

By: Representatives Buck (5th), Akins, Buck (72nd), Coleman (29th), Fredericks, Gadd, Hines, Johnson, Watson

To: Universities and Colleges; Appropriations

HOUSE BILL NO. 586

1 AN ACT TO AMEND SECTIONS 37-106-29 AND 37-106-31, MISSISSIPPI
2 CODE OF 1972, TO INCREASE THE TUITION AMOUNTS AVAILABLE UNDER THE
3 MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT (M.T.A.G.) PROGRAM
4 AND THE MISSISSIPPI EMINENT SCHOLARS GRANT PROGRAM; TO PROVIDE
5 THAT QUALIFIED STUDENTS WHO HAVE GRADUATED FROM A MISSISSIPPI
6 COMMUNITY/JUNIOR COLLEGE SHALL BE ELIGIBLE FOR A GRANT EQUAL TO
7 100% OF THE COST OF TUITION AND FEES FOR THE STUDENT'S JUNIOR YEAR
8 AT A MISSISSIPPI UNIVERSITY; TO CLARIFY THAT STUDENTS COMPLETING
9 ACCREDITED HOME SCHOOL PROGRAMS SHALL BE ELIGIBLE TO APPLY FOR A
10 MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT OR A MISSISSIPPI
11 EMINENT SCHOLARS GRANT; AND FOR RELATED PURPOSES.

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

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

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

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

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



32 aid. Those Mississippi students receiving less than the full Pell
33 Grant award, as determined by the institution, shall receive a
34 Mississippi Resident Tuition Assistance Grant in an amount not to
35 exceed the maximum Pell Grant allowable for that individual
36 student. The award shall be applied to tuition, rooms and meals,
37 books, materials and fees not to exceed Two Thousand Dollars
38 (\$2,000.00) for junior and senior students attending state
39 institutions of higher learning in Mississippi or four-year
40 regionally accredited, state-approved, nonprofit colleges and
41 universities in Mississippi, and One Thousand Dollars (\$1,000.00)
42 for freshmen and sophomores attending state institutions of higher
43 learning or public community or junior colleges in Mississippi, or
44 regionally accredited, state-approved, nonprofit two-year or
45 four-year colleges in Mississippi, which will be prorated per
46 term, semester or quarter of the academic year for costs of
47 attendance, calculated according to the formula specified in
48 subsection (8) of this section. However, any eligible student who
49 has graduated from a public community or junior college in
50 Mississippi shall qualify for a Mississippi Resident Tuition
51 Assistance Grant equal to one hundred percent (100%) of the cost
52 of tuition, rooms, meals, books, materials and fees at any state
53 institution of higher learning in Mississippi, to only be used for
54 two (2) semesters of the student's junior year attendance at that
55 university. No student may receive a grant in excess of the cost
56 of tuition, rooms, meals, books, materials and fees at the
57 applicable college or university.

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

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



64 (b) Acceptance for enrollment at any state institution
65 of higher learning or public community or junior college located
66 in Mississippi, or any regionally accredited, state-approved,
67 nonprofit four- or two-year college or university located in
68 Mississippi as listed in subsection (d) of this Section
69 37-106-29(4), within one (1) year of graduation from high school
70 or an accredited home education program with: (i) a minimum grade
71 point average of 2.5 calculated on a 4.0 scale after seven (7)
72 semesters certified by the high school counselor or other
73 authorized school official on the application and graduation from
74 high school verified by the institution before disbursement of
75 award and has scored fifteen (15) on the American College Test
76 Program (ACT); or (ii) has attended an accredited home education
77 program during grade levels 9 through 12, and has scored fifteen
78 (15) on the American College Testing Program; or (iii)
79 satisfactory completion of the General Educational Development
80 Test (GED) or have successfully completed the International
81 Baccalaureate Program and has scored fifteen (15) on the American
82 College Testing Program; * * * however, * * * any student entering
83 a vocational or technical program of study, or who has
84 satisfactorily completed the General Education Development Test
85 and attends a community or junior college will not be required to
86 have a test score under the American College Testing Program
87 except those students enrolled in courses of academic study. Any
88 student currently enrolled in any qualified institution shall have
89 to only meet the same requirements as students who are applying
90 for a renewal award.

91 (c) Resident status for purposes of receiving grants
92 under this section shall be determined in the same manner as
93 resident status for tuition purposes as set forth in Sections
94 37-103-1 through 37-103-29, with the exception of Section
95 37-103-17.



96 (d) Must attend one (1) of the following institutions
97 of higher learning within one (1) year of graduation from high
98 school or an accredited home school program: Alcorn State
99 University, Delta State University, Jackson State University,
100 Mississippi State University, Mississippi University for Women,
101 Mississippi Valley State University, University of Mississippi,
102 University of Southern Mississippi, Coahoma Community College,
103 Copiah-Lincoln Community College, East Central Community College,
104 East Mississippi Community College, Hinds Community College,
105 Holmes Community College, Itawamba Community College, Jones County
106 Junior College, Meridian Community College, Mississippi Delta
107 Community College, Mississippi Gulf Coast Community College,
108 Northeast Mississippi Community College, Northwest Mississippi
109 Community College, Pearl River Community College, Southwest
110 Mississippi Community College, Belhaven College, Blue Mountain
111 College, Millsaps College, Mississippi College, Rust College,
112 Tougaloo College, William Carey College, Mary Holmes College,
113 Magnolia Bible College, Wood College and Wesley College.

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

127 (6) Eligibility for renewal of Mississippi Resident Tuition
128 Assistance Grants shall be evaluated at the end of each semester,



129 or term, of each academic year. As a condition for renewal, a
130 student shall:

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

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

144 (c) Have a cumulative grade point average of at least
145 2.0 calculated on a 4.0 scale at the end of each semester or
146 trimester or term.

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

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



161 (b) Payment of the Mississippi Resident Tuition
162 Assistance Grant shall be made payable to the recipient and the
163 educational institution and mailed directly to the institution, to
164 be applied first to tuition.

165 (c) Any college or university that receives Mississippi
166 Resident Tuition Assistance Grant funds shall include a statement
167 on the student's tuition/fee bill that these scholarship funds are
168 provided by the Mississippi Legislature.

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

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

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

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

192 (d) The board may conduct its own annual audits of any
193 institution participating in the Mississippi Resident Tuition



194 Assistance Grant Program. The board may suspend or revoke an
195 institution's eligibility to receive future monies under the
196 program if it finds that the institution has not complied with the
197 provisions of this section. In determining a student's initial
198 eligibility, the number of prior semesters enrolled will not be
199 counted against the student.

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

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

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

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

224 **SECTION 2.** Section 37-106-31, Mississippi Code of 1972, is
225 amended as follows:



226 37-106-31. (1) There is created a Mississippi Eminent
227 Scholars Fund, to be administered by the Mississippi Postsecondary
228 Education Financial Assistance Board established under Section
229 37-106-9. The board shall set the date that will serve as the
230 deadline for applying for an award under this section and award
231 scholarships to each Mississippi student who:

232 (a) (i) Is recognized by the merit or achievement
233 programs of the National Merit Scholarship Corporation or the
234 National Achievement Scholarship as a semifinalist or finalist,
235 and has obtained a minimum cumulative grade point average of 3.5
236 calculated on a 4.0 scale in high school subjects acceptable for
237 credit toward a diploma, after seven (7) semesters certified by
238 the high school counselor or other authorized school official on
239 the application and graduation from high school verified by the
240 institution before disbursement of award; or

241 (ii) Has scored twenty-nine (29) on the American
242 College Testing Program or its equivalent and has obtained a
243 minimum cumulative grade point average of 3.5 calculated on a 4.0
244 scale after seven (7) semesters certified by the high school
245 counselor or other authorized school official on the application
246 and graduation from high school verified by the institution before
247 disbursement of award, or the equivalent in high school subjects
248 acceptable for credit toward a diploma; or

249 (iii) Has attended an accredited home education
250 program during grade levels 9 through 12 and has scored
251 twenty-nine (29) on the American College Testing Program or its
252 equivalent; and

253 (iv) Has been certified by the college or
254 university to the Mississippi Postsecondary Education Financial
255 Assistance Board as a Mississippi Eminent Scholar.

256 (b) Meets the general requirements for student
257 eligibility, except as otherwise provided in this section.



258 (c) Dependents of Mississippi residents who are on
259 military or public service assignments away from Mississippi when
260 such dependents live with such Mississippi residents and receive
261 high school diplomas from non-Mississippi schools shall be
262 exempted.

263 (d) Files, before the deadline, an application for an
264 award during his last year in high school, or before the
265 expiration of the third school year succeeding the year of his
266 high school graduation.

267 (e) Attends, on a full-time basis, any state
268 institution of higher learning or public community or junior
269 college, or any regionally accredited, state-approved, nonprofit
270 four- or two-year college or university located in the State of
271 Mississippi as listed in subsection (4) (d) of Section 37-106-29.

272 (f) Enrolls for the first time as a college student in
273 Mississippi. Any student who earns postsecondary academic credit
274 prior to or during the summer immediately subsequent to receiving
275 a high school diploma, who is dually enrolled in secondary and
276 postsecondary educational institutions, or who is enrolled in the
277 early admission program of a postsecondary institution shall be
278 exempt from this requirement.

279 (g) Is a resident of the State of Mississippi.
280 Residency status for purposes of receiving grants under this
281 section shall be determined in the same manner as resident status
282 for tuition purposes as set forth in Sections 37-103-1 through
283 37-103-29, with the exception of Section 37-103-17.

284 (2) (a) Students who apply for awards but do not accept
285 their initial awards may reapply to receive awards during
286 subsequent application periods occurring before the expiration of
287 the third school year succeeding the year of their high school
288 graduation. Similarly, students who receive initial awards and
289 who later do not accept renewal awards may reapply to receive
290 awards during subsequent application periods occurring before the



291 expiration of the third school year succeeding the year of their
292 high school graduation. The institution shall accept
293 reinstatement applications according to dates set by the
294 Mississippi Postsecondary Education Financial Assistance Board and
295 shall determine the eligibility of such applicants in the same
296 manner as first-time applicants, except that students who apply
297 pursuant to this paragraph shall be required to have maintained
298 the equivalent of a 3.5 cumulative grade point average on a 4.0
299 scale for all college work attempted. The board shall not make
300 awards to reinstatement applicants who submit applications that
301 are received after the deadline set by the Mississippi
302 Postsecondary Education Financial Assistance Board.

303 (b) The board shall create a renewal application for
304 each student who received the award for one or more terms during
305 the immediately preceding academic year.

306 (3) (a) The annual award to a student shall be up to Three
307 Thousand Five Hundred Dollars (\$3,500.00) for tuition, fees,
308 rooms, meals, books and materials. However, any eligible
309 recipient who graduates from a community or junior college in
310 Mississippi shall qualify for a Mississippi Eminent Scholars Grant
311 equal to one hundred percent (100%) of the cost of tuition, fees,
312 rooms, meals, books and materials at a state institution of higher
313 learning in Mississippi, to only be used for two (2) semesters of
314 the recipient's junior year attendance at that university. No
315 recipient may receive a grant in excess of the cost of tuition,
316 rooms, meals, books, materials and fees at the applicable college
317 or university. Payment of the Mississippi Eminent Scholars Grant
318 shall be made payable to the recipient and the educational
319 institution and mailed directly to the institution, to be applied
320 first to tuition. Any college or university that receives Eminent
321 Scholars Grant funds shall include a statement on the student's
322 tuition/fee bill stating that these scholarship funds are provided
323 by the Mississippi Legislature.



324 (b) Within six (6) weeks of the end of regular
325 registration, inclusive of a drop-add period, institutions shall
326 certify to the board the eligibility status of each awarded
327 student. The eligibility status of each student to receive a
328 disbursement shall be determined by each institution as of this
329 date. Institutions shall not be required to reevaluate a
330 student's eligibility status after this date for purposes of
331 amending eligibility determinations previously made. However, an
332 institution shall be requested to make refunds for students who
333 receive award disbursements and terminate enrollment for any
334 reason during the academic term when an institution's refund
335 policies permit a student to receive a refund under the
336 circumstances.

337 (c) Institutions shall certify to the board the amount
338 of funds disbursed to each student and shall remit to the board
339 any undisbursed advances within sixty (60) days of the end of
340 regular registration.

341 (4) A recipient shall maintain the equivalent of a 3.5
342 cumulative grade point average on a 4.0 scale, or shall maintain
343 an approved equivalent student progress evaluation plan, on at
344 least twelve (12) hours per quarter, trimester or semester in
345 order to be eligible for a continuation of the award. No student
346 may receive a Mississippi Eminent Scholars Fund award for more
347 than the equivalent semesters or quarters required to complete one
348 (1) degree or certificate program per institution. The award may
349 be renewed annually upon certification of eligibility by the
350 eligible institutions that the recipient meets the necessary
351 qualifications. If any recipient transfers from one university,
352 community college or junior college to another, his award will be
353 transferable, provided he is otherwise eligible for the award. If
354 a student fails to maintain continuous enrollment, and is not
355 granted an exception for cause by the administering agency, the
356 student is ineligible to receive the Mississippi Eminent Scholars



357 Grant during the following semester or trimester or term of the
358 regular academic year.

359 (5) The board may conduct its own annual audits of any
360 institution participating in the Mississippi Eminent Scholars
361 Grant Program. The board may suspend or revoke an institution's
362 eligibility to receive future monies under the program if it finds
363 that the institution has not complied with the provisions of this
364 section.

365 (6) For purposes of this section, certificated shall mean,
366 but not be limited to, all postsecondary vocational programs in
367 eligible institutions as identified in subsection (4)(d) of
368 Section 37-106-29.

369 **SECTION 3.** This act shall take effect and be in force from
370 and after July 1, 2009.

