HOUSE BILL NO. 123

AN ACT TO ESTABLISH THE HELPING OUTSTANDING PUPILS EDUCATIONALLY (HOPE) SCHOLARSHIP PROGRAM FOR POSTSECONDARY STUDENTS IN MISSISSIPPI; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO DESCRIBE CERTAIN STUDENTS WHO ARE INELIGIBLE FOR HOPE SCHOLARSHIPS; TO PRESCRIBE THE HOPE SCHOLARSHIP ELIGIBILITY REQUIREMENTS FOR FRESHMEN, SOPHOMORES, JUNIORS AND SENIORS AT PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER LEARNING AND COMMUNITY AND JUNIOR COLLEGES IN MISSISSIPPI; TO ESTABLISH A HOPE GED VOUCHER PROGRAM FOR STUDENTS OBTAINING THEIR GED; TO ESTABLISH THE HOPE TEACHER'S SCHOLARSHIP PROGRAM FOR TEACHERS AGREEING TO TEACH IN A CRITICAL SHORTAGE FIELD; TO DESCRIBE THOSE STUDENTS WHO ARE INELIGIBLE FOR THE HOPE TEACHER'S SCHOLARSHIP; TO SPECIFY THAT HOPE SCHOLARSHIPS MAY BE APPLIED ONLY TO TUITION AND FEES NOT COVERED BY A FEDERAL GRANT; TO AUTHORIZE THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD TO PROMULGATE RULES AND REGULATIONS GOVERNING THE HOPE PROGRAM; AND FOR RELATED PURPOSES.

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

SECTION 1. The following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Academic year" means a period of time, typically nine (9) months, in which a full-time student is expected to complete the equivalent of at least two (2) semesters academic work.

(b) "Advanced degree" means a master's degree, specialist's degree or doctorate in education conferred by an approved institution of higher learning upon completion of a unified program of study at the graduate level.

(c) "Approved teacher education program" means a program offered by a public or private institution of higher learning, which program has been approved by the Commission on Teacher and Administrator Education, Certification and Licensure and Development.
(d) "Certificate" or "diploma" means a credential, other than a degree, indicating satisfactory completion of training in a program of study offered by an eligible public institution of higher learning.

(e) "Critical shortage field" means an area of study or an area of specialized expertise for which a shortage of qualified teachers or educators exists in Mississippi, designated as such by the State Board of Education.

(f) "Eligible high school" means a public or private secondary school which is:

(i) Located in Mississippi and is fully accredited; or

(ii) Located in another state and is accredited by one (1) of the following regional agencies:

1. The Southern Association of Colleges and Schools;

2. The New England Association of Schools and Colleges;

3. The Middle States Association of Colleges and Schools;

4. The North Central Association of Colleges and Schools;

5. The Northwestern Association of Schools and Colleges; or

6. The Western Association of Schools and Colleges.

(g) "Eligible institution of higher learning" means a school which is:

(i) An institution under the supervision of the Board of Trustees of State Institutions of Higher Learning;

(ii) A community or junior college under the State Board for Community and Junior Colleges; or
(iii) A private institution of higher learning in Mississippi accredited by the Southern Association of Colleges and Schools and approved by the Mississippi Commission on College Accreditation.

(h) "Freshman student" means a student at an institution of higher learning or a community or junior college who has attempted less than thirty-one (31) semester hours.

(i) "Full-time student" means a student attending an institution of higher learning or a community or junior college and enrolled for the equivalent of at least twelve (12) semester hours.

(j) "Grade point average" means the numbered grade average calculated using a 4.0 scale.

(k) "HOPE scholarship" means a Helping Outstanding Pupils Educationally scholarship for education awarded in accordance with Section 3 or 4 of this act.

(l) "HOPE teacher's scholarship" means a Helping Outstanding Pupils Educationally scholarship for education awarded in accordance with Section 6 of this act.

(m) "HOPE GED voucher" means a Helping Outstanding Pupils Educationally general educational development (GED) equivalency diploma voucher for postsecondary education awarded in accordance with Section 5 of this act.

(n) "Junior student" means a student at an institution of higher learning who has attempted at least sixty-one (61) semester hours but less than ninety-one (91) semester hours.

(o) "Mandatory fees" means fees that are charged by a postsecondary institution to every student enrolled in that institution, regardless of the student's program of study.

(p) "Matriculated status" means being recognized as a student in a defined program of study leading to a degree, diploma or certificate at an institution of higher learning or a community or junior college.
(q) "Semester hours" includes each semester hour attempted, whether remedial or for credit toward a degree, but does not include any semester hour attempted before graduating from high school or earning a general educational development (GED) equivalency diploma.

(r) "Senior student" means a student at an institution of higher learning who has attempted at least ninety-one (91) semester hours but less than one hundred twenty-eight (128) semester hours.

(s) "Sophomore student" means a student at an institution of higher learning or a community or junior college who has attempted at least thirty-one (31) semester hours but less than sixty-one (61) semester hours.

(t) "Title IV" means Title IV of the Higher Education Act of 1965, as amended, 20 USCS Section 1070 et seq.

SECTION 2. A student is ineligible for any scholarship described in this act if the student:

(a) Is not a United States citizen or a permanent resident alien who meets the definition of an eligible noncitizen under federal Title IV requirements;

(b) Has not complied with United States Selective Service System requirements for registration, if such requirements are applicable to the student;

(c) Is in default on a federal Title IV educational loan or a State of Mississippi educational loan, except that a student who otherwise is eligible and has repaid fully the defaulted loan is eligible to obtain a scholarship for future academic terms but not retroactively;

(d) Owes a refund on a federal Title IV student financial aid program or a Mississippi student financial aid program, except that a student who otherwise is eligible and has paid fully the refund owed is eligible to obtain a scholarship for future academic terms but not retroactively;
(e) Has been convicted of a felony offense involving marijuana or a controlled substance;
(f) Is incarcerated; or
(g) Does not meet each qualification listed in the section relating to the relevant scholarship and applicable to the student.

**SECTION 3.** (1) To be eligible for a HOPE scholarship, an entering freshman student seeking an associate or baccalaureate degree at an eligible state institution of higher learning or state community or junior college must:

(a) Meet residency requirements by meeting the requirements to be classified as a legal resident of Mississippi as established by the program regulations promulgated by the Mississippi Postsecondary Education Financial Assistance Board, which shall be based upon the in-state tuition law or policy of the Board of Trustees of State Institutions of Higher Learning;

(b) Meet achievement standards by:

(i) Having graduated from an eligible high school while meeting the curriculum requirements of his or her program of study; or

(ii) In the case of a student who is qualified otherwise but:

1. Did not graduate from high school or complete a home study program, having received the general educational development (GED) equivalency diploma;

2. Completed a home study program in lieu of graduating from an eligible high school, earning a cumulative grade point average of at least 3.0 at an eligible public institution of higher learning or a community or junior college at the end of the semester in which the student has attempted thirty (30) semester hours, provided that such student shall be eligible to receive a retroactive HOPE scholarship for such student's freshman year to be paid at the end of the freshman year; or
3. Graduated from a high school which is not an eligible high school, earning a cumulative grade point average of at least 3.0 at an eligible public institution of higher learning or a community or junior college at the end of the semester in which the student has attempted thirty (30) semester hours, provided that such student shall be eligible to receive a retroactive HOPE scholarship for such student's freshman year to be paid at the end of the freshman year; and

(c) Meet enrollment standards by being admitted, enrolled and classified as an undergraduate student in a matriculated status.

(2) To be eligible for a HOPE scholarship, a sophomore student seeking an associate or baccalaureate degree at an eligible state institution of higher learning or a state community or junior college must:

(a) Meet residency requirements by meeting the requirements to be classified as a legal resident of Mississippi as established by the program regulations promulgated by the Mississippi Postsecondary Education Financial Assistance Board, which shall be based upon the in-state tuition law or policy of the Board of Trustees of State Institutions of Higher Learning;

(b) Meet achievement standards by meeting the following criteria:

(i) Earning a cumulative grade point average of at least 3.0 at an institution of higher learning or a community or junior college at the end of the semester in which the student has attempted thirty (30) semester hours; and

(ii) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the institution of higher learning or a community or junior college in which the student is enrolled; and
(c) Meet enrollment standards by being admitted, enrolled and classified as an undergraduate student in a matriculated status or, in the case of an otherwise eligible student who is classified as a professional level student rather than an undergraduate student, being accepted into the professional level program of study before receiving a baccalaureate degree.

(3) To be eligible for a HOPE scholarship, a junior student seeking a baccalaureate degree at a public institution of higher learning must:

(a) Meet residency requirements by meeting the requirements to be classified as a legal resident of Mississippi as established by the program regulations promulgated by the Mississippi Postsecondary Education Financial Assistance Board, which shall be based upon the in-state tuition law or policy of the Board of Trustees of State Institutions of Higher Learning;

(b) Meet achievement standards by meeting the following criteria:

(i) Earning a cumulative grade point average of at least 3.0 at an institution of higher learning or community or junior college at the end of the semester in which the student has attempted sixty (60) semester hours; and

(ii) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the institution of higher learning or community or junior college in which the student is enrolled; and

(c) Meet enrollment standards by being admitted, enrolled and classified as an undergraduate student in a matriculated status or, in the case of an otherwise eligible student who is classified as a professional level student rather than an undergraduate student, being accepted into the
(4) To be eligible for a HOPE scholarship, a senior student seeking a baccalaureate degree at a public institution of higher learning must:

(a) Meet residency requirements by meeting the requirements to be classified as a legal resident of Mississippi as established by the program regulations promulgated by the Mississippi Postsecondary Education Financial Assistance Board, which shall be based upon the in-state tuition policy or law of the Board of Trustees of State Institutions of Higher Learning;

(b) Meet achievement standards by meeting the following criteria:

(i) Meeting all achievement standards for HOPE eligibility in his or her junior year;

(ii) Earning a cumulative grade point average of at least 3.0 at an institution of higher learning at the end of the semester in which the student has attempted ninety (90) semester hours; and

(iii) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the institution of higher learning in which the student is enrolled; and

(c) Meet enrollment standards by being admitted, enrolled and classified as an undergraduate student in a matriculated status or, in the case of an otherwise eligible student who is classified as a professional level student rather than an undergraduate student, being accepted into the professional level program of study before receiving a baccalaureate degree.

(5) A student who fails to maintain a cumulative grade point average of at least 3.0 at the end of the semester in which the student has attempted thirty (30) semester hours may attend the

professional level program of study before receiving a baccalaureate degree.
next thirty (30) semester hours without a HOPE scholarship. An otherwise eligible student who regains a cumulative grade point average of at least 3.0 at the end of the semester in which the student has attempted sixty (60) semester hours may requalify for a HOPE scholarship.

(6) For students eligible for a HOPE scholarship under this section, no minimum number of hours of enrollment is required.

(7) (a) Except as set out in paragraph (b) of this section, a student may receive the HOPE scholarship until the first of these events:

(i) The student has earned a baccalaureate degree; or

(ii) The student has attempted at any institution of higher learning a total of one hundred twenty-seven (127) semester hours.

(b) A student enrolled in an undergraduate degree program designed to be more than one hundred twenty-seven (127) semester hours in length is eligible to receive the HOPE scholarship for the lessor of:

(i) A total of one hundred fifty (150) attempted semester hours; or

(ii) The number of hours required for graduation if the student has a cumulative grade point average of at least 3.0 after the term in which the student attempted one hundred twenty-seven (127) semester hours.

(8) Subject to the amounts appropriated by the Legislature, a HOPE scholarship awarded under this section shall include tuition, approved mandatory fees, and a book allowance not to exceed One Hundred Fifty Dollars ($150.00) per semester.

SECTION 4. (1) To be eligible for a HOPE scholarship, an entering freshman student seeking an associate or baccalaureate degree at an eligible private institution of higher learning or community or junior college must:
(a) Meet residency requirement by meeting the requirements to be classified as a legal resident of Mississippi as established by the program regulations promulgated by the Mississippi Postsecondary Education Financial Assistance Board; 

(b) Meet achievement standards by:

   (i) Having graduated from an eligible high school while meeting the curriculum requirements of his or her program of study; or

   (ii) In the case of a student who is qualified otherwise but:

   1. Did not graduate from high school or complete a home study program, having received the general educational development (GED) equivalency diploma;

   2. Completed a home study program in lieu of graduating from an eligible high school, earning a cumulative grade point average of at least 3.0 at an eligible public institution of higher learning or a community or junior college at the end of the semester in which the student has attempted thirty (30) semester hours, provided that such student shall be eligible to receive a retroactive HOPE scholarship for such student's freshman year to be paid at the end of the freshman year; or

   3. Graduated from a high school which is not an eligible high school, earning a cumulative grade point average of at least 3.0 at an eligible public institution of higher learning or community or junior college at the end of the semester in which the student has attempted thirty (30) semester hours, provided that such student shall be eligible to receive a retroactive HOPE scholarship for such student's freshman year to be paid at the end of the freshman year; and

(c) Meet enrollment standards by:

   (i) Being admitted, enrolled and classified as an undergraduate student in a matriculated status; and
(ii) Being registered for and attending classes as a full-time student for fourteen (14) days or more after the last day of the institution's drop and add period.

(2) To be eligible for a HOPE scholarship, a sophomore student seeking an associate or baccalaureate degree at an eligible private institution of higher learning or community or junior college must:

(a) Meet residency requirements by meeting the requirements to be classified as a legal resident of Mississippi as established by the program regulations promulgated by the Mississippi Postsecondary Education Financial Assistance Board;

(b) Meet achievement standards by meeting the following criteria:

(i) Earning a cumulative grade point average of at least 3.0 at an institution of higher learning or community or junior college at the end of the semester in which the student has attempted thirty (30) semester hours; and

(ii) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the institution of higher learning or community or junior college in which the student is enrolled; and

(c) Meet enrollment standards by:

(i) Being admitted, enrolled and classified as an undergraduate student in a matriculated status or, in the case of an otherwise eligible student who is classified as a professional level student rather than an undergraduate student, being accepted into the professional level program of study before receiving a baccalaureate degree; and

(ii) Being registered for and attending classes as a full-time student for fourteen (14) days or more after the last day of the institution's drop and add period.
(3) To be eligible for a HOPE scholarship, a junior student seeking a baccalaureate degree at an eligible private institution of higher learning must:

(a) Meet residency requirements by meeting the requirements to be classified as a legal resident of Mississippi as established by the program regulations promulgated by the Mississippi Postsecondary Education Financial Assistance Board;

(b) Meet achievement standards by meeting the following criteria:

(i) Earning a cumulative grade point average of at least 3.0 at a institution of higher learning or a community or junior college at the end of the semester in which the student has attempted sixty (60) semester hours; and

(ii) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the institution of higher learning in which the student is enrolled; and

(c) Meet enrollment standards by:

(i) Being admitted, enrolled and classified as an undergraduate student in a matriculated status or provided that in the case of an otherwise eligible student who is classified as a professional level student rather than an undergraduate student, have been accepted into the professional level program of study before receiving a baccalaureate degree; and

(ii) Being registered for and attending classes as a full-time student for fourteen (14) days or more after the last day of the institution's drop and add period.

(4) To be eligible for a HOPE scholarship, a senior student seeking a baccalaureate degree at an eligible private institution of higher learning must:

(a) Meet residency requirements by meeting the requirements to be classified as a legal resident of Mississippi
as established by the program regulations promulgated by the Mississippi Postsecondary Education Financial Assistance Board;

(b) Meet achievement standards by meeting the following criteria:

(i) Having met all achievement standards for HOPE eligibility in his or her junior year;

(ii) Earning a cumulative grade point average of at least 3.0 at an institution of higher learning at the end of the semester in which the student has attempted ninety (90) semester hours; and

(iii) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the institution of higher learning in which the student is enrolled; and

(c) Meet enrollment standards by:

(i) Being admitted, enrolled and classified as an undergraduate student in a matriculated status or, in the case of an otherwise eligible student who is classified as a professional level student rather than an undergraduate student, being accepted into the professional level program of study before receiving a baccalaureate degree; and

(ii) Being registered for and attending classes as a full-time student for fourteen (14) days or more after the last day of the institution's drop and add period.

(5) An otherwise eligible student who fails to maintain a cumulative grade point of at least 3.0 at the end of the semester in which the student has attempted thirty (30) semester hours may attend the next thirty (30) semester hours without a HOPE scholarship. A student who regains a cumulative grade point average of at least 3.0 at end of the semester in which the student has attempted sixty (60) semester hours may requalify for a HOPE scholarship.
(6) (a) Except as set out in paragraph (b) of this subsection, a student may receive a HOPE scholarship until the first of these events:

(i) The student has earned a baccalaureate degree;

or

(ii) The student has attempted at any institution of higher learning a total of one hundred twenty-seven (127) semester hours.

(b) A student enrolled in an undergraduate degree program designed to be more than one hundred twenty-seven (127) semester hours in length is eligible to receive a HOPE scholarship for the lessor of:

(i) A total of one hundred fifty (150) attempted semester hours; or

(ii) The number of hours required for graduation if the student has a cumulative grade point average of at least 3.0 after the term in which the student attempted one hundred twenty-seven (127) semester hours.

(7) Subject to the amounts appropriated by the Legislature, provisions relating to the scholarship shortfall reserve subaccount in Section 50-27-13, a HOPE scholarship awarded under this section shall be not less than Three Thousand Dollars ($3,000.00) for any academic year.

SECTION 5. (1) Subject to the amounts appropriated by the Legislature, a HOPE GED voucher in the amount of Five Hundred Dollars ($500.00) shall be awarded once to each student receiving a general educational development (GED) equivalency diploma, which shall be valid at any eligible institution of higher learning or community or junior college in Mississippi for twenty-four (24) months from the date of issuance.

(2) An otherwise eligible student receiving a HOPE GED voucher under this section is eligible for a HOPE scholarship as a sophomore, junior or senior student.
SECTION 6. (1) To be eligible for a HOPE teacher's scholarship, a student shall:

(a) Meet the residency requirements by:

(i) In the case of a student attending a state institution of higher learning, meeting the requirements to be eligible for in-state tuition under the law or policy set by the Board of Trustees of State Institutions of Higher Learning; or

(ii) In the case of a student attending an eligible private institution or higher learning, being classified as a legal resident of Mississippi;

(b) Be admitted into graduate school and into an advanced degree or approved teacher education program in a critical shortage field of study leading to licensure;

(c) Being one of the following:

(i) A teacher working in a public or private accredited school in Mississippi who has baccalaureate degree and is seeking an advanced degree in his or her current field which is a critical shortage field or in a new critical shortage field;

(ii) An individual with a baccalaureate degree who is seeking an advanced degree in a critical shortage field;

(iii) An individual with a master's degree in a critical shortage field who is seeking licensure as a specialist or a doctorate in his or her current critical shortage field;

(iv) An individual with a master's degree in a field which is not a critical shortage field who is seeking an advanced degree in a critical shortage field;

(v) An individual who has licensure as a specialist in a critical shortage field who is seeking a doctorate in his or her current critical shortage field; or

(vi) A teacher working in a public or private accredited school in Mississippi who is seeking to complete an approved program in a critical shortage field for which degree programs are not generally offered; and
(d) Agree to teach in his or her critical shortage field in a public school in Mississippi at the preschool, elementary, middle or secondary level for one (1) academic year for each Two Thousand Five Hundred Dollars ($2,500.00) in HOPE teacher scholarship funds awarded and sign a promissory note that stipulates the cash repayment obligation incurred if the teaching service is not fulfilled.

(2) (a) Except as otherwise provided in paragraph (b) and (c) of this subsection, for students eligible for a HOPE teacher's scholarship, no minimum number of hours of enrollment is required for eligibility for a HOPE teacher's scholarship.

(b) The program of study a student is attempting must be completed within five (5) years, beginning with the first term for which scholarship funds are awarded.

(c) A student's eligibility for a HOPE teacher's scholarship expires if the student has a break in enrollment at an eligible institution of more than twelve (12) months.

(3) Subject to the amounts appropriated by the Legislature, a HOPE teacher's scholarship award amount for a student shall not exceed Ten Thousand Dollars ($10,000.00) for the student's program of study.

SECTION 7. An individual who meets any of the following criteria is ineligible for the HOPE teacher's scholarship:

(a) Holding an advanced degree in a critical shortage field and seeking an advanced degree in a new critical shortage field; or

(b) Being ineligible for teacher licensure by action of the Commission on Teacher and Administrator Education, Certification and Licensure and Development.

SECTION 8. A HOPE scholarship may be applied only to tuition and mandatory fees not covered by any Pell grant or other federal grant.
SECTION 9. (1) The Mississippi Postsecondary Education Financial Assistance Board may promulgate rules and regulations not inconsistent with this act relating to scholarships described in this act.

(2) The funding for the scholarships described in this act shall be subject to annual appropriations enacted by the Legislature which shall establish the total amount of funding for such scholarships.

SECTION 10. This act shall take effect and be in force from and after July 1, 2003.