

By: Representatives Vince, Brown, Comans,
Cummings, Eaton, Frierson, Green (34th),
Hamilton, Hudson, King, Livingston, Manning,
Maples, Mitchell, Moss, Nettles, Scott
(17th), Stringer, Williams

To: Universities and
Colleges;
Appropriations

HOUSE BILL NO. 1051
(As Passed the House)

1 AN ACT TO AMEND SECTION 37-157-1, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE MAXIMUM ANNUAL GROSS INCOME ALLOWED IN ORDER TO
3 QUALIFY FOR TUITION ASSISTANCE UNDER THE MISSISSIPPI COLLEGE
4 TUITION PROGRAM FOR QUALIFIED STUDENTS IN FINANCIAL NEED
5 (H.E.L.P.); AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 37-157-1, Mississippi Code of 1972, is
8 amended as follows:

9 37-157-1. (1) The tuition at any institution of higher
10 education in the state shall be paid by the state on behalf of any
11 student who enrolls in such a school to pursue an academic
12 undergraduate degree, who applies for the payment thereof, and who
13 meets all of the following qualifications:

14 (a) Actual residence in Mississippi during the
15 twenty-four (24) months immediately preceding university
16 enrollment. For the purposes of this paragraph, residency shall
17 be demonstrated by proof of the following as required by the
18 administering agency:

19 (i) If registered to vote, being registered in
20 Mississippi.

21 (ii) If licensed to drive a motor vehicle, being
22 in possession of a Mississippi driver's license.

23 (iii) If owning a motor vehicle located within
24 Mississippi, being in possession of Mississippi registration for
25 that vehicle.

26 (iv) If earning an income, having filed a
27 Mississippi state income tax return and having complied with state
28 income tax laws and regulations.

29 (b) Having a parent or guardian who is a domiciliary of
30 Mississippi.

31 (c) Graduation from high school within the two (2)
32 years preceding the application with a minimum cumulative grade
33 point average of 2.5 calculated on a 4.0 scale.

34 (d) Successful completion of seventeen and one-half
35 (17-1/2) units of high school course work (Grade 9 level or
36 higher) which constitutes a core curriculum and meets standards
37 for admission to the desired college or university. The core
38 curriculum is defined as follows:

39 (i) English I, II, III and IV (four (4) units).

40 (ii) Algebra I and II (two (2) units).

41 (iii) Geometry, Trigonometry, Calculus or
42 comparable Advanced Mathematics (one (1) unit).

43 (iv) Biology (one (1) unit).

44 (v) Chemistry (one (1) unit).

45 (vi) Earth Science, Environmental Science,
46 Physical Science, Biology II, Chemistry II or Physics (one (1)
47 unit).

48 (vii) American History (one (1) unit).

49 (viii) World History, World Cultures, Western
50 Civilization or World Geography (one (1) unit).

51 (ix) Civics and/or Economics (one (1) unit).

52 (x) Fine Arts Survey (one (1) unit; or substitute
53 two (2) units of performance courses in music, dance or theater;
54 or substitute two (2) units of studio art courses).

55 (xi) Foreign Language (two (2) units in a single
56 language).

57 (xii) Computer Science, Computer Literacy or Data
58 Processing (one-half (1/2) unit).

59 (xiii) Electives from the above (one (1) unit).

60 (e) Having a composite score on the American College
61 Test of at least twenty (20) on the 1989 version or an equivalent
62 concordant value on an enhanced version of such test.

63 (f) Having no criminal record, except for misdemeanor
64 traffic violations.

65 (g) Being in financial need.

66 (2) For purposes of this section:

67 (a) "Institution of Higher Education" shall mean any of
68 the following institutions of higher learning or community or
69 junior colleges located in Mississippi: Alcorn State University,
70 Delta State University, Jackson State University, Mississippi
71 State University, Mississippi University for Women, Mississippi
72 Valley State University, University of Mississippi, University of
73 Southern Mississippi, Coahoma Community College, Copiah-Lincoln
74 Community College, East Central Community College, East
75 Mississippi Community College, Hinds Community College, Holmes
76 Community College, Itawamba Community College, Jones County Junior
77 College, Meridian Community College, Mississippi Delta Community
78 College, Mississippi Gulf Coast Community College, Northeast
79 Mississippi Community College, Northwest Mississippi Community
80 College, Pearl River Community College, Southwest Mississippi
81 Community College, Belhaven College, Blue Mountain College,
82 Millsaps College, Mississippi College, Rust College, Tougaloo
83 College, William Carey College, Mary Holmes College, Magnolia
84 Bible College and Wood College.

85 (b) "Tuition" shall mean the semester or trimester or
86 term charges and all required fees imposed by an institution of
87 higher education as a condition of enrollment by all
88 students. * * * However, * * * for a two-year nonpublic
89 institution of higher education defined in paragraph (a), the
90 tuition payments shall not exceed the average charges and fees
91 required by all of the two-year public institutions of higher
92 education defined in paragraph (a), and for a four-year nonpublic
93 institution of higher education defined in paragraph (a), the
94 tuition payments shall not exceed the average charges and fees
95 required by all of the four-year public institutions of higher
96 education defined in paragraph (a).

97 (3) The tuition at any institution of higher education in
98 the state shall be paid by the state on behalf of any student who
99 enrolls in such a school to pursue an academic undergraduate or
100 associate degree, who applies for the payment thereof, and who
101 meets the qualifications enumerated in paragraphs (a), (b), (f)
102 and (g) of subsection (1) but who fails to meet one of the
103 particular requirements established by paragraph (c), (d) or (e)
104 of subsection (1) by an amount of ten percent (10%) or less.

105 (4) To maintain continued state payment of tuition, once
106 enrolled in an institution of higher education, a student shall
107 meet all of the following requirements:

108 (a) Make steady academic progress toward a degree,
109 earning not less than the minimum number of hours of credit
110 required for full-time standing in each academic period requiring
111 such enrollment;

112 (b) Maintain continuous enrollment for not less than
113 two (2) semesters or three (3) quarters in each successive
114 academic year, unless granted an exception for cause by the
115 administering agency;

116 (c) Have a cumulative grade point average of at least
117 2.5 calculated on a 4.0 scale at the end of the first academic
118 year and thereafter maintain such a cumulative grade point average
119 as evaluated at the end of each academic year;

120 (d) Have no criminal record, except for misdemeanor
121 traffic violations; and

122 (e) Be found to be in financial need.

123 (5) The provisions of this chapter shall be administered by
124 the Board of Trustees of State Institutions of Higher Learning in
125 conjunction with the State Board for Community and Junior
126 Colleges. The board may provide by rule for all matters necessary
127 for the implementation of this chapter.

128 (6) By rule, the board shall provide for:

129 (a) A mechanism for informing all students of the
130 availability of the assistance provided pursuant to this chapter

131 early enough in their schooling that a salutary motivational
132 effect is possible.

133 (b) Applications, forms, financial audit procedures,
134 eligibility and other program audit procedures and other matters
135 related to efficient operation.

136 (c) A procedure for waiver through the 1996-1997
137 academic year of the program eligibility requirement for
138 successful completion of a specified core curriculum upon proper
139 documentation by the applicant that failure to comply with such
140 requirement is due solely to the fact that the required course or
141 courses were not available to the applicant at the school
142 attended.

143 (7) An applicant shall be found to be in financial need if:

144 (a) The family has one (1) child under the age of
145 twenty-one (21), and the two-year average annual adjusted gross
146 income of the family is less than Thirty-five Thousand Dollars
147 (\$35,000.00); or

148 (b) The family has a two-year average annual adjusted
149 gross income of less than Thirty-five Thousand Dollars
150 (\$35,000.00) plus Five Thousand Dollars (\$5,000.00) for each
151 additional child under the age of twenty-one (21).

152 The two-year average annual adjusted gross income of the
153 family shall be verified by Internal Revenue Service returns or by
154 certified affidavits in cases of income that cannot be verified by
155 such returns.

156 As used in this subsection, the term "family" for an
157 unemancipated applicant means the applicant, the applicant's
158 parents, and other children under age twenty-one (21) of the
159 applicant's parents. The term "family" for an emancipated
160 applicant means the applicant, an applicant's spouse, and any
161 children under age twenty-one (21) of the applicant and spouse.

162 (8) An appropriation of funds may annually be made to the
163 board sufficient to cover, in addition to any other available
164 funds, the costs of tuition required to be paid, both initial and

165 continuing, for the coming academic year. All such payments shall
166 be made directly to the institution to which such tuition is due
167 after notice to the school that the state shall pay the tuition of
168 a student and after notice from the school that the student has
169 actually enrolled.

170 (9) The board may seek, accept and expend funds from any
171 source, including private business, industry, foundations and
172 other groups as well as any federal or other governmental funding
173 available for this purpose.

174 (10) No student shall receive a grant pursuant to this
175 chapter in an amount greater than the tuition charged by the
176 school. The student must apply for a federal grant prior to
177 receiving state funds.

178 SECTION 2. This act shall take effect and be in force from
179 and after July 1, 1999.