

By: Senator(s) Butler

To: Universities and
Colleges; Appropriations

SENATE BILL NO. 2103

1 AN ACT TO AMEND SECTION 37-106-29, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT ANY MISSISSIPPI RESIDENT AGE 65 OR OVER SHALL BE
3 ELIGIBLE FOR A SCHOLARSHIP EQUAL TO THE FULL COST OF TUITION AT
4 ANY STATE INSTITUTION OF HIGHER LEARNING OR PUBLIC COMMUNITY
5 COLLEGE; TO PROVIDE THAT SUCH WAIVER SHALL BE ADMINISTERED UNDER
6 THE MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT PROGRAM (MTAG);
7 AND FOR RELATED PURPOSES.

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

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

11 37-106-29. (1) There is established the Mississippi
12 Resident Tuition Assistance Grant Program for college or
13 university freshmen, sophomores, juniors and seniors and for
14 Mississippi residents age sixty-five (65) or over to be
15 administered by the Mississippi Postsecondary Education Financial
16 Assistance Board established under Section 37-106-9, Mississippi
17 Code of 1972, which shall set the dates and deadlines for applying
18 for an award under this section. The board shall establish such
19 rules and regulations as it deems necessary and proper to carry
20 out the purposes and intent of this section.

21 (2) The college or university shall approve grants to
22 full-time freshmen, sophomore, junior and senior Mississippi
23 residents and Mississippi residents age sixty-five (65) or over
24 who meet the general requirements for student eligibility as
25 provided in subsection (4) of this section.

26 (3) Mississippi Resident Tuition Assistance Grants shall be
27 for Mississippi students from any Mississippi family whose prior
28 year adjusted gross income (AGI) exceeds the maximum allowed to
29 qualify for full Pell Grant eligibility and campus-based federal

30 aid. Those Mississippi students receiving less than the full Pell
31 Grant award, as determined by the institution, shall receive a
32 Mississippi Resident Tuition Assistance Grant in an amount not to
33 exceed the maximum Pell Grant allowable for that individual
34 student. The award shall be applied to tuition, rooms and meals,
35 books, materials and fees not to exceed One Thousand Dollars
36 (\$1,000.00) for junior and senior students attending state
37 institutions of higher learning in Mississippi or four-year
38 regionally accredited, state-approved, nonprofit colleges and
39 universities in Mississippi, and Five Hundred Dollars (\$500.00)
40 for freshmen and sophomores attending state institutions of higher
41 learning or public community or junior colleges in Mississippi, or
42 regionally accredited, state-approved, nonprofit two-year or
43 four-year colleges in Mississippi, which will be prorated per
44 term, semester or quarter of the academic year for costs of
45 attendance, calculated according to the formula specified in
46 subsection (8) of this section. Provided, however, that the award
47 shall be equal to the full cost of tuition at any institution of
48 higher learning or public community college listed in subsection
49 (4)(d) for any student who is a Mississippi resident age
50 sixty-five (65) or over who is not receiving a Pell Grant or other
51 campus-based federal financial aid. Classes eligible for
52 tuition-free attendance by residents age sixty-five (65) or over
53 shall be restricted to those courses of study offered by a state
54 institution of higher learning or public community college on July
55 1, 2007.

56 (4) The general requirements for initial eligibility of
57 students for Mississippi Resident Tuition Assistance Grants
58 consist of the following:

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

62 (b) Acceptance for enrollment at any state institution
63 of higher learning or public community or junior college located
64 in Mississippi, or any regionally accredited, state-approved,
65 nonprofit four- or two-year college or university located in
66 Mississippi as listed in subsection (d) of this Section
67 37-106-29(4): (i) a minimum grade point average of 2.5 calculated
68 on a 4.0 scale after seven (7) semesters certified by the high
69 school counselor or other authorized school official on the
70 application and graduation from high school verified by the
71 institution before disbursement of award and has scored fifteen
72 (15) on the American College Test Program (ACT); or (ii) has
73 attended a home education program during grade levels 9 through
74 12, and has scored fifteen (15) on the American College Testing
75 Program; or (iii) satisfactory completion of the General
76 Educational Development Test (GED) or have successfully completed
77 the International Baccalaureate Program and has scored fifteen
78 (15) on the American College Testing Program; provided, however,
79 that any student entering a vocational or technical program of
80 study, or who has satisfactorily completed the General Education
81 Development Test and attends a community or junior college will
82 not be required to have a test score under the American College
83 Testing Program except those students enrolled in courses of
84 academic study. Any student currently enrolled in any qualified
85 institution shall have to only meet the same requirements as
86 students who are applying for a renewal award.

87 (c) Resident status for purposes of receiving grants
88 under this section shall be determined in the same manner as
89 resident status for tuition purposes as set forth in Sections
90 37-103-1 through 37-103-29, with the exception of 37-103-17.

91 (d) Must attend one (1) of the following institutions
92 of higher learning: Alcorn State University, Delta State
93 University, Jackson State University, Mississippi State
94 University, Mississippi University for Women, Mississippi Valley

95 State University, University of Mississippi, University of
96 Southern Mississippi, Coahoma Community College, Copiah-Lincoln
97 Community College, East Central Community College, East
98 Mississippi Community College, Hinds Community College, Holmes
99 Community College, Itawamba Community College, Jones County Junior
100 College, Meridian Community College, Mississippi Delta Community
101 College, Mississippi Gulf Coast Community College, Northeast
102 Mississippi Community College, Northwest Mississippi Community
103 College, Pearl River Community College, Southwest Mississippi
104 Community College, Belhaven College, Blue Mountain College,
105 Millsaps College, Mississippi College, Rust College, Tougaloo
106 College, William Carey College, Mary Holmes College, Magnolia
107 Bible College, Wood College and Wesley College.

108 (e) Mississippi residents age sixty-five (65) or over.
109 For purposes of tuition waiver under this paragraph (e), there
110 shall be no requirement for minimum grade point average or minimum
111 standardized test score as is required for traditional students
112 under paragraph (b), and there shall be no requirement for minimum
113 adjusted gross income (AGI) as is required for traditional
114 students under paragraph (a).

115 (5) By accepting a Mississippi Resident Tuition Assistance
116 Grant, the student is attesting to the accuracy, completeness and
117 correctness of information provided to demonstrate the student's
118 eligibility. Falsification of such information shall result in
119 the denial of any pending grant and revocation of any award
120 currently held to the extent that no further payments shall be
121 made. Any student knowingly making false statements in order to
122 receive a grant shall be guilty of a misdemeanor punishable, upon
123 conviction thereof, by a fine of up to Ten Thousand Dollars
124 (\$10,000.00), a prison sentence of up to one (1) year in the
125 county jail, or both, and shall be required to return all
126 Mississippi Resident Tuition Assistance Grants wrongfully
127 obtained.

128 (6) Eligibility for renewal of Mississippi Resident Tuition
129 Assistance Grants shall be evaluated at the end of each semester,
130 or term, of each academic year. As a condition for renewal, a
131 student shall:

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

135 (b) Maintain continuous enrollment for not less than
136 two (2) semesters or three (3) quarters in each successive
137 academic year, unless granted an exception for cause by the
138 administering agency; examples of cause may include student
139 participation in a cooperative program, internship program or
140 foreign study program. If a student fails to maintain continuous
141 enrollment, and is not granted an exception for cause by the
142 administering agency, the student is ineligible to receive the
143 Mississippi Resident Tuition Assistance Grant during the following
144 semester or trimester or term of the regular academic year.

145 (c) Have a cumulative grade point average of at least
146 2.50 calculated on a 4.0 scale at the end of each semester or
147 trimester or term. Provided, however, that any student who is
148 receiving an award equal to the full amount of the tuition at an
149 institution of higher learning or public community college due to
150 being a resident student age sixty-five (65) or over shall not be
151 required to maintain a minimum grade point average under this
152 paragraph (c).

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

158 (8) (a) The amount of the Mississippi Resident Tuition
159 Assistance Grant awarded to any one (1) student, up to the maximum
160 amount provided in subsection (3) of this section, shall be the

161 difference of the student's cost of attendance at his accredited
162 college of choice and the amount of federal aid such student may
163 receive, not to supplant but to supplement the amount of any
164 federal aid awarded to the student. Cost of attendance is the
165 tuition and fees of the applicable institution plus an allowance
166 for room and meals and books and materials.

167 (b) Payment of the Mississippi Resident Tuition
168 Assistance Grant shall be made payable to the recipient and the
169 educational institution and mailed directly to the institution, to
170 be applied first to tuition.

171 (9) In order for an institution to remain eligible for its
172 students to participate in the Mississippi Resident Tuition
173 Assistance Grant Program, the institution shall comply with the
174 following requirements:

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

179 (b) The institution is required to make refunds to the
180 Mississippi Resident Tuition Assistance Grant Fund for any funds
181 which have not been disbursed to the recipient, in the case of
182 students who have received a grant but who terminate enrollment
183 during the academic term, semester or quarter of the academic year
184 if an institution's refund policies permit a student to receive a
185 refund in such instance. The recipient shall be responsible for
186 the refund of any funds which have been disbursed by the
187 institution in such instance.

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

194 (d) The board may conduct its own annual audits of any
195 institution participating in the Mississippi Resident Tuition
196 Assistance Grant Program. The board may suspend or revoke an
197 institution's eligibility to receive future monies under the
198 program if it finds that the institution has not complied with the
199 provisions of this section. In determining a student's initial
200 eligibility, the number of prior semesters enrolled will not be
201 counted against the student.

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

206 (11) Subject to the availability of funds specifically
207 appropriated therefor, it is the intent of the Legislature to
208 fully fund grant awards to eligible students. If funds are
209 insufficient to fully fund grant awards to eligible students,
210 grant awards shall be prorated among all eligible students. No
211 student shall receive any combination of student financial aid in
212 excess of the cost of attendance as defined in subsection (8)(a).

213 (12) No student receiving a Mississippi Eminent Scholars
214 Grant as provided in Section 37-106-31 shall be eligible to
215 receive the Mississippi Resident Tuition Assistance Grant pursuant
216 to Section 37-106-29 unless he is eligible for such award after
217 the Mississippi Eminent Scholars Grant has been considered by the
218 board when conducting an assessment of the financial resources
219 available to the student. In no case shall any student receive
220 any combination of student financial aid that would exceed the
221 cost of attendance, as defined in subsection (8)(a).

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

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