

By: Representative Lamar

To: Universities and
Colleges; Appropriations

HOUSE BILL NO. 1269

1 AN ACT TO ESTABLISH THE MISSISSIPPI STUDENT-ATHLETE
2 DIFFERENTIAL SCHOLARSHIP AND GRANT PROGRAM; TO PROVIDE THAT
3 PROGRAMS SHALL BE DESIGNED TO PROVIDE ADDITIONAL FINANCIAL
4 ASSISTANCE TO STUDENT-ATHLETES WHOSE ATHLETIC SCHOLARSHIPS FAIL TO
5 COVER THE FULL COST OF TUITION AT A STATE INSTITUTION OF HIGHER
6 LEARNING; TO REQUIRE THAT THE PROGRAM BE ADMINISTERED BY THE BOARD
7 OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING IN
8 CONJUNCTION WITH THE POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE
9 BOARD, WHICH SHALL PROMULGATE THE RULES AND REGULATIONS FOR THE
10 ADMINISTRATION OF THE PROGRAM; TO STIPULATE THAT A STUDENT-ATHLETE
11 SHALL BE ENTITLED TO EIGHT SEMESTERS OF INSTITUTIONAL SCHOLARSHIP
12 OR GRANT ASSISTANCE, IN ADDITION TO THE ATHLETIC SCHOLARSHIP
13 RECEIVED AND THAT CONTINUED RECEIPT OF ASSISTANCE IS CONTINGENT
14 UPON GOOD ACADEMIC STANDING FOR ELIGIBILITY TO PLAY ACCORDING TO
15 CONFERENCE STANDARDS; TO REQUIRE ANNUAL EVALUATION FOR RENEWAL OF
16 INSTITUTIONAL ASSISTANCE; TO REQUIRE EACH POSTSECONDARY
17 INSTITUTION TO MAKE REASONABLE EFFORTS TO INFORM STUDENT-ATHLETES
18 OF ANY OTHER FORM OF AID MADE AVAILABLE THROUGH THE NATIONAL
19 COLLEGIATE ATHLETIC ASSOCIATION (NCAA) STUDENT ASSISTANCE FUND,
20 WHICH CONSISTS OF THE SPECIAL ASSISTANCE FUND (SAF) AND
21 STUDENT-ATHLETE OPPORTUNITY FUND (SAOF); TO PRESCRIBE THE
22 REQUIREMENTS NECESSARY FOR STUDENTS TO RECEIVE ASSISTANCE FROM SAF
23 AND SAOF FUNDING ASSISTANCE; TO STIPULATE THE PURPOSE FOR WHICH
24 THE FUNDS CAN AND CANNOT BE USED; TO PRESCRIBE THAT THE
25 RESPONSIBILITY OF ADMINISTERING THE STUDENT ASSISTANCE FUND SHALL
26 REST SOLELY WITH THE CONFERENCES; TO REQUIRE THE CONFERENCES TO
27 FILE AN ANNUAL REPORT WITH THE NCAA AS TO THE AMOUNT OF FUNDS USED
28 IN EACH CATEGORY OF AID AWARDED TO STUDENT-ATHLETES, AS REPORTED
29 BY EACH MEMBER INSTITUTION; AND FOR RELATED PURPOSES.

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



SECTION 1.

(1) There is created a Mississippi Student-Athlete Differential Scholarship and Grant Program, to be administered by the Board of Trustees of State Institutions of Higher Learning in conjunction with the Postsecondary Education Financial Assistance Board, for the purpose of providing additional financial assistance, in the form of institutional scholarships or grants, to resident student-athletes whose athletic scholarships do not cover the full cost of tuition at the state institution of higher learning of attendance.

(2) (a) The Board of Trustees of State Institutions of Higher Learning and the Postsecondary Education Financial Assistance Board are authorized to promulgate any rules and regulations necessary to ensure that each state institution of higher learning operates its scholarship program in accordance with the provisions of this section.

(b) Except as provided in this section, if any student-athlete receives an athletic scholarship from a state institution of higher learning for demonstrating exceptional athletic ability in any sport, which such scholarship does not amount to the total cost of attendance at said state institution of higher learning, the student-athlete shall be entitled to eight (8) semesters of institutional scholarship or grant assistance, in addition to the athletic scholarship received. For purposes of this section "cost of attendance" means the tuition and fees of the applicable state institution of higher learning or public



community or junior college inclusive of amounts assessed for room, meals and books.

(3) (a) To be eligible to receive assistance from the program, a student-athlete must:

(i) Be a Mississippi resident as defined in Section 37-103-7 who is an incoming freshmen athletic scholarship recipient;

(ii) Remain in good academic standing as demonstrated by meeting the minimum grade point requirements established by the state institution of higher learning of attendance in compliance with the rules of the association governing collegiate athletics, which determines a student-athlete's eligibility for continued athletic participation; and

(iii) Be a student-athlete who has been awarded a partial athletic scholarship to a state institution of higher learning.

If at any time during the student-athlete's enrollment and athletic participation at a state institution of higher learning the student fails to remain academically eligible for play, any institutional financial assistance the student-athlete receives from the program shall be suspended until such time that the student achieves good academic standing.

(b) Eligibility for renewal of assistance under the program shall be evaluated each academic year at the end of each



81 semester or term. As a condition for renewal, the student-athlete
82 shall:

83 (i) Continue to be actively involved as a player
84 of the collegiate athletic sport for which the student was granted
85 an athletic scholarship;

86 (ii) Make steady academic progress toward a
87 degree, as outlined in the state institution of higher learning's
88 Satisfactory Academic Progress Standards and certified by the
89 institution's registrar; and

90 (iii) Have a cumulative grade point average
91 equivalent to the minimum requirement established by the state
92 institution of higher learning under the authority of paragraph
93 (a) of this subsection.

94 (4) In addition to providing financial assistance to
95 student-athletes for academic purposes, the state institution of
96 higher learning also shall make reasonable efforts to inform
97 student-athletes of any other form of aid made available through
98 the National Collegiate Athletic Association (NCAA) Special
99 Assistance Fund and Student-Athlete Opportunity Fund through:

100 (a) Publication in institutional student handbooks;

101 (b) Disclosures made to prospective student-athletes to
102 whom scholarships are offered and/or awarded at the time of the
103 student-athlete's signed commitment to the state institution of
104 higher learning; or



(c) Player orientation meetings at the beginning of seasonal training and regular season play for any athletic sport.

SECTION 2. There is established in the State Treasury to be designated as the "Student-Athlete Differential Scholarship and Grant Program Fund," which shall have separate accounts designated for each state institution of higher learning. The fund shall consist of the amounts appropriated by the Legislature for the same, and any funds donated or bequeathed by public or private entities to be deposited to the credit of a specific state institution of higher learning. For fiscal year 2019, the Legislature shall appropriate Four Million Dollars (\$4,000,000.00) to the fund to be allocated in equal amounts of Five Hundred Thousand Dollars (\$500,000.00) to each institution. In subsequent fiscal years, appropriations to the fund shall be based on the total number of eligible freshmen student-athletes multiplied by the average statewide tuition, which shall be calculated using the sum of tuition at each state institution of higher learning divided by eight (8), and allocated to each state institution of higher learning according to the number of eligible freshmen student-athletes enrolled at that institution. Each eligible freshmen student-athlete shall receive a total scholarship assistance amount equal to eight (8) semesters of assistance based on the amount received in the initial year of eligibility, to be allocated each year of continued eligibility in accordance with Section 1 of this act. Any unexpended amounts and interest



generated therefrom remaining in the fund at the end of the fiscal year shall not lapse into the State General Fund, but shall remain inviolate to the credit of each state institution of higher learning for use in succeeding fiscal years.

SECTION 3. (1) The Student Assistance Fund which is governed by the NCAA and distributed to conference offices for allocation to participating member institutions within the conference is segregated into two funds: (i) the Special Assistance Fund (SAF) and (ii) the Student-Athlete Opportunity Fund (SAOF).

(2) The Special Assistance Fund has three (3) components to the calculation, as follows with the percentage of the fund allocated to each component noted:

(a) Prior year number of Pell grants by institution seventy percent (70%);

(b) Prior year number of grants-in-aid equivalencies by institution fifteen percent (15%); and

(c) Prior year number of sports sponsored by institution fifteen percent (15%).

(3) (a) The Student Assistance Opportunity Fund (SAOF) is intended to provide direct benefits to student-athletes or their families as determined by conference offices. Monies in the SAOF shall be used to assist student-athletes in meeting financial needs that arise in conjunction with participation in intercollegiate athletics, enrollment in an academic curriculum or



to recognize academic achievement as determined by conference offices. Accordingly, direct receipt of SAOF funds shall not be included in determining the permissible amount of financial aid that a member institution may award to a student-athlete.

(b) The SAOF is calculated using the proportion of "broad-based" distributions. Two-thirds (2/3) of the fund are allocated based on the current year submission for grants-in-aid while the remaining one-third (1/3) is allocated based on the current year submission for sports sponsorship.

(4) Student-athletes shall be eligible to receive SAOF benefits regardless of whether they are grant-in-aid recipients, have demonstrated need, have either exhausted eligibility or no longer participate due to medical reasons. However, no prospective student-athlete shall be eligible to receive SAOF funds. SAOF Funds shall not be used for the following:

- (a) Salaries and benefits;
- (b) Tuition and fees, room and board and required course-related books during a regular term for student-athletes with remaining eligibility, except for funds granted for summer school coursework;
- (c) Capital improvements;
- (d) Stipends;
- (e) Competition related travel expenses for an ineligible student-athlete; or
- (f) Athletic development opportunities, such as:



(i) Fees and other expenses associated with participation in a sports camp or clinic;

(ii) Fees and other expenses associated with private sports-related instruction;

(iii) Fees for other athletic development experiences (e.g. greens fees, batting cage rental); and

(iv) Expenses associated with participation in a foreign tour.

(5) (a) The fund may be used for the following educational expenses and fees:

(i) Summer school;

(ii) Fifth- or sixth-year aid;

(iii) Postgraduate scholarship;

(iv) Postgraduate or internship fees;

(v) International student fees and taxes;

(vi) Graduate school exam fees;

(vii) Professional program testing;

(viii) Expendable supplies;

(ix) Educational supplies (e.g. laptop computers, cameras); and

(x) Other educational expenses or additional SASAF funding for academic course supplies.

(b) The fund may be used for the following health and safety expenses:

(i) Insurance premiums for student-athletes;



205 (ii) Supplemental insurance;

206 (iii) Medical expenses for student-athletes not

207 covered by another insurance program for student-athletes not

208 eligible for SAF;

209 (iv) Dental and vision expenses for

210 student-athletes not covered by another insurance program for

211 student-athletes not eligible for SAF;

212 (v) Medical expenses for student-athletes' spouses

213 and/or dependents; and

214 (vi) Other health and safety expenses or

215 supplemental SASAF funding for medical and dental expenses.

216 (c) The fund may be used for the following personal or

217 family expenses:

218 (i) Clothing allowance or enhancement of clothing

219 allowance from Special Assistance Fund;

220 (ii) Additional student-athlete travel home;

221 (iii) Emergency travel for student-athletes,

222 spouses and/or dependents;

223 (iv) Emergency expenses for student-athletes,

224 spouses and/or dependents;

225 (v) Travel expenses for family members to be

226 present as a student-athlete is honored;

227 (vi) Travel expenses for team members being

228 honored by a governmental body; and



(vii) Other personal or family expenses or supplemental SASAF funding for clothing and essential expenses or student-athlete and family emergency expenditures.

(d) The fund may be used for the following institutional academic or programming enhancements:

(i) Academic achievement or graduation awards;

(ii) Academic support services; and

(iii) Other academic or programming expenses.

(6) (a) The Special Assistance Fund (SAF) is intended to provide direct benefits to student athletes who have demonstrated a financial need as determined by conference offices. The guiding principles of the fund are to meet the student-athletes' needs of an emergency or essential nature for which financial assistance is otherwise not available. The following student athletes are eligible to apply for SAF funds:

(i) Pell-eligible student athletes (except nonqualifiers in their initial year of residence), including student-athletes who have exhausted their athletics eligibility or no longer are able to participate because of medical reasons;

(ii) Student-athletes who are receiving countable athletically related financial aid and who have demonstrated financial need as determined by an analysis conducted consistent with federal methodology or the methodology used for all students at the postsecondary institution; and



(iii) For a foreign student-athlete, an official foreign student-athlete advisory entity of the postsecondary institution outside of the athletics department must certify, in writing, that that student-athlete has financial need.

(b) Member institutions and conferences specifically shall not use monies received from the fund for the following:

(i) Financing any portion of an institutional grant-in-aid that could have been to the student-athlete;

(ii) Entertainment expenses for student-athletes;

(iii) Purchasing or disability, illness or injury insurance to protect against loss of potential future professional sports earnings; or

(iv) For administrative purposes.

SECTION 4. The responsibility for oversight and administration of the Student Assistance Fund and how each state member institution administers the distribution of funds allocated from each respective conference, including interpretations, rests solely with the conferences, which shall file an annual report with the NCAA as to the amount of funds used in each category of aid described in Section 3 of this act, as reported by each member institution. The Division I Council establishes the guiding principles of the fund.

SECTION 5. This act shall take effect and be in force from and after July 1, 2018.

