

By: Representative Paden

To: Universities and
Colleges; Appropriations

HOUSE BILL NO. 87

1 AN ACT TO ESTABLISH THE "MISSISSIPPI PROMISE SCHOLARSHIP ACT
2 OF 2018," FOR THE PURPOSE OF CREATING A SCHOLARSHIP AND MENTORING
3 PROGRAM FOCUSED ON INCREASING THE NUMBER OF STUDENTS THAT ATTEND
4 COLLEGE IN THE STATE OF MISSISSIPPI; TO PROVIDE STUDENTS WITH A
5 LAST-DOLLAR SCHOLARSHIP TO COVER THE COST OF TUITION AND MANDATORY
6 FEES NOT COVERED BY PELL GRANT OR ANY OTHER STATE SCHOLARSHIP OR
7 STATE STUDENT ASSISTANCE FUNDS; TO PROVIDE FOR THE USE OF A
8 MISSISSIPPI PROMISE SCHOLARSHIP AT ANY PUBLIC OR PRIVATE
9 POSTSECONDARY INSTITUTION IN THE STATE OR OTHER ELIGIBLE
10 INSTITUTION OFFERING AN ASSOCIATE'S DEGREE PROGRAM; TO PROVIDE
11 THAT THE MISSISSIPPI PROMISE SCHOLARSHIP SHALL BE ADMINISTERED BY
12 THE MISSISSIPPI COMMUNITY COLLEGE BOARD; TO PROVIDE FOR THE
13 FUNDING AND CREATION OF THE MISSISSIPPI PROMISE SCHOLARSHIP,
14 SUBJECT TO THE CREATION OF A STATE LOTTERY BY THE LEGISLATURE; TO
15 PRESCRIBE THE CRITERIA TO BE USED IN DETERMINING THE AMOUNT OF
16 ASSISTANCE ELIGIBLE STUDENTS MAY RECEIVE UNDER THE MISSISSIPPI
17 PROMISE SCHOLARSHIP IN ANY GIVEN ACADEMIC YEAR; TO PROVIDE FOR THE
18 SEVERABILITY OF CONFLICTING PROVISIONS OF THIS ACT WHICH SHALL NOT
19 RENDER THE ENTIRE ACT NULL AND VOID; AND FOR RELATED PURPOSES.

20 WHEREAS, the Legislature has set the goal of making
21 Mississippi the number one location in the southeast for
22 high-quality jobs; and

23 WHEREAS, high-quality jobs require a workforce that is
24 equipped with the knowledge and skills provided through
25 postsecondary education; and



26 WHEREAS, the Governor and members of the Legislature hear
27 continually from Mississippi employers that the demand for skilled
28 workers exceeds the supply; and

29 WHEREAS, Mississippi lags behind the national average in
30 residents with higher education degrees, ranking forty-third in
31 the percentage of adults with a two-year degree or higher; and

32 WHEREAS, without intervention, the current higher education
33 attainment level of thirty-two percent (32%) among Mississippians
34 is projected to increase to only thirty-nine percent (39%) by
35 2030; and

36 WHEREAS, recognizing these realities, the Legislature is
37 committed to establishing an initiative with postsecondary
38 institutions to increase higher education attainment among
39 Mississippians to fifty-five percent (55%) by 2030, which will
40 require the awarding of four hundred ninety-four thousand
41 (494,000) additional postsecondary credentials; and

42 WHEREAS, these credentials need to be fully aligned with
43 emerging workforce demand, which will require collaboration across
44 education and workforce agencies at the state, regional, and local
45 level; and

46 WHEREAS, the initiative is comprised of strategies to address
47 both traditional and nontraditional students; and

48 WHEREAS, we cannot reach fifty-five percent (55%) without
49 engaging our adult population that has some college but no degree;
50 and



51 WHEREAS, reaching this goal will require focused effort and
52 coordination across all systems and institutions of Mississippi
53 postsecondary education; and

54 WHEREAS, a key to the future economic success of Mississippi
55 is reaching fifty-five percent (55%) higher education attainment
56 by 2030 in order to keep up with projections of the percent of
57 Mississippi jobs that will require a postsecondary credential or
58 degree; NOW, THEREFORE,

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

60 **SECTION 1.** This act shall be known and may be cited as the
61 "Mississippi Promise Scholarship Act of 2018."

62 **SECTION 2.** (1) The following terms shall have the meaning
63 ascribed in this section, unless the context of use clearly
64 requires otherwise:

65 (a) "Continuous enrollment" means a student is enrolled
66 in the fall and spring semesters of a single academic year.
67 Enrollment in summer semester or inter-session terms is not
68 required.

69 (b) "Eligible high school" means:

70 (i) A Mississippi public secondary school;

71 (ii) A private secondary school that is located in
72 this state and is accredited by the State Board of Education or
73 the Mississippi Association of Independent Schools as a secondary
74 school in accordance with the applicable rules and regulations of
75 the respective board or association;



76 (iii) A secondary school operated by the United
77 States Department of Defense on a military base that is located,
78 in whole or in part, in this state;

79 (iv) An out-of-state public secondary school
80 located in a county bordering this state that Mississippi
81 residents are authorized to attend; or

82 (v) An out-of-state boarding school attended by a
83 bona fide Mississippi resident that is accredited by:

- 84 1. A regional accrediting association; or
- 85 2. A member of the National Association of
86 Independent Schools Commission on Accreditation.

87 (c) "Eligible postsecondary institution" means an
88 institution operated by the Mississippi Community College Board.

89 (d) "FAFSA" means the Free Application for Federal
90 Student Aid.

91 (e) "Full-time equivalent semester" means any semester
92 in which a student is enrolled full time and receives a
93 Mississippi Promise Scholarship. A semester in which a part-time
94 student attempts six (6), seven (7) or eight (8) semester hours
95 and receives a Mississippi Promise Scholarship shall be counted as
96 one-half (1/2) of a full-time equivalent semester. A semester in
97 which a part-time student attempts nine (9), ten (10) or eleven
98 (11) semester hours and receives a Mississippi Promise Scholarship
99 shall be counted as three-fourths (3/4) of a full-time equivalent
100 semester.



101 (f) "Full-time student" means a student attending an
102 eligible postsecondary educational institution and enrolled for at
103 least twelve (12) semester hours during each semester of
104 attendance.

105 (g) "Gift aid" means scholarships and grants from any
106 source that do not require repayment, including funds provided
107 through the federal Foster Care Independence Act of 1999 (Public
108 Law No. 106-169), and other similar programs. Student loans and
109 work-study awards shall not be considered gift aid.

110 (h) "Home school student" means a student who completed
111 high school in a Mississippi home-school education program. For
112 one (1) year immediately preceding completion of high school as a
113 home school student, the student shall have been a student in a
114 home school.

115 (i) "Resident" means a student as defined by Section
116 37-103-1, et seq.

117 **SECTION 3.** (1) The Mississippi Community College Board
118 shall administer the Mississippi Promise Scholarship Program for
119 Mississippi residents seeking an associate's degree, certificate
120 or diploma from an eligible postsecondary institution under the
121 following terms and conditions:

122 (a) To be eligible for the scholarship a student shall
123 be admitted to and enrolled full-time in an eligible postsecondary
124 program in the fall term following graduation from an eligible
125 high school, completion of high school as a Mississippi home



126 school student, or obtaining a GED diploma; provided, that the
127 student obtains the GED diploma before reaching nineteen (19)
128 years of age. Exceptions to initial enrollment may be made for
129 extenuating circumstances as provided in rules and regulations
130 promulgated by the Mississippi Community College Board;

131 (b) Students applying for the scholarship shall
132 complete the Mississippi Promise application in their initial year
133 of enrollment. Students shall complete the free application for
134 federal student aid (FAFSA) each academic year in which they seek
135 to receive the Mississippi Promise Scholarship;

136 (c) To continue to receive a Mississippi Promise
137 Scholarship, a student shall maintain satisfactory academic
138 progress as determined by the rules and regulations promulgated by
139 the Mississippi Community College Board;

140 (d) Scholarship recipients shall participate in
141 mentoring and community service programs under the rules and
142 regulations promulgated by the Mississippi Community College
143 Board. The Mississippi Community College Board shall develop the
144 selection and renewal criteria for students and shall have the
145 authority to work with outside organizations to develop the most
146 effective means for delivering the scholarships;

147 (e) Subject to the amounts appropriated by the
148 Legislature, a Mississippi Promise Scholarship shall be the cost
149 of tuition and mandatory fees at the eligible postsecondary
150 institution attended, less all other gift aid, as defined in



151 Section 2 of this act. Gift aid shall be credited first to the
152 student's tuition and mandatory fees;

153 (f) A Mississippi Promise Scholarship student who has
154 an approved medical or personal leave of absence from an eligible
155 postsecondary institution may continue to receive the scholarship
156 upon resuming the student's education at an eligible postsecondary
157 institution so long as the student continues to meet all
158 applicable eligibility requirements. The sum of all approved
159 leaves of absence shall not exceed six (6) months. The student
160 shall be eligible for the scholarship until the occurrence of the
161 first of the following events:

162 (i) The student has earned a certificate, diploma
163 or associate degree; or

164 (ii) The sum of the number of years the student
165 attended a postsecondary institution, exclusive of approved leaves
166 of absence, equals two and one-half (2-1/2) years from the date of
167 the student's initial enrollment at an eligible postsecondary
168 institution; and

169 (g) Except for a medical or personal leave of absence,
170 as approved by an eligible postsecondary institution, a
171 Mississippi Promise Scholarship student shall maintain continuous
172 enrollment at an eligible postsecondary institution.

173 (4) The Mississippi Promise Scholarship program shall be
174 funded under the following terms and conditions:



175 (a) There is established an endowment for the purpose
176 of funding the Mississippi Promise Scholarship, which shall be
177 funded from program-generated revenues of the Mississippi
178 Community College Board and shall be invested as a part of the
179 Postsecondary Education Financial Assistance Trust Fund
180 established under Section 37-106-12;

181 (b) In addition to the trust fund described in
182 paragraph (a) of this subsection, there is established an
183 additional endowment for the purpose of funding the Mississippi
184 Promise Scholarship, which shall be funded from a state lottery
185 upon its creation by the Legislature. Such endowment shall be
186 established as a separate account in the State Treasury. Monies
187 in this endowment shall be invested by the State Treasurer for the
188 sole benefit of that fund;

189 (c) Beginning in the first fiscal year following the
190 establishment of a state lottery by the Legislature, all funds in
191 the lottery for the education account in excess of Ten Million
192 Dollars (\$10,000,000.00) shall be transferred on a quarterly basis
193 to the Mississippi Promise Scholarship endowment described in
194 paragraph (b) of this subsection. Such transfers shall occur
195 after all required expenditures have been made for Mississippi
196 education lottery scholarship programs, Mississippi student
197 assistance awards and administrative expenses; and

198 (d) Funds appropriated for the Mississippi Promise
199 Scholarship program, including matching funds or other



200 appropriations made by the Legislature, may be placed in an
201 endowment fund created solely for the program, the interest income
202 from which shall be used to provide scholarships under this
203 section. The corpus of each endowment established under this
204 section shall not be expended. Unexpended funds remaining in each
205 endowment in any fiscal year shall not revert to the General Fund,
206 but shall remain available in the Mississippi Promise Scholarship
207 program for scholarship expenditures in subsequent fiscal years.

208 **SECTION 4.** The Mississippi Community College Board is
209 authorized to promulgate rules to effectuate the purposes of
210 Sections 1 through 3 of this act. All such rules shall be
211 promulgated in accordance with Mississippi Administrative
212 Procedures Law, Chapter 43, Title 25, Mississippi Code of 1972.

213 **SECTION 5.** (1) A student may receive a Mississippi Promise
214 Scholarship until the first of the following events:

215 (a) The student has earned a baccalaureate degree; or

216 (b) Five (5) years have passed from the date of the
217 student's initial enrollment at any postsecondary institution.

218 (2) Notwithstanding the provisions of subsection (1) to the
219 contrary, and except as set forth in subsections (3) and (4), a
220 student who first receives a Mississippi Promise Scholarship, may
221 continue to receive the scholarship until the first of the
222 following events occur:

223 (a) The student has earned an associate's degree;



224 (b) Five (5) years have passed from the date of the
225 student's initial enrollment at any eligible postsecondary
226 institution; or

227 (c) The student has attempted a total of ninety (90)
228 semester hours or has received the Mississippi Promise Scholarship
229 for eight (8) semesters at any eligible postsecondary institution,
230 whichever occurs later.

231 (3) A student who first receives a Mississippi Promise
232 Scholarship who is enrolled in an associate degree program
233 required to be more than ninety (90) semester hours in length may
234 receive a Mississippi Promise Scholarship until the first of the
235 following events:

236 (a) The student has earned an associate's degree;

237 (b) Five (5) years have passed from the date of the
238 student's initial enrollment at any eligible postsecondary
239 institution; or

240 (c) The latter of the following events has occurred:

241 (i) The student has attempted the number of
242 semester hours required to earn the associate's degree or a total
243 of one hundred (100) semester hours at any eligible postsecondary
244 institution, whichever is less; or

245 (ii) The student has completed eight (8) full-time
246 equivalent semesters.

247 (4) Notwithstanding the provisions of subsections (2) and

248 (3) to the contrary, the five-year, total full-time equivalent



249 semester, and total semester hour limitations for a student who
250 first receives a Mississippi Promise Scholarship for
251 nontraditional students shall be based on the sum of years, total
252 full-time equivalent semesters, or total semester hours attempted
253 while receiving the Mississippi Promise Scholarship or the
254 Mississippi Promise Scholarship for nontraditional students.

255 **SECTION 6.** (1) Subject to the amounts appropriated by the
256 Legislature and any provision of law relating to a shortfall in
257 funds available for postsecondary financial assistance from the
258 net proceeds of the state lottery, subject to its establishment,
259 the amount of a Mississippi Promise Scholarship and Mississippi
260 Promise Scholarship for nontraditional students awarded to a
261 student attending an eligible four-year postsecondary institution
262 shall be One Thousand Five Hundred Dollars (\$1,500.00) for
263 full-time attendance for each semester. This award amount shall
264 apply to each entering freshman in the fall term of each academic
265 year, and shall continue through the final semester of such
266 student's sophomore year. The determination of a student's status
267 as a freshman or sophomore shall be made by the postsecondary
268 institution attended.

269 (2) Subject to the amounts appropriated by the Legislature
270 and any provision of law relating to a shortfall in funds
271 available for postsecondary financial assistance from the net
272 proceeds of the state lottery, subject to its establishment, for a
273 student described in subsection (1) of this section, the award



274 amount shall increase to Two Thousand Five Hundred Dollars
275 (\$2,500.00) per semester beginning in the student's junior year,
276 as determined by the postsecondary institution attended, and shall
277 continue until the student is no longer eligible for a Mississippi
278 Promise Scholarship under Section 5(2) and (3).

279 (3) Subject to the amounts appropriated by the Legislature
280 and any provision of law relating to a shortfall in funds
281 available for postsecondary financial assistance from the net
282 proceeds of the state lottery, subject to its establishment, a
283 Mississippi Promise Scholarship and Mississippi Promise
284 Scholarship for nontraditional students awarded to a student
285 attending an eligible two-year postsecondary institution shall be
286 One Thousand Five Hundred Dollars (\$1,500.00) for full-time
287 attendance for each semester. This award amount shall apply to
288 the initial entering freshman class beginning in the fall term of
289 each academic year.

290 (4) A student who first received the Mississippi Promise
291 Scholarship or Mississippi Promise Scholarship for nontraditional
292 students may receive such scholarship in the summer semester of an
293 academic year in addition to the receipt of the scholarship in the
294 fall and spring semesters of an academic year.

295 (5) The amount of a Mississippi Promise Scholarship awarded
296 to a student attending an eligible two-year postsecondary
297 institution that provides on-campus housing shall be the same as
298 the amount provided in subsection (3).



299 (6) Subject to the amounts appropriated by the Legislature
300 and any law relating to a shortfall in funds available for
301 postsecondary financial assistance from the net proceeds of the
302 state lottery, subject to its establishment, the amount of a
303 Mississippi Promise Scholarship and Mississippi Promise
304 Scholarship for nontraditional students, who enroll in an eligible
305 postsecondary institution shall be set in the general
306 appropriations bill.

307 **SECTION 7.** (1) A Mississippi Promise Scholarship student
308 who has an approved medical or personal leave of absence from an
309 eligible postsecondary institution may continue to receive the
310 scholarship upon resuming the student's education at an eligible
311 postsecondary institution so long as the student continues to meet
312 all applicable eligibility requirements. The student shall be
313 eligible for the scholarship until the first of the following
314 events:

315 (a) The student has earned an associate's degree; or
316 (b) The sum of the number of years the student attended
317 a postsecondary institution prior to the leave of absence and the
318 number of years of attendance after the leave of absence equals
319 five (5) years.

320 (2) Notwithstanding the provisions of subsection (1) to the
321 contrary, a student who first receives a Mississippi Promise
322 Scholarship in the fall semester of his or her freshman year or



323 later, may receive the scholarship until the first of the
324 terminating events described in Section 5(2) and (3).

325 (3) Notwithstanding subsection (1), a student who first
326 receives a Mississippi Promise Scholarship in the fall semester of
327 2009 or later, may receive the scholarship until the first of the
328 terminating events described in Section 5(2) and (3).

329 (4) Except for approved medical or personal leaves of
330 absence, a Mississippi Promise Scholarship student, including a
331 part-time student, shall be enrolled continuously as a student at
332 an eligible postsecondary institution.

333 (5) The Mississippi Community College Board shall promulgate
334 rules and regulations for approval of medical or personal leave
335 and the grounds for which the leave may be granted. The rules and
336 regulations shall be promulgated in accordance with the
337 Mississippi Administrative Procedures Law, Chapter 43, Title 25,
338 Mississippi Code of 1972.

339 **SECTION 8.** If the sum of all financial aid, including a
340 Mississippi Promise Scholarship, for which a student qualifies,
341 exceeds the institutionally defined total cost of attendance at
342 the eligible postsecondary institution the scholarship or grant
343 recipient is attending, then the student's financial assistance
344 provided shall be reduced so that the financial aid actually
345 received by the student does not exceed the institutionally
346 defined total cost of attendance.



347 **SECTION 9.** The provisions of this act shall not be construed
348 to be an appropriation of funds and no funds shall be obligated or
349 expended pursuant to this act unless such funds are specifically
350 appropriated by the general appropriations bill.

351 **SECTION 10.** If any provision of this act or the application
352 thereof to any person or circumstance is held invalid, such
353 invalidity shall not affect other provisions or applications of
354 the act which can be given effect without the invalid provision or
355 application, and to that end the provisions of this act are
356 declared to be severable.

357 **SECTION 11.** For the purposes of promulgation of the rules
358 and for fund transfers made pursuant to Sections 1 through 3 of
359 this act, this act shall take effect upon passage. For all other
360 purposes, this act shall take effect and be in force from and
361 after July 1, 2018.

