SENATE BILL NO. 2043

AN ACT TO AMEND SECTION 37-106-29, MISSISSIPPI CODE OF 1972, TO INCREASE THE TUITION AMOUNTS UNDER THE MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT PROGRAM FOR FRESHMAN AND SOPHOMORE STUDENTS TO $1,000.00 PER TERM; AND FOR RELATED PURPOSES.

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

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

37-106-29. (1) There is established the Mississippi Resident Tuition Assistance Grant Program for college or university freshmen, sophomores, juniors and seniors to be administered by the Mississippi Postsecondary Education Financial Assistance Board established under Section 37-106-9, Mississippi Code of 1972, which shall set the dates and deadlines for applying for an award under this section. The board shall establish such rules and regulations as it deems necessary and proper to carry out the purposes and intent of this act.

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

(3) Mississippi Resident Tuition Assistance Grants shall be for Mississippi students from any Mississippi family whose prior year adjusted gross income (AGI) exceeds the maximum allowed to qualify for full Pell Grant eligibility and campus-based federal aid. Those Mississippi students receiving less than the full Pell Grant award, as determined by the institution, shall receive a Mississippi Resident Tuition Assistance Grant in an amount not to exceed the maximum Pell Grant allowable for that individual.
student. The award shall be applied to tuition, rooms and meals, books, materials and fees not to exceed One Thousand Dollars ($1,000.00) for freshman, sophomore, junior and senior students attending state institutions of higher learning in Mississippi, two-year or four-year regionally accredited, state-approved, nonprofit colleges and universities in Mississippi, or public community or junior colleges in Mississippi, which will be prorated per term, semester or quarter of the academic year for costs of attendance, calculated according to the formula specified in subsection (8) of this section.

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

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

(b) Acceptance for enrollment at any state institution of higher learning or public community or junior college located in Mississippi, or any regionally accredited, state-approved, nonprofit four- or two-year college or university located in Mississippi as listed in subsection (d) of this Section.

37-106-29(4): (i) a minimum grade point average of 2.5 calculated on a 4.0 scale after seven (7) semesters certified by the high school counselor or other authorized school official on the application and graduation from high school verified by the institution before disbursement of award and has scored fifteen (15) on the American College Test Program (ACT); or (ii) has attended a home education program during grade levels 9 through 12, and has scored fifteen (15) on the American College Testing Program; or (iii) satisfactory completion of the General Educational Development Test (GED) or have successfully completed the International Baccalaureate Program and has scored fifteen (15) on the American College Testing Program; provided, however,
that any student entering a vocational or technical program of
study, or who has satisfactorily completed the General Education
Development Test and attends a community or junior college will
not be required to have a test score under the American College
Testing Program except those students enrolled in courses of
academic study. Any student currently enrolled in any qualified
institution shall have to only meet the same requirements as
students who are applying for a renewal award.

(c) Resident status for purposes of receiving grants
under this act shall be determined in the same manner as resident
status for tuition purposes as set forth in Sections 37-103-1
through 37-103-29, with the exception of 37-103-17.

(d) Must attend one (1) of the following institutions
of higher learning: Alcorn State University, Delta State
University, Jackson State University, Mississippi State
University, Mississippi University for Women, Mississippi Valley
State University, University of Mississippi, University of
Southern Mississippi, Coahoma Community College, Copiah-Lincoln
Community College, East Central Community College, East
Mississippi Community College, Hinds Community College, Holmes
Community College, Itawamba Community College, Jones County Junior
College, Meridian Community College, Mississippi Delta Community
College, Mississippi Gulf Coast Community College, Northeast
Mississippi Community College, Northwest Mississippi Community
College, Pearl River Community College, Southwest Mississippi
Community College, Belhaven College, Blue Mountain College,
Millsaps College, Mississippi College, Rust College, Tougaloo
College, William Carey College, Mary Holmes College, Magnolia
Bible College and Wood College.

(5) By accepting a Mississippi Resident Tuition Assistance
Grant, the student is attesting to the accuracy, completeness and
correctness of information provided to demonstrate the student's
eligibility. Falsification of such information shall result in
the denial of any pending grant and revocation of any award currently held to the extent that no further payments shall be made. Any student knowingly making false statements in order to receive a grant shall be guilty of a misdemeanor punishable, upon conviction thereof, by a fine of up to Ten Thousand Dollars ($10,000.00), a prison sentence of up to one (1) year in the county jail, or both, and shall be required to return all Mississippi Resident Tuition Assistance Grants wrongfully obtained.

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

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

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

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

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

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

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

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

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

(b) The institution is required to make refunds to the
Mississippi Resident Tuition Assistance Grant Fund for any funds
which have not been disbursed to the recipient, in the case of
students who have received a grant but who terminate enrollment
during the academic term, semester or quarter of the academic year
if an institution's refund policies permit a student to receive a
refund in such instance. The recipient shall be responsible for
the refund of any funds which have been disbursed by the
institution in such instance.
(c) If a student drops below full-time status but does not terminate all enrollment during the term, semester or quarter of the academic year no refund will be required for that term. However, that student is ineligible to receive the Mississippi Resident Tuition Assistance Grant during the following term, semester or quarter of the regular academic year.

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

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

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

(12) No student receiving a Mississippi Eminent Scholars Grant as provided in Section 37-106-31 shall be eligible to receive the Mississippi Resident Tuition Assistance Grant pursuant to Section 37-106-29 unless he is eligible for such award after the Mississippi Eminent Scholars Grant has been considered by the board when conducting an assessment of the financial resources available to the student. In no case shall any student receive
any combination of student financial aid that would exceed the
cost of attendance, as defined in subsection (8)(a).

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

SECTION 2. All new programs authorized under this Senate
Bill No. ____ shall be subject to the availability of funds
specifically appropriated therefor by the Legislature during the
2001 Regular Session or any subsequent session. It is the intent
of the Legislature that this act shall be codified but that no
amendment to a Code section or repeal of a Code section enacted by
this Senate Bill No. ____ shall take effect until the Legislature
has funded any new programs authorized hereunder by line item
appropriation, said line item appropriation to be certified by the
Legislative Budget Office to the Secretary of State.

SECTION 3. This act shall take effect and be in force from
and after July 1, 2001.