AN ACT TO ESTABLISH A SCHOLARSHIP PROGRAM FOR ORPHANS IN MISSISSIPPI; TO REQUIRE SCHOLARSHIP APPLICATIONS TO INCLUDE DOCUMENTATION FROM THE DEPARTMENT OF HUMAN SERVICES VERIFYING THE APPLICANT'S STATUS AS AN ORPHAN; TO PROVIDE THAT SCHOLARSHIPS MAY BE AWARDED TO BOTH FULL-TIME AND PART-TIME STUDENTS; TO PROVIDE THAT THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING SHALL BE THE ADMINISTERING AGENCY OF THE SCHOLARSHIP PROGRAM; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) Any child who is an orphan in the State of Mississippi is entitled to a complete scholarship, including tuition, room and meals, books, school supplies, materials and dues or fees for extracurricular activities, at any public community or junior college or state institution of higher learning within this state in exchange for two (2) years' public service in the employ of the State of Mississippi or any political subdivision of the state. For the purposes of this section, the term "orphan" means a child who does not have a parent, guardian or custodian, including a foster parent; however, custody by the Department of Human Services does not render a child ineligible for a scholarship under this section.

(2) Any person considered to be an orphan under the age of twenty-one (21) years who is enrolled in or accepted for enrollment at a state institution of higher learning or a public community or junior college in Mississippi may apply for a scholarship under this section. An application must be accompanied by written documentation from the Department of Human Services verifying the child's status as an orphan and any other information that may be required pursuant to rules or regulations established under subsection (6) of this section.
(3) The maximum annual award that may be made under the scholarship program may not exceed the total cost of tuition, room and meals, books, school supplies, materials and dues or fees for extracurricular activities at the institution or college at which the student is enrolled. Both full-time and part-time students may apply for awards under this section. Students enrolling on a full-time basis may receive a maximum of four (4) annual awards or, in those instances when a degree program requires five (5) years for completion, five (5) annual awards. The number of awards which may be made to a student attending school on a part-time basis may not exceed the length of time required to complete the associate or baccalaureate degree or certificate program toward which the student is working. A person who has a baccalaureate degree is not eligible for a scholarship under the program, and any person who has an associate degree may receive awards only in furtherance of a baccalaureate degree.

(4) (a) For the purpose of establishing the eligibility of applicants for scholarships under this section, the Board of Trustees of State Institutions of Higher Learning, jointly with the State Board for Community and Junior Colleges, shall define with specificity the term "orphan," which definition must be consistent with the general definition of the term ascribed in subsection (1) of this section. The definition must be included in the rules and regulations established under subsection (6) of this section.

(b) The Department of Human Services shall establish objective criteria to be considered by the department when determining whether a child may be deemed an orphan for purposes of this section.

(5) As a condition for renewal of a scholarship, a student must make steady academic progress toward a certificate or associate or baccalaureate degree, as certified by the institution's registrar, and must maintain a cumulative grade
point average of at least 2.00 calculated on a 4.00 scale at the
end of each term.

(6) The Board of Trustees of State Institutions of Higher
Learning and the State Board for Community and Junior Colleges
jointly shall promulgate rules and regulations necessary to carry
out the purposes and intent of this section. The Board of
Trustees of State Institutions of Higher Learning shall administer
the program.

(7) Except in those cases where employment positions may not
be available, within six (6) months of earning a certificate or
associate or baccalaureate degree, a recipient of a scholarship
under this section shall begin to render service as an employee of
the State of Mississippi or any political subdivision of the
state. The person shall render no less than two (2) years' service as an employee of the state or local governmental entity.

(8) Any person failing to complete his public service
obligation, as required under subsection (7) of this section, is
liable to the Board of Trustees of State Institutions of Higher
Learning for the sum of all scholarship awards made to that person
less the corresponding amount of any awards for which service has
been rendered, plus interest accruing at the current Stafford Loan
rate at the time the person discontinues his service, except in
the case of a deferral of debt for cause by the board when there
is no employment position available upon the recipient's
completion of the certificate program or associate or
baccalaureate degree. After the period of any deferral, the
person shall begin his employment in public service as required
under subsection (7) or shall become liable to the board under
this subsection. If a claim for payment under this subsection is
placed in the hands of an attorney for collection, the obligor is
liable for an additional amount equal to a reasonable attorney's
fee.
96 (9) It is the intent of the Legislature to fully fund
97 scholarships to eligible students under this program. If funds
98 are insufficient to fully fund scholarships to all eligible
99 applicants, the board shall award the scholarships to first-time
100 students on a first-come, first-served basis; however, priority
101 consideration must be given to persons previously receiving awards
102 under the program who are making steady academic progress toward
103 completion of a certificate program or associate or baccalaureate
104 degree.
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106 SECTION 2. This act shall take effect and be in force from
107 and after July 1, 2002.