

By: Senator(s) Nunnelee

To: Universities and
Colleges; Appropriations

SENATE BILL NO. 2060

1 AN ACT TO AMEND SECTION 37-106-29, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE TUITION AMOUNTS UNDER THE MISSISSIPPI RESIDENT
3 TUITION ASSISTANCE GRANT PROGRAM FOR FRESHMAN AND SOPHOMORE
4 STUDENTS TO \$1,000.00 PER TERM; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-106-29, Mississippi Code of 1972, is
7 amended as follows:

8 37-106-29. (1) There is established the Mississippi
9 Resident Tuition Assistance Grant Program for college or
10 university freshmen, sophomores, juniors and seniors to be
11 administered by the Mississippi Postsecondary Education Financial
12 Assistance Board established under Section 37-106-9, Mississippi
13 Code of 1972, which shall set the dates and deadlines for applying
14 for an award under this section. The board shall establish such
15 rules and regulations as it deems necessary and proper to carry
16 out the purposes and intent of this section.

17 (2) The college or university shall approve grants to
18 full-time freshmen, sophomore, junior and senior Mississippi
19 residents who meet the general requirements for student
20 eligibility as provided in subsection (4) of this section.

21 (3) Mississippi Resident Tuition Assistance Grants shall be
22 for Mississippi students from any Mississippi family whose prior
23 year adjusted gross income (AGI) exceeds the maximum allowed to
24 qualify for full Pell Grant eligibility and campus-based federal
25 aid. Those Mississippi students receiving less than the full Pell
26 Grant award, as determined by the institution, shall receive a
27 Mississippi Resident Tuition Assistance Grant in an amount not to
28 exceed the maximum Pell Grant allowable for that individual

29 student. The award shall be applied to tuition, rooms and meals,
30 books, materials and fees not to exceed One Thousand Dollars
31 (\$1,000.00) for freshman, sophomore, junior and senior students
32 attending state institutions of higher learning in Mississippi, or
33 two-year or four-year regionally accredited, state-approved,
34 nonprofit colleges and universities in Mississippi, * * * or
35 public community or junior colleges in Mississippi, * * * which
36 will be prorated per term, semester or quarter of the academic
37 year for costs of attendance, calculated according to the formula
38 specified in subsection (8) of this section.

39 (4) The general requirements for initial eligibility of
40 students for Mississippi Resident Tuition Assistance Grants
41 consist of the following:

42 (a) Member of a Mississippi family whose prior year
43 adjusted gross income (AGI) exceeds the maximum allowed to qualify
44 for Pell Grant eligibility and campus-based federal aid.

45 (b) Acceptance for enrollment at any state institution
46 of higher learning or public community or junior college located
47 in Mississippi, or any regionally accredited, state-approved,
48 nonprofit four- or two-year college or university located in
49 Mississippi as listed in subsection (d) of this Section

50 37-106-29(4): (i) a minimum grade point average of 2.5 calculated
51 on a 4.0 scale after seven (7) semesters certified by the high
52 school counselor or other authorized school official on the
53 application and graduation from high school verified by the
54 institution before disbursement of award and has scored fifteen
55 (15) on the American College Test Program (ACT); or (ii) has
56 attended a home education program during Grade levels 9 through
57 12, and has scored fifteen (15) on the American College Testing
58 Program; or (iii) satisfactory completion of the General
59 Educational Development Test (GED) or have successfully completed
60 the International Baccalaureate Program and has scored fifteen
61 (15) on the American College Testing Program; provided, however,

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

70 (c) Resident status for purposes of receiving grants
71 under this section shall be determined in the same manner as
72 resident status for tuition purposes as set forth in Sections
73 37-103-1 through 37-103-29, with the exception of 37-103-17.

74 (d) Must attend one (1) of the following institutions
75 of higher learning: Alcorn State University, Delta State
76 University, Jackson State University, Mississippi State
77 University, Mississippi University for Women, Mississippi Valley
78 State University, University of Mississippi, University of
79 Southern Mississippi, Coahoma Community College, Copiah-Lincoln
80 Community College, East Central Community College, East
81 Mississippi Community College, Hinds Community College, Holmes
82 Community College, Itawamba Community College, Jones County Junior
83 College, Meridian Community College, Mississippi Delta Community
84 College, Mississippi Gulf Coast Community College, Northeast
85 Mississippi Community College, Northwest Mississippi Community
86 College, Pearl River Community College, Southwest Mississippi
87 Community College, Belhaven College, Blue Mountain College,
88 Millsaps College, Mississippi College, Rust College, Tougaloo
89 College, William Carey College, Mary Holmes College, Magnolia
90 Bible College and Wood College.

91 (5) By accepting a Mississippi Resident Tuition Assistance
92 Grant, the student is attesting to the accuracy, completeness and
93 correctness of information provided to demonstrate the student's
94 eligibility. Falsification of such information shall result in

95 the denial of any pending grant and revocation of any award
96 currently held to the extent that no further payments shall be
97 made. Any student knowingly making false statements in order to
98 receive a grant shall be guilty of a misdemeanor punishable, upon
99 conviction thereof, by a fine of up to Ten Thousand Dollars
100 (\$10,000.00), a prison sentence of up to one (1) year in the
101 county jail, or both, and shall be required to return all
102 Mississippi Resident Tuition Assistance Grants wrongfully
103 obtained.

104 (6) Eligibility for renewal of Mississippi Resident Tuition
105 Assistance Grants shall be evaluated at the end of each semester,
106 or term, of each academic year. As a condition for renewal, a
107 student shall:

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

111 (b) Maintain continuous enrollment for not less than
112 two (2) semesters or three (3) quarters in each successive
113 academic year, unless granted an exception for cause by the
114 administering agency; examples of cause may include student
115 participation in a cooperative program, internship program or
116 foreign study program. If a student fails to maintain continuous
117 enrollment, and is not granted an exception for cause by the
118 administering agency, the student is ineligible to receive the
119 Mississippi Resident Tuition Assistance Grant during the following
120 semester or trimester or term of the regular academic year.

121 (c) Have a cumulative grade point average of at least
122 2.50 calculated on a 4.0 scale at the end of each semester or
123 trimester or term.

124 (7) Each student, each year, must complete a Free
125 Application for Federal Student Aid form or a Statement of
126 Certification as designed by the administering board to determine

127 his/her eligibility for a Mississippi Resident Tuition Assistance
128 Grant.

129 (8) (a) The amount of the Mississippi Resident Tuition
130 Assistance Grant awarded to any one (1) student, up to the maximum
131 amount provided in subsection (3) of this section, shall be the
132 difference of the student's cost of attendance at his accredited
133 college of choice and the amount of federal aid such student may
134 receive, not to supplant but to supplement the amount of any
135 federal aid awarded to the student. Cost of attendance is the
136 tuition and fees of the applicable institution plus an allowance
137 for room and meals and books and materials.

138 (b) Payment of the Mississippi Resident Tuition
139 Assistance Grant shall be made payable to the recipient and the
140 educational institution and mailed directly to the institution, to
141 be applied first to tuition.

142 (9) In order for an institution to remain eligible for its
143 students to participate in the Mississippi Resident Tuition
144 Assistance Grant Program, the institution shall comply with the
145 following requirements:

146 (a) A complete and accurate roster of the eligibility
147 status of each awarded student shall be made to the board for each
148 term, semester or quarter of the academic year the student
149 receives a Mississippi Resident Tuition Assistance Grant.

150 (b) The institution is required to make refunds to the
151 Mississippi Resident Tuition Assistance Grant Fund for any funds
152 which have not been disbursed to the recipient, in the case of
153 students who have received a grant but who terminate enrollment
154 during the academic term, semester or quarter of the academic year
155 if an institution's refund policies permit a student to receive a
156 refund in such instance. The recipient shall be responsible for
157 the refund of any funds which have been disbursed by the
158 institution in such instance.

159 (c) If a student drops below full-time status but does
160 not terminate all enrollment during the term, semester or quarter
161 of the academic year no refund will be required for that term.
162 However, that student is ineligible to receive the Mississippi
163 Resident Tuition Assistance Grant during the following term,
164 semester or quarter of the regular academic year.

165 (d) The board may conduct its own annual audits of any
166 institution participating in the Mississippi Resident Tuition
167 Assistance Grant Program. The board may suspend or revoke an
168 institution's eligibility to receive future monies under the
169 program if it finds that the institution has not complied with the
170 provisions of this act. In determining a student's initial
171 eligibility, the number of prior semesters enrolled will not be
172 counted against the student.

173 (10) No student may receive a Mississippi Resident Tuition
174 Assistance Grant for more than the equivalent semesters or
175 quarters required to complete one (1) baccalaureate degree or one
176 (1) certificate or associate degree program per institution.

177 (11) Subject to the availability of funds specifically
178 appropriated therefor, it is the intent of the Legislature to
179 fully fund grant awards to eligible students. If funds are
180 insufficient to fully fund grant awards to eligible students,
181 grant awards shall be prorated among all eligible students. No
182 student shall receive any combination of student financial aid in
183 excess of the cost of attendance as defined in subsection (8)(a).

184 (12) No student receiving a Mississippi Eminent Scholars
185 Grant as provided in Section 37-106-31 shall be eligible to
186 receive the Mississippi Resident Tuition Assistance Grant pursuant
187 to Section 37-106-29 unless he is eligible for such award after
188 the Mississippi Eminent Scholars Grant has been considered by the
189 board when conducting an assessment of the financial resources
190 available to the student. In no case shall any student receive

191 any combination of student financial aid that would exceed the
192 cost of attendance, as defined in subsection (8)(a).

193 For purposes of this section, certificated shall mean, but
194 not be limited to, all postsecondary vocational programs in
195 eligible institutions as identified in subsection (4)(d) of this
196 section.

197 **SECTION 2.** All new programs authorized under this Senate
198 Bill No._____, 2004 Regular Session, shall be subject to the
199 availability of funds specifically appropriated therefor by the
200 Legislature during the 2002 Regular Session or any subsequent
201 session. It is the intent of the Legislature that this act shall
202 be codified but that no amendment to a Code section or repeal of a
203 Code section enacted by this Senate Bill No._____, 2004 Regular
204 Session, shall take effect until the Legislature has funded any
205 new programs authorized hereunder by line-item appropriation, said
206 line-item appropriation to be certified by the Legislative Budget
207 Office to the Secretary of State.

208 **SECTION 3.** This act shall take effect and be in force from
209 and after July 1, 2004.