

By: Senator(s) Horhn

To: Appropriations

SENATE BILL NO. 2528

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

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

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

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

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

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

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



20 (d) "Tutor" means a person who is certified or licensed
21 by a state, regional, or national certification, licensing, or
22 accreditation organization or who has earned a valid teacher's
23 license or who has experience teaching at an eligible
24 postsecondary institution.

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

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

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

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

36 (2) Grant eligibility shall be determined as based on
37 income, according to the following scale, subject to the
38 limitations in subsections (3) through (5) of this section:

39 (a) Parents with a household income that does not
40 exceed two hundred fifty percent (250%) percent of the federal
41 poverty income guidelines shall receive a One Thousand Five
42 Hundred Dollars (\$1,500.00) grant for each eligible student;

43 (b) Parents with a household income that does not
44 exceed three hundred fifty percent (350%) of the federal poverty



45 income guidelines shall receive a One Thousand Dollars (\$1,000.00)
46 grant for each eligible student;

47 (c) Parents of children attending a Mississippi public
48 school shall receive a Five Hundred Dollar (\$500.00) grant for
49 each eligible student;

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

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

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

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

62 (7) Any grant funds not used for services provided and
63 expenses incurred before July 31, 2022, shall revert back to the
64 State General Fund.

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

68 (a) Payment to a tutor;



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

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

75 (d) Educational services or therapies from a licensed
76 or certified practitioner or provider, including licensed or
77 certified paraprofessionals or educational aides;

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

80 (f) No more than Fifty Dollars (\$50.00) in annual
81 consumable school supplies necessary for educational services and
82 therapies, daily classroom activities, and tutoring;

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

88 (9) Neither an eligible student, nor anyone on the student's
89 behalf may receive cash or cash-equivalent items, such as gift
90 cards or store credit, from any refunds or rebates from any
91 provider of services or products purchased with these grants,
92 which are to be used exclusively for educational purposes.



93 (10) (a) Educational service providers shall provide the
94 parent paying for a supplemental educational service with an
95 original itemized receipt, including the service provider's name
96 and address, for all qualifying expenses. The parent shall
97 provide the original itemized receipt to the department.

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

103 **SECTION 4.** (1) The department shall create a standard form
104 that parents of students submit to establish their student's
105 eligibility for a Stay on Track Grant. The department shall
106 ensure that the application is readily available to interested
107 families through various sources, including the department's
108 website.

109 (2) The department shall provide parents with a written
110 explanation of the allowable uses of the Stay on Track Grant, the
111 responsibilities of parents and the duties of the department.
112 This information shall also be made available on the department's
113 website.

114 (3) The department may deduct an amount up to a limit of
115 five percent (5%) from appropriations used to fund the Stay on
116 Track Grant Program to cover the costs of overseeing the funds and
117 administering the program.



118 (4) The department shall make a determination of
119 eligibility, and shall approve the grant application, within
120 twenty-one (21) business days of receiving an application for
121 participation in the Stay on Track Program. Income eligibility
122 shall be verified upon receipt of a notarized statement from the
123 parent that their household's previous year's adjusted gross
124 income (AGI) does not exceed either two hundred fifty percent
125 (250%) or three hundred fifty percent (350%) percent of the most
126 recent federal poverty income guidelines. The department may also
127 require supporting documentation to verify eligibility, such as
128 free/reduced meal participation and eligibility for other
129 income-based entitlement programs.

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

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

140 (7) The department may make payments to educational service
141 providers or reimbursement to the parent who submitted the program
142 application via check or warrant or electronic funds transfer or



143 any other means of payment deemed to be commercially viable or
144 cost-effective.

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

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

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

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

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

