

By: Representative King

To: Universities and
Colleges;
Appropriations

HOUSE BILL NO. 356

1 AN ACT TO AMEND SECTIONS 37-106-29 AND 37-106-31, MISSISSIPPI
2 CODE OF 1972, TO REINSTATE THE RESIDENCY REQUIREMENT UNDER THE
3 MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT PROGRAM AND THE
4 MISSISSIPPI EMINENT SCHOLARS GRANT PROGRAM; AND FOR RELATED
5 PURPOSES.

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

7 SECTION 1. Section 37-106-29, Mississippi Code of 1972, is
8 amended as follows:

9 37-106-29. (1) There is established the Mississippi
10 Resident Tuition Assistance Grant Program for college or
11 university freshmen, sophomores, juniors and seniors to be
12 administered by the Mississippi Postsecondary Education Financial
13 Assistance Board established under Section 37-106-9, which shall
14 set the dates and deadlines for applying for an award under this
15 section. The board shall establish such rules and regulations as
16 it deems necessary and proper to carry out the purposes and intent
17 of this section.

18 (2) The college or university shall approve grants to
19 full-time freshmen, sophomore, junior and senior Mississippi
20 residents who meet the general requirements for student
21 eligibility as provided in subsection (4) of this section.

22 (3) Mississippi Resident Tuition Assistance Grants shall be
23 for Mississippi students from any Mississippi family whose prior
24 year adjusted gross income (AGI) exceeds the maximum allowed to
25 qualify for full Pell Grant eligibility and campus-based federal
26 aid. Those Mississippi students receiving less than the full Pell
27 Grant award, as determined by the institution, shall receive a
28 Mississippi Resident Tuition Assistance Grant in an amount not to

29 exceed the maximum Pell Grant allowable for that individual
30 student. The award shall be applied to tuition, rooms and meals,
31 books, materials and fees not to exceed One Thousand Dollars
32 (\$1,000.00) for junior and senior students attending state
33 institutions of higher learning in Mississippi or four-year
34 regionally accredited, state-approved, nonprofit colleges and
35 universities in Mississippi, and Five Hundred Dollars (\$500.00)
36 for freshmen and sophomores attending state institutions of higher
37 learning or public community or junior colleges in Mississippi, or
38 regionally accredited, state-approved, nonprofit two-year or
39 four-year colleges in Mississippi, which will be prorated per
40 term, semester or quarter of the academic year for costs of
41 attendance, calculated according to the formula specified in
42 subsection (8) of this section.

43 (4) The general requirements for initial eligibility of
44 students for Mississippi Resident Tuition Assistance Grants
45 consist of the following:

46 (a) Member of a Mississippi family whose prior year
47 adjusted gross income (AGI) exceeds the maximum allowed to qualify
48 for Pell Grant eligibility and campus-based federal aid.

49 (b) Acceptance for enrollment at any state institution
50 of higher learning or public community or junior college located
51 in Mississippi, or any regionally accredited, state-approved,
52 nonprofit four- or two-year college or university located in
53 Mississippi as listed in paragraph (d) of this subsection: (i) a
54 minimum grade point average of 2.5 calculated on a 4.0 scale after
55 seven (7) semesters, certified by the high school counselor or
56 other authorized school official on the application, graduation
57 from high school verified by the institution before disbursement
58 of award and has scored fifteen (15) on the American College Test
59 Program (ACT); or (ii) has attended a home education program
60 during grade levels 9 through 12, and has scored fifteen (15) on
61 the American College Testing Program; or (iii) satisfactory
62 completion of the General Educational Development Test (GED) or
63 have successfully completed the International Baccalaureate
64 Program and has scored fifteen (15) on the American College
65 Testing Program; * * * however, * * * any student entering a
66 vocational or technical program of study, or who has

67 satisfactorily completed the General Education Development Test
68 and attends a community or junior college will not be required to
69 have a test score under the American College Testing Program
70 except those students enrolled in courses of academic study. Any
71 student currently enrolled in any qualified institution shall have
72 to only meet the same requirements as students who are applying
73 for a renewal award.

74 (c) Residence in Mississippi for no less than the four
75 (4) years preceding the award of aid. Resident status for
76 purposes of receiving grants under this section shall be
77 determined in the same manner as resident status for tuition
78 purposes as set forth in Sections 37-103-1 through 37-103-29, with
79 the exception of Section 37-103-17.

80 (d) Must attend one of the following institutions of
81 higher learning: Alcorn State University, Delta State University,
82 Jackson State University, Mississippi State University,
83 Mississippi University for Women, Mississippi Valley State
84 University, University of Mississippi, University of Southern
85 Mississippi, Coahoma Community College, Copiah-Lincoln Community
86 College, East Central Community College, East Mississippi
87 Community College, Hinds Community College, Holmes Community
88 College, Itawamba Community College, Jones County Junior College,
89 Meridian Community College, Mississippi Delta Community College,
90 Mississippi Gulf Coast Community College, Northeast Mississippi
91 Community College, Northwest Mississippi Community College, Pearl
92 River Community College, Southwest Mississippi Community College,
93 Belhaven College, Blue Mountain College, Millsaps College,
94 Mississippi College, Rust College, Tougaloo College, William Carey
95 College, Mary Holmes College, Magnolia Bible College and Wood
96 College.

97 (5) By accepting a Mississippi Resident Tuition Assistance
98 Grant, the student is attesting to the accuracy, completeness and
99 correctness of information provided to demonstrate the student's
100 eligibility. Falsification of such information shall result in

101 the denial of any pending grant and revocation of any award
102 currently held to the extent that no further payments shall be
103 made. Any student knowingly making false statements in order to
104 receive a grant shall be guilty of a misdemeanor punishable, upon
105 conviction thereof, by a fine of up to Ten Thousand Dollars
106 (\$10,000.00), a prison sentence of up to one (1) year in the
107 county jail, or both, and shall be required to return all
108 Mississippi Resident Tuition Assistance Grants wrongfully
109 obtained.

110 (6) Eligibility for renewal of Mississippi Resident Tuition
111 Assistance Grants shall be evaluated at the end of each semester,
112 or term, of each academic year. As a condition for renewal, a
113 student shall:

114 (a) Make steady academic progress toward a certificate
115 or degree, as outlined in the school Satisfactory Academic
116 Progress Standards and certified by the institution's registrar.

117 (b) Maintain continuous enrollment for not less than
118 two (2) semesters or three (3) quarters in each successive
119 academic year, unless granted an exception for cause by the
120 administering agency; examples of cause may include student
121 participation in a cooperative program, internship program or
122 foreign study program. If a student fails to maintain continuous
123 enrollment, and is not granted an exception for cause by the
124 administering agency, the student is ineligible to receive the
125 Mississippi Resident Tuition Assistance Grant during the following
126 semester or trimester or term of the regular academic year.

127 (c) Have a cumulative grade point average of at least
128 2.50 calculated on a 4.0 scale at the end of each semester or
129 trimester or term.

130 (7) Each student, each year, must complete a Free
131 Application for Federal Student Aid form or a Statement of
132 Certification as designed by the administering board to determine
133 his or her eligibility for a Mississippi Resident Tuition
134 Assistance Grant.

135 (8) (a) The amount of the Mississippi Resident Tuition
136 Assistance Grant awarded to any one (1) student, up to the maximum
137 amount provided in subsection (3) of this section, shall be the
138 difference of the student's cost of attendance at his accredited
139 college of choice and the amount of federal aid such student may
140 receive, not to supplant but to supplement the amount of any
141 federal aid awarded to the student. Cost of attendance is the
142 tuition and fees of the applicable institution plus an allowance
143 for room and meals and books and materials.

144 (b) Payment of the Mississippi Resident Tuition
145 Assistance Grant shall be made payable to the recipient and the
146 educational institution and mailed directly to the institution, to
147 be applied first to tuition.

148 (9) In order for an institution to remain eligible for its
149 students to participate in the Mississippi Resident Tuition
150 Assistance Grant Program, the institution shall comply with the
151 following requirements:

152 (a) A complete and accurate roster of the eligibility
153 status of each awarded student shall be made to the board for each
154 term, semester or quarter of the academic year the student
155 receives a Mississippi Resident Tuition Assistance Grant.

156 (b) The institution is required to make refunds to the
157 Mississippi Resident Tuition Assistance Grant Fund for any funds
158 which have not been disbursed to the recipient, in the case of
159 students who have received a grant but who terminate enrollment
160 during the academic term, semester or quarter of the academic year
161 if an institution's refund policies permit a student to receive a
162 refund in such instance. The recipient shall be responsible for
163 the refund of any funds which have been disbursed by the
164 institution in such instance.

165 (c) If a student drops below full-time status but does
166 not terminate all enrollment during the term, semester or quarter
167 of the academic year no refund will be required for that term.

168 However, that student is ineligible to receive the Mississippi

169 Resident Tuition Assistance Grant during the following term,
170 semester or quarter of the regular academic year.

171 (d) The board may conduct its own annual audits of any
172 institution participating in the Mississippi Resident Tuition
173 Assistance Grant Program. The board may suspend or revoke an
174 institution's eligibility to receive future monies under the
175 program if it finds that the institution has not complied with the
176 provisions of this section. In determining a student's initial
177 eligibility, the number of prior semesters enrolled will not be
178 counted against the student.

179 (10) No student may receive a Mississippi Resident Tuition
180 Assistance Grant for more than the equivalent semesters or
181 quarters required to complete one (1) baccalaureate degree or one
182 (1) certificate or associate degree program per institution.

183 (11) Subject to the availability of funds specifically
184 appropriated therefor, it is the intent of the Legislature to
185 fully fund grant awards to eligible students. If funds are
186 insufficient to fully fund grant awards to eligible students,
187 grant awards shall be prorated among all eligible students. No
188 student shall receive any combination of student financial aid in
189 excess of the cost of attendance as defined in subsection (8)(a).

190 (12) No student receiving a Mississippi Eminent Scholars
191 Grant as provided in Section 37-106-31 shall be eligible to
192 receive the Mississippi Resident Tuition Assistance Grant pursuant
193 to this section * * * unless he is eligible for such award after
194 the Mississippi Eminent Scholars Grant has been considered by the
195 board when conducting an assessment of the financial resources
196 available to the student. In no case shall any student receive
197 any combination of student financial aid that would exceed the
198 cost of attendance, as defined in subsection (8)(a).

199 For purposes of this section, certificated shall mean, but
200 not be limited to, all postsecondary vocational programs in
201 eligible institutions as identified in subsection (4)(d) of this
202 section.

203 SECTION 2. Section 37-106-31, Mississippi Code of 1972, is
204 amended as follows:

205 37-106-31. (1) There is created a Mississippi Eminent
206 Scholars Fund, to be administered by the Mississippi Postsecondary
207 Education Financial Assistance Board established under Section
208 37-106-9. The board shall set the date that will serve as the
209 deadline for applying for an award under this section and award
210 scholarships to each Mississippi student who:

211 (a) (i) Is recognized by the merit or achievement
212 programs of the National Merit Scholarship Corporation or the
213 National Achievement Scholarship as a semifinalist or finalist,
214 and has obtained a minimum cumulative grade point average of 3.5
215 calculated on a 4.0 scale in high school subjects acceptable for
216 credit toward a diploma, after seven (7) semesters certified by
217 the high school counselor or other authorized school official on
218 the application and graduation from high school verified by the
219 institution before disbursement of award; or

220 (ii) Has scored twenty-nine (29) on the American
221 College Testing Program or its equivalent and has obtained a
222 minimum cumulative grade point average of 3.5 calculated on a 4.0
223 scale after seven (7) semesters certified by the high school
224 counselor or other authorized school official on the application
225 and graduation from high school verified by the institution before
226 disbursement of award, or the equivalent in high school subjects
227 acceptable for credit toward a diploma; or

228 (iii) Has attended a home education program during
229 grade levels 9 through 12 and has scored twenty-nine (29) on the
230 American College Testing Program or its equivalent; and

231 (iv) Has been certified by the college or
232 university to the Mississippi Postsecondary Education Financial
233 Assistance Board as a Mississippi Eminent Scholar.

234 (b) Meets the general requirements for student
235 eligibility, except as otherwise provided in this section.

236 (c) Dependents of Mississippi residents who are on

237 military or public service assignments away from Mississippi when
238 such dependents live with such Mississippi residents and receive
239 high school diplomas from non-Mississippi schools shall be
240 exempted.

241 (d) Files an application for an award during his last
242 year in high school within established time limits.

243 (e) Attends, on a full-time basis, any state
244 institution of higher learning or public community or junior
245 college, or any regionally accredited, state-approved, nonprofit
246 four- or two-year college or university located in the State of
247 Mississippi as listed in subsection (4)(d) of Section 37-106-29.

248 (f) Enrolls as a first-time-in-college student. Any
249 student who earns postsecondary academic credit prior to or during
250 the summer immediately subsequent to receiving a high school
251 diploma, who is dually enrolled in secondary and postsecondary
252 educational institutions, or who is enrolled in the early
253 admission program of a postsecondary institution shall be exempt
254 from this requirement.

255 (g) Is a resident of the State of Mississippi for no
256 less than four (4) years preceding the award of aid. Residency
257 status for purposes of receiving grants under this section shall
258 be determined in the same manner as resident status for tuition
259 purposes as set forth in Sections 37-103-1 through 37-103-29, with
260 the exception of Section 37-103-17.

261 (2) (a) Students who apply for awards no later than the
262 date set by the Mississippi Postsecondary Education Financial
263 Assistance Board as the deadline for applying for an award during
264 their last year in high school may later reapply to receive awards
265 during subsequent application periods when they do not accept
266 their initial awards. Similarly, students who receive initial
267 awards and who later do not accept renewal awards may reapply to
268 receive awards during subsequent application periods. Students
269 who apply under this paragraph must submit reinstatement
270 applications within three (3) years of filing their initial

271 applications. The institution shall accept reinstatement
272 applications according to dates set by the Mississippi
273 Postsecondary Education Financial Assistance Board and shall
274 determine the eligibility of such applicants in the same manner as
275 first-time applicants, except that students who apply pursuant to
276 this paragraph shall be required to have maintained the equivalent
277 of a 3.5 cumulative grade point average on a 4.0 scale for all
278 college work attempted. The board shall not make awards to
279 reinstatement applicants who submit applications that are received
280 after the deadline set by the Mississippi Postsecondary Education
281 Financial Assistance Board.

282 (b) The board shall create a renewal application for
283 each student who received the award for one or more terms during
284 the immediately preceding academic year.

285 (3) (a) The annual award to a student shall be up to Two
286 Thousand Five Hundred Dollars (\$2,500.00) for tuition and fees.
287 Payment of the Mississippi Eminent Scholars Grant shall be made
288 payable to the recipient and the educational institution and
289 mailed directly to the institution, to be applied first to
290 tuition.

291 (b) Within six (6) weeks of the end of regular
292 registration, inclusive of a drop-add period, institutions shall
293 certify to the board the eligibility status of each awarded
294 student. The eligibility status of each student to receive a
295 disbursement shall be determined by each institution as of this
296 date. Institutions shall not be required to reevaluate a
297 student's eligibility status after this date for purposes of
298 amending eligibility determinations previously made. However, an
299 institution shall be requested to make refunds for students who
300 receive award disbursements and terminate enrollment for any
301 reason during the academic term when an institution's refund
302 policies permit a student to receive a refund under the
303 circumstances.

304 (c) Institutions shall certify to the board the amount

305 of funds disbursed to each student and shall remit to the board
306 any undisbursed advances within sixty (60) days of the end of
307 regular registration.

308 (4) A recipient shall maintain the equivalent of a 3.5
309 cumulative grade point average on a 4.0 scale, or shall maintain
310 an approved equivalent student progress evaluation plan, on at
311 least twelve (12) hours per quarter, trimester or semester in
312 order to be eligible for a continuation of the award. No student
313 may receive a Mississippi Eminent Scholars' Fund award for more
314 than the equivalent semesters or quarters required to complete one
315 (1) degree or certificate program per institution. The award may
316 be renewed annually upon certification of eligibility by the
317 eligible institutions that the recipient meets the necessary
318 qualifications. If any recipient transfers from one university,
319 community college or junior college to another, his award will be
320 transferable, provided he is otherwise eligible for the award. If
321 a student fails to maintain continuous enrollment, and is not
322 granted an exception for cause by the administering agency, the
323 student is ineligible to receive the Mississippi Eminent Scholars
324 Grant during the following semester or trimester or term of the
325 regular academic year.

326 (5) The board may conduct its own annual audits of any
327 institution participating in the Mississippi Eminent Scholars
328 Grant Program. The board may suspend or revoke an institution's
329 eligibility to receive future monies under the program if it finds
330 that the institution has not complied with the provisions of this
331 section.

332 (6) For purposes of this section, certificated shall mean,
333 but not be limited to, all postsecondary vocational programs in
334 eligible institutions as identified in subsection (4)(d) of
335 Section 37-106-29.

336 SECTION 3. This act shall take effect and be in force from
337 and after its passage.