appropriations

SENATE BILL NO. 2528

AN ACT TO CREATE THE STAY ON TRACK ACT OF 2021; TO CREATE A PROGRAM THAT PROVIDES PARENTS WITH AN EDUCATIONAL SERVICES GRANT TO ASSIST THEM IN PROVIDING SUPPLEMENTAL EDUCATIONAL SERVICES TO THEIR CHILDREN; TO PROVIDE FOR THE ELIGIBILITY, GRANT AMOUNTS AND REQUIREMENTS OF THE PROGRAM; AND FOR RELATED PURPOSES.

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

SECTION 1. This act shall be known and may be cited as the "Stay on Track Act of 2021."

SECTION 2. (1) The terms used in this act shall have the meanings ascribed herein, unless the context clearly indicates otherwise:

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

(b) "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.

(c) "Department" means the State Department of Education.
(d) "Tutor" means a person who is certified or licensed by a state, regional, or national certification, licensing, or accreditation organization or who has earned a valid teacher's license or who has experience teaching at an eligible postsecondary institution.

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

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

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

SECTION 3. (1) Parents of eligible students shall receive a Stay on Track Educational Services Grant to assist them in providing supplemental educational services to their children.

(2) Grant eligibility shall be determined as based on 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%) percent of the federal poverty income guidelines shall receive a One Thousand Five Hundred Dollars ($1,500.00) grant 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 shall receive a One Thousand Dollars ($1,000.00) grant for each eligible student;

(3) No household, regardless of the number of eligible students, shall receive more than Four Thousand Five-hundred Dollars ($4,500.00) per household;

(4) No joint filer or surviving spouse filer with an adjusted gross income (AGI) of more than One Hundred Fifty Thousand Dollars ($150,000.00) is eligible for the grant; and

(5) No individual filer with an adjusted gross income (AGI) of more than Seventy-five Thousand Dollars ($75,000.00) is eligible for the grant.

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

(7) Any grant funds not used for services provided and expenses incurred before July 31, 2022, shall 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 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) No more than Fifty Dollars ($50.00) in annual consumable school supplies necessary for educational services and therapies, daily classroom activities, and tutoring;

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

(9) Neither an eligible student, nor anyone on the student's behalf may receive cash or cash-equivalent items, such as gift cards or store credit, from any refunds or rebates from any provider of services or products purchased with these grants, which are to be used exclusively for educational purposes.
(10) (a) Educational service providers shall provide the parent paying for a supplemental educational service with an original itemized receipt, including the service provider's name and address, for all qualifying expenses. The parent shall provide the original itemized receipt to the department.

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

SECTION 4. (1) The department shall create a standard form that parents of students submit to establish their student's eligibility for a Stay on Track Grant. The department shall ensure that the application is readily 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 Stay on Track Grant, the responsibilities of parents and the duties of the department. This information shall also be made available on the department's website.

(3) The department may deduct an amount up to a limit of five percent (5%) from appropriations used to fund the Stay on Track Grant Program to cover the costs of overseeing the funds and administering the program.
The department shall make a determination of eligibility, and shall approve the grant application, within twenty-one (21) business days of receiving an application for participation in the Stay on Track Program. Income eligibility shall be verified upon receipt of a notarized statement from the parent that their household's previous year's adjusted gross income (AGI) does not exceed either two hundred fifty percent (250%) or three hundred fifty percent (350%) percent of the most recent federal poverty income guidelines. The department may also require supporting documentation to verify eligibility, such as free/reduced meal participation and eligibility for other income-based entitlement programs.

To ensure that funds are spent appropriately, the State Department of Education shall adopt rules and policies necessary for the administration of the Stay on Track Program, including the auditing of grant expenditures, and shall conduct or contract for random audits throughout the year.

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

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

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

(9) The department shall adopt a process for removing
parents that fraudulently use Stay on Track grants and for
referring cases of fraud to law enforcement.

(10) The department shall establish or contract for the
establishment of an online anonymous fraud-reporting service.

(11) The department shall establish or contract for the
establishment of an anonymous telephone hotline for fraud
reporting.

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