

By: Senator(s) Nunnelee

To: Universities and
Colleges; Appropriations

SENATE BILL NO. 2546

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 (M.T.A.G.) PROGRAM FOR FRESHMAN AND
4 SOPHOMORE STUDENTS TO \$1,000.00 PER TERM; AND FOR RELATED
5 PURPOSES.

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

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

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

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

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

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

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

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

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

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

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

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

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

92 (5) By accepting a Mississippi Resident Tuition Assistance
93 Grant, the student is attesting to the accuracy, completeness and
94 correctness of information provided to demonstrate the student's

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

197 **SECTION 2.** All new programs authorized under this Senate
198 Bill No. 2546, 2006 Regular Session, shall be subject to the
199 availability of funds specifically appropriated therefor by the
200 Legislature during the 2006 Regular Session or any subsequent
201 session.

202 **SECTION 3.** This act shall take effect and be in force from
203 and after July 1, 2006.