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 Clark

To: Universities and
 Colleges; Appropriations

HOUSE BILL NO. 864
 (As Passed the House)

1 AN ACT TO PROVIDE FOR THE WAIVER OF TUITION AND REQUIRED FEES
 2 AT THE STATE INSTITUTIONS OF HIGHER LEARNING AND COMMUNITY AND
 3 JUNIOR COLLEGES FOR THE CHILDREN OR SPOUSE OF DECEASED VETERANS OF
 4 THE UNITED STATES ARMED FORCES OR THE MISSISSIPPI NATIONAL GUARD
 5 WHO WERE KILLED IN THE LINE OF DUTY AND THE CHILDREN OR SPOUSE OF
 6 CERTAIN DISABLED VETERANS OF THE UNITED STATES ARMED FORCES OR THE
 7 MISSISSIPPI NATIONAL GUARD; TO REQUIRE APPLICATIONS FOR A WAIVER
 8 TO INCLUDE DOCUMENTATION CONCERNING THE DECEASED VETERAN'S DEATH
 9 OR THE DECEASED VETERAN'S DEATH OR THE VETERAN'S DISABILITY; TO
 10 PROVIDE THAT TUITION MAY BE WAIVED FOR BOTH FULL-TIME AND
 11 PART-TIME STUDENTS; TO PROVIDE THAT THE BOARD OF TRUSTEES OF STATE
 12 INSTITUTIONS OF HIGHER LEARNING SHALL BE THE ADMINISTERING AGENCY
 13 OF THE TUITION WAIVER PROGRAM; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** (1) Beginning with the 2007-2008 academic year,
 16 any resident of the State of Mississippi who is (a) the child of a
 17 deceased veteran of the United States Armed Forces or deceased
 18 veteran of the Mississippi National Guard on active federal duty
 19 who was killed in the line of duty, (b) the child of an honorably
 20 discharged veteran of the United States Armed Forces or an
 21 honorably discharged veteran of the Mississippi National Guard
 22 whose disability occurred while on active federal duty who has a
 23 service-connected disability that is permanently and no less than
 24 seventy percent (70%) disabling according to the rules and
 25 regulations of the United States Department of Veterans Affairs,
 26 or (c) the unremarried spouse of a deceased veteran of the spouse
 27 of a disabled veteran, may apply for a waiver of tuition at any
 28 state institution of higher learning or public community or junior
 29 college in the state. For the purposes of this section, the term
 30 "child" means a natural child, legally adopted child or stepchild.

31 (2) A child or spouse of a deceased or disabled veteran who
 32 qualifies for a tuition waiver under this section who is enrolled

33 in or accepted for enrollment at a state institution of higher
34 learning or a public community or junior college in Mississippi
35 may apply for a waiver of tuition. In order to be eligible, a
36 child may not have reached the age of twenty-three (23) years on
37 the first day of the semester or term for which the child is
38 enrolling; however, any child who has begun earning academic
39 credit in furtherance of an associate or baccalaureate degree or
40 certificate program before attaining the age of twenty-three (23)
41 years whose college instruction is interrupted for any reason is
42 eligible to receive academic waivers in furtherance of the degree
43 or certificate toward which the student is working, subject to the
44 conditions prescribed in subsection (3). An application must be
45 accompanied by proper proof that the deceased veteran is a veteran
46 of the United States Armed Forces or the Mississippi National
47 Guard and that the veteran was killed in the line of duty, or the
48 veteran is an honorably discharged veteran of the United States
49 Armed Forces or the Mississippi National Guard and that the
50 veteran has a service-connected disability that is permanently and
51 no less than seventy percent (70%) disabling according to the
52 rules and regulations of the United States Department of Veterans
53 Affairs. A spouse who qualifies for a waiver of tuition under
54 this section shall not be entitled to a waiver after ten (10)
55 years following the qualifying event.

56 (3) A waiver of tuition awarded under this section may not
57 exceed the actual cost of tuition at the institution or college at
58 which the child or spouse of a veteran is enrolled or accepted for
59 enrollment. The amount of tuition waived for the child or spouse
60 of a disabled veteran shall be reduced by the amount that such
61 child or spouse receives from any grant under a federal
62 educational assistance program or any other source. For purposes
63 of this section, the term "tuition" means the semester or term
64 charges and all required fees; however, the term "tuition" does
65 not include housing costs, books, food, school supplies,

66 materials, dues or fees for extracurricular activities or any
67 costs, fees or expenses for or associated with a summer session.
68 Both full-time and part-time students may apply for a waiver under
69 this section. Students enrolling on a full-time basis may receive
70 a maximum of four (4) annual waivers, and in those instances when
71 a degree program requires five (5) years for completion, five (5)
72 annual waivers. The number of waivers which may be granted to a
73 student attending school on a part-time basis may not exceed the
74 length of time required to complete the associate or baccalaureate
75 degree or certificate program toward which the student is working.
76 A person who has a baccalaureate degree is not eligible for a
77 waiver of tuition under this section, and any person who has an
78 associate degree may receive waivers only in furtherance of a
79 baccalaureate degree.

80 (4) As a condition for renewal of a waiver of tuition, a
81 student must make steady academic progress toward a certificate or
82 associate or baccalaureate degree, as certified by the
83 institution's registrar, and must maintain a cumulative grade
84 point average of at least 2.00 calculated on a 4.00 scale at the
85 end of each term.

86 (5) The Board of Trustees of State Institutions of Higher
87 Learning and the State Board for Community and Junior Colleges
88 jointly shall promulgate rules and regulations necessary to carry
89 out the purposes of this section. The Board of Trustees of State
90 Institutions of Higher Learning is the administering agency of the
91 tuition waiver program.

92 (6) It is the intent of the Legislature that all children or
93 spouse of deceased or disabled veterans who are eligible for a
94 waiver of tuition under this section be granted a waiver provided
95 that monies are specifically appropriated by the Legislature to
96 sufficiently reimburse the state institutions of higher learning
97 and public community and junior colleges for the losses they incur
98 in implementing the tuition waiver program. If the Legislature

99 specifically appropriates monies to implement the program but such
100 funding is insufficient at a state institution or community or
101 junior college to provide a waiver of tuition for all eligible
102 applicants at that institution or college, the board shall grant
103 the tuition waivers to first-time students on a first-come,
104 first-served basis; however, priority consideration must be given
105 to persons previously receiving waivers under this section who are
106 making steady academic progress toward completion of a certificate
107 program or associate or baccalaureate degree.

108 **SECTION 2.** This act shall take effect and be in force from
109 and after July 1, 2007.