

By: Representative Fleming

To: Universities and
Colleges; Appropriations

HOUSE BILL NO. 647

1 AN ACT TO ESTABLISH THE MISSISSIPPI FUTURE SCHOLARSHIP
2 PROGRAM FOR THE PURPOSE OF PROVIDING SCHOLARSHIPS TO COLLEGE
3 STUDENTS TO PAY FOR THE COST OF TUITION; TO PROVIDE ELIGIBILITY
4 REQUIREMENTS FOR THE PROGRAM; TO REPEAL SECTION 37-106-29,
5 MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE MISSISSIPPI
6 RESIDENT TUITION ASSISTANCE GRANT PROGRAM; TO REPEAL SECTION
7 37-106-31, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE
8 MISSISSIPPI EMINENT SCHOLARS FUND; TO CREATE A SPECIAL FUND IN THE
9 STATE TREASURY TO BE KNOWN AS THE "MISSISSIPPI FUTURE SCHOLARSHIP
10 FUND"; TO PROVIDE THAT THE FUNDS DESIGNATED BY THE BOARD OF
11 TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE
12 MISSISSIPPI TUITION ASSISTANCE GRANT PROGRAMS AND THE MISSISSIPPI
13 EMINENT SCHOLARS PROGRAM SHALL BE TRANSFERRED TO THE MISSISSIPPI
14 FUTURE SCHOLARSHIP FUND; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** (1) Beginning with the 2007-2008 school year,
17 there is established the Mississippi Future Scholarship Program
18 for college or university freshmen, sophomores, juniors and
19 seniors to be administered by the Mississippi Postsecondary
20 Education Financial Assistance Board established under Section
21 37-106-9, which shall set the dates and deadlines for applying for
22 an award under this section. The board shall establish such rules
23 and regulations as it deems necessary and proper to carry out the
24 purposes and intent of this section.

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

29 (3) The award shall be applied only to tuition costs and
30 shall not exceed the amount of tuition set for junior and senior
31 students attending state institutions of higher learning in
32 Mississippi or for freshmen and sophomores attending state
33 institutions of higher learning or public community or junior

34 colleges in Mississippi, which will be prorated per term, semester
35 or quarter of the academic year for costs of tuition, calculated
36 according to the formula specified in subsection (8) of this
37 section.

38 (4) The general requirements for initial eligibility of
39 students for the Mississippi Future Scholarship Program consist of
40 the following:

41 (a) Acceptance for enrollment at any state institution
42 of higher learning or public community or junior college located
43 in Mississippi as listed in paragraph (d) of this subsection, with
44 any of the following:

45 (i) A minimum grade point average of 2.5
46 calculated on a 4.0 scale after seven (7) semesters certified by
47 the high school counselor or other authorized school official on
48 the application and graduation from high school verified by the
49 institution before disbursement of award; or

50 (ii) Attendance in a home education program during
51 grade levels 9 through 12, and a score of fifteen (15) on the
52 American College Testing Program; or

53 (iii) Satisfactory completion of the General
54 Educational Development Test (GED) or successful completion of the
55 International Baccalaureate Program and a score of fifteen (15) on
56 the American College Testing Program.

57 However, any student who enters a vocational or technical program
58 of study, or who has satisfactorily completed the General
59 Education Development Test and attends a community or junior
60 college, shall not be required to have a test score under the
61 American College Testing Program except those students enrolled in
62 courses of academic study. Any student currently enrolled in any
63 qualified institution shall have to only meet the same
64 requirements as students who are applying for a renewal award.

65 (c) Resident status for purposes of receiving awards
66 under this act shall be determined in the same manner as resident

67 status for tuition purposes as set forth in Sections 37-103-1
68 through 37-103-29, with the exception of 37-103-17.

69 (d) Attendance at one (1) of the following institutions
70 of higher learning: Alcorn State University, Delta State
71 University, Jackson State University, Mississippi State
72 University, Mississippi University for Women, Mississippi Valley
73 State University, University of Mississippi, University of
74 Southern Mississippi, Coahoma Community College, Copiah-Lincoln
75 Community College, East Central Community College, East
76 Mississippi Community College, Hinds Community College, Holmes
77 Community College, Itawamba Community College, Jones County Junior
78 College, Meridian Community College, Mississippi Delta Community
79 College, Mississippi Gulf Coast Community College, Northeast
80 Mississippi Community College, Northwest Mississippi Community
81 College, Pearl River Community College, Southwest Mississippi
82 Community College.

83 (5) By accepting a Mississippi Future Scholarship Program
84 award, the student is attesting to the accuracy, completeness and
85 correctness of information provided to demonstrate the student's
86 eligibility. Falsification of that information shall result in
87 the denial of any pending award and revocation of any award
88 currently held to the extent that no further payments shall be
89 made. Any student knowingly making false statements in order to
90 receive an award shall be guilty of a misdemeanor punishable, upon
91 conviction thereof, by a fine of up to Ten Thousand Dollars
92 (\$10,000.00), a prison sentence of up to one (1) year in the
93 county jail, or both, and shall be required to return all
94 Mississippi Future Scholarship Program awards wrongfully obtained.

95 (6) Eligibility for renewal of a Mississippi Future
96 Scholarship Program award shall be evaluated at the end of each
97 semester, or term, of each academic year. As a condition for
98 renewal, a student shall:

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

102 (b) Maintain continuous enrollment for not less than
103 two (2) semesters or three (3) quarters in each successive
104 academic year, unless granted an exception for cause by the
105 administering agency; examples of cause may include student
106 participation in a cooperative program, internship program or
107 foreign study program. If a student fails to maintain continuous
108 enrollment, and is not granted an exception for cause by the
109 administering agency, the student is ineligible to receive the
110 Mississippi Future Scholarship Program award during the following
111 semester or trimester or term of the regular academic year.

112 (c) Have a cumulative grade point average of at least
113 3.0 calculated on a 4.0 scale at the end of each semester or
114 trimester or term.

115 (7) Each student must complete annually a Free Application
116 for Federal Student Aid form or a Statement of Certification as
117 designed by the administering board to determine his/her
118 eligibility for a Mississippi Future Scholarship Program award.

119 (8) (a) The amount of the Mississippi Future Scholarship
120 Program award to any one (1) student, up to the maximum amount
121 provided in subsection (3) of this section, shall be the
122 difference of the student's cost of tuition at his accredited
123 college of choice and the amount of federal aid the student may
124 receive, not to supplant but to supplement the amount of any
125 federal aid awarded to the student.

126 (b) Payment of the Mississippi Future Scholarship
127 Program award shall be made payable to the recipient and the
128 educational institution and mailed directly to the institution, to
129 be applied only to tuition.

130 (9) In order for an institution to remain eligible for its
131 students to participate in the Mississippi Future Scholarship

132 Program, the institution shall comply with the following
133 requirements:

134 (a) A complete and accurate roster of the eligibility
135 status of each awarded student shall be made to the board for each
136 term, semester or quarter of the academic year the student
137 receives a Mississippi Future Scholarship Program award.

138 (b) The institution is required to make refunds to the
139 Mississippi Future Scholarship Program for any funds that have not
140 been disbursed to the recipient, in the case of students who have
141 received an award but who terminate enrollment during the academic
142 term, semester or quarter of the academic year if an institution's
143 refund policies permit a student to receive a refund in that
144 instance. The recipient shall be responsible for the refund of
145 any funds that have been disbursed by the institution in that
146 instance.

147 (c) If a student drops below full-time status but does
148 not terminate all enrollment during the term, semester or quarter
149 of the academic year, no refund will be required for that term.
150 However, that student is ineligible to receive a Mississippi
151 Future Scholarship award during the following term, semester or
152 quarter of the regular academic year.

153 (d) The board may conduct its own annual audits of any
154 institution participating in the Mississippi Future Scholarship
155 Program. The board may suspend or revoke an institution's
156 eligibility to receive future monies under the program if it finds
157 that the institution has not complied with the provisions of this
158 section. In determining a student's initial eligibility, the
159 number of prior semesters enrolled will not be counted against the
160 student.

161 (10) No student may receive a Mississippi Future Scholarship
162 Program award for more than the equivalent semesters or quarters
163 required to complete one (1) baccalaureate degree or one (1)
164 certificate or associate degree program per institution.

165 (11) Subject to the availability of funds specifically
166 appropriated therefor, it is the intent of the Legislature to
167 fully fund scholarship awards to eligible students. If funds are
168 insufficient to fully fund scholarship awards to eligible
169 students, scholarship awards shall be prorated among all eligible
170 students. No student shall receive any combination of student
171 financial aid in excess of the cost of tuition as defined in
172 subsection (8)(a) of this section.

173 **SECTION 2.** Section 37-106-29, Mississippi Code of 1972,
174 which provides for the Mississippi Resident Tuition Assistance
175 Grant Program, are repealed.

176 **SECTION 3.** Section 37-106-31, Mississippi Code of 1972,
177 which provides for the Mississippi Eminent Scholars Fund, are
178 repealed.

179 **SECTION 4.** (1) There is created a special fund in the State
180 Treasury to be known as "The Mississippi Future Scholarship Fund."
181 Monies in the fund shall be expended, upon appropriation of the
182 Legislature, for the purpose of providing scholarship awards to
183 students under Section 1 of this act. Monies received by the
184 Mississippi Postsecondary Education Financial Assistance Board for
185 the purposes of Section 1 of this act shall be deposited into the
186 fund. Unexpended amounts remaining in the fund at the end of a
187 fiscal year shall not lapse into the State General Fund, and any
188 interest earned on amounts in the fund shall be deposited to the
189 credit of the fund.

190 (2) The funds designated and maintained by the Board of
191 Trustees of State Institutions of Higher Learning for the
192 Mississippi Tuition Assistance Grant program and the Mississippi
193 Eminent Scholars program shall be transferred to the Mississippi
194 Future Scholarship Fund.

195 **SECTION 5.** Section 1 of this act shall take effect and
196 be in force from and after July 1, 2004, and Sections 2 through 4

197 of this act shall take effect and be in force from and after July
198 1, 2007.