

By: Senator(s) Butler

To: Appropriations

SENATE BILL NO. 2173

1 AN ACT TO AMEND SECTION 37-106-29, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT MISSISSIPPI STUDENTS WHO HAVE AT LEAST A 3.0 GRADE
3 POINT AVERAGE IN HIGH SCHOOL AND MAINTAIN THAT AVERAGE SHALL BE
4 ELIGIBLE FOR A SCHOLARSHIP EQUAL TO THE FULL COST OF TUITION AT
5 ANY STATE INSTITUTION OF HIGHER LEARNING OR PUBLIC COMMUNITY
6 COLLEGE; AND FOR RELATED PURPOSES.

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

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

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

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

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

30 exceed the maximum Pell Grant allowable for that individual
31 student. The award shall be applied to tuition, rooms and meals,
32 books, materials and fees not to exceed One Thousand Dollars
33 (\$1,000.00) for junior and senior students attending state
34 institutions of higher learning in Mississippi or four-year
35 regionally accredited, state-approved, nonprofit colleges and
36 universities in Mississippi, and Five Hundred Dollars (\$500.00)
37 for freshmen and sophomores attending state institutions of higher
38 learning or public community or junior colleges in Mississippi, or
39 regionally accredited, state-approved, nonprofit two-year or
40 four-year colleges in Mississippi, which will be prorated per
41 term, semester or quarter of the academic year for costs of
42 attendance, calculated according to the formula specified in
43 subsection (8) of this section. Provided, however, that the award
44 shall be equal to the full cost of tuition at any institution of
45 higher learning or public community college listed in subsection
46 (4)(d) for any student who has attained a grade point average of
47 at least a 3.0 calculated on a 4.0 scale after seven (7) semesters
48 as certified by the high school counselor or other authorized
49 school official.

50 (4) The general requirements for initial eligibility of
51 students for Mississippi Resident Tuition Assistance Grants
52 consist of the following:

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

56 (b) Acceptance for enrollment at any state institution
57 of higher learning or public community or junior college located
58 in Mississippi, or any regionally accredited, state-approved,
59 nonprofit four- or two-year college or university located in
60 Mississippi as listed in subsection (d) of this Section

61 37-106-29(4): (i) a minimum grade point average of 2.5 calculated
62 on a 4.0 scale after seven (7) semesters certified by the high

63 school counselor or other authorized school official on the
64 application and graduation from high school verified by the
65 institution before disbursement of award and has scored fifteen
66 (15) on the American College Test Program (ACT); or (ii) has
67 attended a home education program during grade levels 9 through
68 12, and has scored fifteen (15) on the American College Testing
69 Program; or (iii) satisfactory completion of the General
70 Educational Development Test (GED) or have successfully completed
71 the International Baccalaureate Program and has scored fifteen
72 (15) on the American College Testing Program; provided, however,
73 that any student entering a vocational or technical program of
74 study, or who has satisfactorily completed the General Education
75 Development Test and attends a community or junior college will
76 not be required to have a test score under the American College
77 Testing Program except those students enrolled in courses of
78 academic study. Any student currently enrolled in any qualified
79 institution shall have to only meet the same requirements as
80 students who are applying for a renewal award.

81 (c) Resident status for purposes of receiving grants
82 under this section shall be determined in the same manner as
83 resident status for tuition purposes as set forth in Sections
84 37-103-1 through 37-103-29, with the exception of 37-103-17.

85 (d) Must attend one (1) of the following institutions
86 of higher learning: Alcorn State University, Delta State
87 University, Jackson State University, Mississippi State
88 University, Mississippi University for Women, Mississippi Valley
89 State University, University of Mississippi, University of
90 Southern Mississippi, Coahoma Community College, Copiah-Lincoln
91 Community College, East Central Community College, East
92 Mississippi Community College, Hinds Community College, Holmes
93 Community College, Itawamba Community College, Jones County Junior
94 College, Meridian Community College, Mississippi Delta Community
95 College, Mississippi Gulf Coast Community College, Northeast

96 Mississippi Community College, Northwest Mississippi Community
97 College, Pearl River Community College, Southwest Mississippi
98 Community College, Belhaven College, Blue Mountain College,
99 Millsaps College, Mississippi College, Rust College, Tougaloo
100 College, William Carey College, Mary Holmes College, Magnolia
101 Bible College and Wood College.

102 (5) By accepting a Mississippi Resident Tuition Assistance
103 Grant, the student is attesting to the accuracy, completeness and
104 correctness of information provided to demonstrate the student's
105 eligibility. Falsification of such information shall result in
106 the denial of any pending grant and revocation of any award
107 currently held to the extent that no further payments shall be
108 made. Any student knowingly making false statements in order to
109 receive a grant shall be guilty of a misdemeanor punishable, upon
110 conviction thereof, by a fine of up to Ten Thousand Dollars
111 (\$10,000.00), a prison sentence of up to one (1) year in the
112 county jail, or both, and shall be required to return all
113 Mississippi Resident Tuition Assistance Grants wrongfully
114 obtained.

115 (6) Eligibility for renewal of Mississippi Resident Tuition
116 Assistance Grants shall be evaluated at the end of each semester,
117 or term, of each academic year. As a condition for renewal, a
118 student shall:

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

122 (b) Maintain continuous enrollment for not less than
123 two (2) semesters or three (3) quarters in each successive
124 academic year, unless granted an exception for cause by the
125 administering agency; examples of cause may include student
126 participation in a cooperative program, internship program or
127 foreign study program. If a student fails to maintain continuous
128 enrollment, and is not granted an exception for cause by the

129 administering agency, the student is ineligible to receive the
130 Mississippi Resident Tuition Assistance Grant during the following
131 semester or trimester or term of the regular academic year.

132 (c) Have a cumulative grade point average of at least
133 2.50 calculated on a 4.0 scale at the end of each semester or
134 trimester or term. Provided, however, that any student who is
135 receiving an award equal to the full amount of the tuition at an
136 institution of higher learning or public community college, the
137 student shall maintain a cumulative grade point average of at
138 least 3.0 calculated on a 4.0 scale at the end of each semester or
139 trimester or term.

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

145 (8) (a) The amount of the Mississippi Resident Tuition
146 Assistance Grant awarded to any one (1) student, up to the maximum
147 amount provided in subsection (3) of this section, shall be the
148 difference of the student's cost of attendance at his accredited
149 college of choice and the amount of federal aid such student may
150 receive, not to supplant but to supplement the amount of any
151 federal aid awarded to the student. Cost of attendance is the
152 tuition and fees of the applicable institution plus an allowance
153 for room and meals and books and materials.

154 (b) Payment of the Mississippi Resident Tuition
155 Assistance Grant shall be made payable to the recipient and the
156 educational institution and mailed directly to the institution, to
157 be applied first to tuition.

158 (9) In order for an institution to remain eligible for its
159 students to participate in the Mississippi Resident Tuition
160 Assistance Grant Program, the institution shall comply with the
161 following requirements:

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

166 (b) The institution is required to make refunds to the
167 Mississippi Resident Tuition Assistance Grant Fund for any funds
168 which have not been disbursed to the recipient, in the case of
169 students who have received a grant but who terminate enrollment
170 during the academic term, semester or quarter of the academic year
171 if an institution's refund policies permit a student to receive a
172 refund in such instance. The recipient shall be responsible for
173 the refund of any funds which have been disbursed by the
174 institution in such instance.

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

181 (d) The board may conduct its own annual audits of any
182 institution participating in the Mississippi Resident Tuition
183 Assistance Grant Program. The board may suspend or revoke an
184 institution's eligibility to receive future monies under the
185 program if it finds that the institution has not complied with the
186 provisions of this section. In determining a student's initial
187 eligibility, the number of prior semesters enrolled will not be
188 counted against the student.

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

193 (11) Subject to the availability of funds specifically
194 appropriated therefor, it is the intent of the Legislature to

195 fully fund grant awards to eligible students. If funds are
196 insufficient to fully fund grant awards to eligible students,
197 grant awards shall be prorated among all eligible students. No
198 student shall receive any combination of student financial aid in
199 excess of the cost of attendance as defined in subsection (8)(a).

200 (12) No student receiving a Mississippi Eminent Scholars
201 Grant as provided in Section 37-106-31 shall be eligible to
202 receive the Mississippi Resident Tuition Assistance Grant pursuant
203 to Section 37-106-29 unless he is eligible for such award after
204 the Mississippi Eminent Scholars Grant has been considered by the
205 board when conducting an assessment of the financial resources
206 available to the student. In no case shall any student receive
207 any combination of student financial aid that would exceed the
208 cost of attendance, as defined in subsection (8)(a).

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

212 **SECTION 2.** This act shall take effect and be in force from
213 and after July 1, 2005.