

By: Senator(s) Gollott

To: Universities and
Colleges; Appropriations

SENATE BILL NO. 3022

1 AN ACT TO AMEND SECTION 37-106-29, MISSISSIPPI CODE OF 1972,
2 TO ADD THE BRANCH OF UNIVERSITY COLLEGE OF TULANE UNIVERSITY IN
3 BILOXI, MISSISSIPPI, TO THE MISSISSIPPI RESIDENT TUITION
4 ASSISTANCE GRANT PROGRAM; 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 act.

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 junior and senior students attending state
32 institutions of higher learning in Mississippi or four-year
33 regionally accredited, state-approved, nonprofit colleges and
34 universities in Mississippi, and Five Hundred Dollars (\$500.00)
35 for freshmen and sophomores attending state institutions of higher
36 learning or public community or junior colleges in Mississippi, or
37 regionally accredited, state-approved, nonprofit two-year or
38 four-year colleges in Mississippi, which will be prorated per
39 term, semester or quarter of the academic year for costs of
40 attendance, calculated according to the formula specified in
41 subsection (8) of this section.

42 (4) The general requirements for initial eligibility of
43 students for Mississippi Resident Tuition Assistance Grants
44 consist of the following:

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

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

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

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

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

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

95 (5) By accepting a Mississippi Resident Tuition Assistance
96 Grant, the student is attesting to the accuracy, completeness and
97 correctness of information provided to demonstrate the student's
98 eligibility. Falsification of such information shall result in
99 the denial of any pending grant and revocation of any award
100 currently held to the extent that no further payments shall be
101 made. Any student knowingly making false statements in order to
102 receive a grant shall be guilty of a misdemeanor punishable, upon
103 conviction thereof, by a fine of up to Ten Thousand Dollars
104 (\$10,000.00), a prison sentence of up to one (1) year in the
105 county jail, or both, and shall be required to return all
106 Mississippi Resident Tuition Assistance Grants wrongfully
107 obtained.

108 (6) Eligibility for renewal of Mississippi Resident Tuition
109 Assistance Grants shall be evaluated at the end of each semester,
110 or term, of each academic year. As a condition for renewal, a
111 student shall:

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

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

125 (c) Have a cumulative grade point average of at least
126 2.50 calculated on a 4.0 scale at the end of each semester or
127 trimester or term.

128 (7) Each student, each year, must complete a Free
129 Application for Federal Student Aid form or a Statement of
130 Certification as designed by the administering board to determine
131 his/her eligibility for a Mississippi Resident Tuition Assistance
132 Grant.

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

142 (b) Payment of the Mississippi Resident Tuition
143 Assistance Grant shall be made payable to the recipient and the
144 educational institution and mailed directly to the institution, to
145 be applied first to tuition.

146 (9) In order for an institution to remain eligible for its
147 students to participate in the Mississippi Resident Tuition
148 Assistance Grant Program, the institution shall comply with the
149 following requirements:

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

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

161 the refund of any funds which have been disbursed by the
162 institution in such instance.

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

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

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

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

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

194 available to the student. In no case shall any student receive
195 any combination of student financial aid that would exceed the
196 cost of attendance, as defined in subsection (8)(a).

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

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