

By: Representative Espy

To: Universities and  
Colleges; Appropriations

HOUSE BILL NO. 1175

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

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

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

22 (2) Any person considered to be an orphan under the age of  
23 twenty-one (21) years who is enrolled in or accepted for  
24 enrollment at a state institution of higher learning or a public  
25 community or junior college in Mississippi may apply for a  
26 scholarship under this section. An application must be  
27 accompanied by written documentation from the Department of Human  
28 Services verifying the child's status as an orphan and any other  
29 information that may be required pursuant to rules or regulations  
30 established under subsection (6) of this section.



31           (3) The maximum annual award that may be made under the  
32 scholarship program may not exceed the total cost of tuition, room  
33 and meals, books, school supplies, materials and dues or fees for  
34 extracurricular activities at the institution or college at which  
35 the student is enrolled. Both full-time and part-time students  
36 may apply for awards under this section. Students enrolling on a  
37 full-time basis may receive a maximum of four (4) annual awards  
38 or, in those instances when a degree program requires five (5)  
39 years for completion, five (5) annual awards. The number of  
40 awards which may be made to a student attending school on a  
41 part-time basis may not exceed the length of time required to  
42 complete the associate or baccalaureate degree or certificate  
43 program toward which the student is working. A person who has a  
44 baccalaureate degree is not eligible for a scholarship under the  
45 program, and any person who has an associate degree may receive  
46 awards only in furtherance of a baccalaureate degree.

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

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

60           (5) As a condition for renewal of a scholarship, a student  
61 must make steady academic progress toward a certificate or  
62 associate or baccalaureate degree, as certified by the  
63 institution's registrar, and must maintain a cumulative grade



64 point average of at least 2.00 calculated on a 4.00 scale at the  
65 end of each term.

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

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

79 (8) Any person failing to complete his public service  
80 obligation, as required under subsection (7) of this section, is  
81 liable to the Board of Trustees of State Institutions of Higher  
82 Learning for the sum of all scholarship awards made to that person  
83 less the corresponding amount of any awards for which service has  
84 been rendered, plus interest accruing at the current Stafford Loan  
85 rate at the time the person discontinues his service, except in  
86 the case of a deferral of debt for cause by the board when there  
87 is no employment position available upon the recipient's  
88 completion of the certificate program or associate or  
89 baccalaureate degree. After the period of any deferral, the  
90 person shall begin his employment in public service as required  
91 under subsection (7) or shall become liable to the board under  
92 this subsection. If a claim for payment under this subsection is  
93 placed in the hands of an attorney for collection, the obligor is  
94 liable for an additional amount equal to a reasonable attorney's  
95 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.

105           **SECTION 2.** This act shall take effect and be in force from  
106 and after July 1, 2002.

