

By: Representative Espy

To: Universities and  
Colleges; Appropriations

HOUSE BILL NO. 985

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) Beginning with the 2005-2006 academic years,  
11 any child who is an orphan in the State of Mississippi is entitled  
12 to a complete scholarship, including tuition, room and meals,  
13 books, school supplies, materials and dues or fees for  
14 extracurricular activities, at any public community or junior  
15 college or state institution of higher learning within this state  
16 in exchange for two (2) years' public service in the employ of the  
17 State of Mississippi or any political subdivision of the state.  
18 For the purposes of this section, the term "orphan" means a child  
19 who does not have a parent, guardian or custodian, including a  
20 foster parent; however, custody by the Department of Human  
21 Services does not render a child ineligible for a scholarship  
22 under this section.

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

30 information that may be required under rules or regulations  
31 established under subsection (6) of this section.

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

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

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

61 (5) As a condition for renewal of a scholarship, a student  
62 must make steady academic progress toward a certificate or

63 associate or baccalaureate degree, as certified by the  
64 institution's registrar, and must maintain a cumulative grade  
65 point average of at least 2.00 calculated on a 4.00 scale at the  
66 end of each term.

67 (6) The Board of Trustees of State Institutions of Higher  
68 Learning and the State Board for Community and Junior Colleges  
69 jointly shall promulgate rules and regulations necessary to carry  
70 out the purposes and intent of this section. The Board of  
71 Trustees of State Institutions of Higher Learning shall administer  
72 the program, which shall be implemented beginning with the  
73 2005-2006 academic year.

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

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

96 the obligor is liable for an additional amount equal to a  
97 reasonable attorney's fee.

98 (9) It is the intent of the Legislature to fully fund  
99 scholarships to eligible students under this program. If funds  
100 are insufficient to fully fund scholarships to all eligible  
101 applicants, the board shall award the scholarships to first-time  
102 students on a first-come, first-served basis; however, priority  
103 consideration must be given to persons previously receiving awards  
104 under the program who are making steady academic progress toward  
105 completion of a certificate program or associate or baccalaureate  
106 degree.

107 **SECTION 2.** This act shall take effect and be in force from  
108 and after July 1, 2004.