

By: Representative Espy

To: Universities and
Colleges; Appropriations

HOUSE BILL NO. 1382

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 2007-2008 academic year,
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 an award under this section. Students enrolling on
38 a 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 2007-2008 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, 2006.