

By: Senator(s) Harkins, Blount

To: Universities and
Colleges; Appropriations

SENATE BILL NO. 2736

1 AN ACT TO AMEND SECTIONS 37-106-29 AND 37-106-31, MISSISSIPPI
2 CODE OF 1972, TO PROVIDE THAT STUDENTS MUST COMPLETE THE FREE
3 APPLICATION FOR FEDERAL STUDENT AID ANNUALLY TO APPLY FOR
4 MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANTS AND MISSISSIPPI
5 EMINENT SCHOLARS GRANTS; AND FOR RELATED PURPOSES.

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

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

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

18 (2) The board shall approve grants to full-time freshmen,
19 sophomore, junior and senior Mississippi residents who meet the



20 general requirements for student eligibility as provided in
21 subsection (4) of this section.

22 (3) Mississippi Resident Tuition Assistance Grants shall be
23 for Mississippi resident students from any Mississippi family
24 whose prior year adjusted gross income (AGI) exceeds the maximum
25 allowed to qualify for full Pell Grant eligibility and
26 campus-based federal aid. Those Mississippi students qualifying
27 for less than the full Pell Grant award shall receive a
28 Mississippi Resident Tuition Assistance Grant in an amount not to
29 exceed the maximum Pell Grant allowable for that individual
30 student. The award shall be applied to tuition, rooms and meals,
31 books, materials and fees not to exceed One Thousand Dollars
32 (\$1,000.00) for junior and senior students attending state
33 institutions of higher learning in Mississippi or four-year
34 regionally accredited, state-approved, nonprofit colleges and
35 universities in Mississippi, and Five Hundred Dollars (\$500.00)
36 for freshmen and sophomores attending state institutions of higher
37 learning or public community or junior colleges in Mississippi, or
38 regionally accredited, state-approved, nonprofit two-year or
39 four-year colleges in Mississippi, which will be prorated per
40 term, semester or quarter of the academic year for costs of
41 attendance, calculated according to the formula specified in
42 subsection (8) of this section.



43 (4) The general requirements for initial eligibility of
44 students for Mississippi Resident Tuition Assistance Grants
45 consist of the following:

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

49 (b) Acceptance for enrollment at any state institution
50 of higher learning or public community or junior college located
51 in Mississippi, or any regionally accredited, state-approved,
52 nonprofit two-year or four-year college or university located in
53 Mississippi and approved by the board.

54 (c) Completion of a secondary education as follows:

55 (i) Graduation from high school verified by the
56 institution before disbursement of award with a minimum grade
57 point average of 2.5 calculated on a 4.0 scale after seven (7)
58 semesters as certified by the high school counselor or other
59 authorized school official on the application; or

60 (ii) Attendance at a home education program during
61 grade levels 9 through 12; or

62 (iii) Satisfactory completion of the High School
63 Equivalency Diploma; or

64 (iv) Successful completion of the International
65 Baccalaureate Program.

66 (d) A minimum score of fifteen (15) on the ACT test
67 except that any student entering a vocational or technical program



68 of study, or who has satisfactorily completed the High School
69 Equivalency Diploma Test and attends a community or junior college
70 will not be required to have a test score under the ACT unless a
71 student enrolls in courses of academic study.

72 (e) Any student currently enrolled in any qualified
73 institution shall have to only meet the same requirements as
74 students who are applying for a renewal award.

75 (5) By accepting a Mississippi Resident Tuition Assistance
76 Grant, the student is attesting to the accuracy, completeness and
77 correctness of information provided to demonstrate the student's
78 eligibility. Falsification of such information shall result in
79 the denial of any pending grant and revocation of any award
80 currently held to the extent that no further payments shall be
81 made. Any student knowingly making false statements in order to
82 receive a grant shall be guilty of a misdemeanor punishable, upon
83 conviction thereof, by a fine of up to Ten Thousand Dollars
84 (\$10,000.00), a prison sentence of up to one (1) year in the
85 county jail, or both, and shall be required to return all
86 Mississippi Resident Tuition Assistance Grants wrongfully
87 obtained.

88 (6) Eligibility for renewal of Mississippi Resident Tuition
89 Assistance Grants shall be evaluated at the end of each semester,
90 or term, of each academic year. As a condition for renewal, a
91 student shall:



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

95 (b) Maintain continuous enrollment for not less than
96 two (2) semesters or three (3) quarters in each successive
97 academic year, unless granted an exception for cause by the
98 administering board; examples of cause may include student
99 participation in a cooperative program, internship program or
100 foreign study program. If a student fails to maintain continuous
101 enrollment, and is not granted an exception for cause by the
102 administering board, the student is ineligible to receive the
103 Mississippi Resident Tuition Assistance Grant during the following
104 semester or trimester or term of the regular academic year.

105 (c) Have a cumulative grade point average of at least
106 2.50 calculated on a 4.0 scale at the end of each semester or
107 trimester or term.

108 (7) Each student, each year, must complete a Free
109 Application for Federal Student Aid form * * * to determine
110 his/her eligibility for a Mississippi Resident Tuition Assistance
111 Grant.

112 (8) (a) The amount of the Mississippi Resident Tuition
113 Assistance Grant awarded to any one (1) student, up to the maximum
114 amount provided in subsection (3) of this section, shall be the
115 difference of the student's cost of attendance at his accredited
116 college of choice and the amount of federal aid such student may



117 receive, not to supplant but to supplement the amount of any
118 federal aid awarded to the student. Cost of attendance is the
119 tuition and fees of the applicable institution plus an allowance
120 for room and meals and books and materials.

121 (b) Payment of the Mississippi Resident Tuition
122 Assistance Grant shall be made payable to the recipient and the
123 educational institution and mailed directly to the institution, to
124 be applied first to tuition.

125 (9) In order for an institution to remain eligible for its
126 students to participate in the Mississippi Resident Tuition
127 Assistance Grant Program, the institution shall comply with the
128 following requirements:

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

133 (b) The institution is required to make refunds to the
134 Mississippi Resident Tuition Assistance Grant Fund for any funds
135 which have not been disbursed to the recipient, in the case of
136 students who have received a grant but who terminate enrollment
137 during the academic term, semester or quarter of the academic year
138 if an institution's refund policies permit a student to receive a
139 refund in such instance. The recipient shall be responsible for
140 the refund of any funds which have been disbursed by the
141 institution in such instance.



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

148 (d) The board may conduct its own annual audits of any
149 institution participating in the Mississippi Resident Tuition
150 Assistance Grant Program. The board may suspend or revoke an
151 institution's eligibility to receive future monies under the
152 program if it finds that the institution has not complied with the
153 provisions of this section. In determining a student's initial
154 eligibility, the number of prior semesters enrolled will not be
155 counted against the student.

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

160 (11) No student receiving a Mississippi Eminent Scholars
161 Grant as provided in Section 37-106-31 shall be eligible to
162 receive the Mississippi Resident Tuition Assistance Grant pursuant
163 to this section unless he is eligible for such award after the
164 Mississippi Eminent Scholars Grant has been considered by the
165 board when conducting an assessment of the financial resources
166 available to the student. In no case shall any student receive



167 any combination of student financial aid that would exceed the
168 cost of attendance, as defined in subsection (8)(a).

169 For purposes of this section, certificated shall mean, but
170 not be limited to, all postsecondary vocational programs in
171 eligible institutions approved by the board.

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

174 37-106-31. (1) There is created a Mississippi Eminent
175 Scholars Grant Program, to be administered by the Mississippi
176 Postsecondary Education Financial Assistance Board established
177 under Section 37-106-9. The board shall set the dates that will
178 serve as the deadlines for applying for an award under this
179 section and award scholarships to each Mississippi student who:

180 (a) (i) Is recognized by the merit or achievement
181 programs of the National Merit Scholarship Corporation or the
182 National Achievement Scholarship as a semifinalist or finalist,
183 and has obtained a minimum cumulative grade point average of 3.5
184 calculated on a 4.0 scale in high school subjects acceptable for
185 credit toward a diploma, after seven (7) semesters certified by
186 the high school counselor or other authorized school official on
187 the application and graduation from high school verified by the
188 institution before disbursement of award; or

189 (ii) Has scored twenty-nine (29) on the American
190 College Testing Program or its equivalent and has obtained a
191 minimum cumulative grade point average of 3.5 calculated on a 4.0



192 scale after seven (7) semesters certified by the high school
193 counselor or other authorized school official on the application
194 and graduation from high school verified by the institution before
195 disbursement of award, or the equivalent in high school subjects
196 acceptable for credit toward a diploma; or

197 (iii) Has attended a home education program during
198 grade levels 9 through 12 and has scored twenty-nine (29) on the
199 American College Testing Program or its equivalent.

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

202 (c) Files, before the deadline, an application for an
203 award during his last year in high school, or before the
204 expiration of the third school year succeeding the year of his
205 high school graduation.

206 (d) Attends, on a full-time basis, any state
207 institution of higher learning or public community or junior
208 college, or any regionally accredited, state-approved, nonprofit
209 two-year or four-year college or university located in the State
210 of Mississippi approved by the board.

211 (e) Completes a Free Application for Federal Student
212 Aid each year.

213 (* * *f) Enrolls as a "first-time in college" student
214 in Mississippi. Postsecondary academic credit earned prior to or
215 during the summer immediately subsequent to receiving a high
216 school diploma, or while dually enrolled in secondary and



217 postsecondary educational institutions, or while enrolled in the
218 early admission program of a postsecondary institution shall not
219 be considered when determining if a student is enrolling for the
220 first time. However, any student who earns postsecondary academic
221 credit at an institution of higher learning located outside the
222 state shall meet the requirements on grade point average and
223 maximum credit hours set forth in subsection (2)(b) of this
224 section.

225 (* * *g) Is a resident of the State of Mississippi.

226 (2) (a) Except for students who earn credits at
227 institutions of higher learning located outside the state,
228 students who apply for awards but do not accept their initial
229 awards may apply to receive awards during subsequent application
230 periods occurring before the expiration of the third school year
231 succeeding the year of their high school graduation. The
232 eligibility of these applicants shall be determined in the same
233 manner as first-time applicants.

234 (b) Students who receive initial awards and who later
235 do not accept renewal awards may apply to receive awards during
236 subsequent application periods occurring before the expiration of
237 the third school year succeeding the year of their high school
238 graduation. Reinstatement applications will be accepted from
239 these students according to dates set by the Mississippi
240 Postsecondary Education Financial Assistance Board. The
241 eligibility of these applicants shall be determined in the same



242 manner as first-time applicants, except that these students shall
243 be required to have maintained the equivalent of a 3.5 cumulative
244 grade point average on a 4.0 scale for all college work attempted
245 and if the student attended an out-of-state institution, to have
246 completed no more than thirty-six (36) credit hours. The board
247 shall not make awards to reinstatement applicants who submit
248 applications that are received after the deadline set by the
249 Mississippi Postsecondary Education Financial Assistance Board.

250 (c) The board shall create a renewal application for
251 each student who received the award for one or more terms during
252 the immediately preceding academic year.

253 (3) (a) The annual award to a student shall be up to Two
254 Thousand Five Hundred Dollars (\$2,500.00) for tuition and fees.
255 Payment of the Mississippi Eminent Scholars Grant shall be made
256 payable to the recipient and the educational institution and
257 mailed directly to the institution, to be applied first to
258 tuition.

259 (b) Within six (6) weeks of the end of regular
260 registration, inclusive of a drop-add period, institutions shall
261 certify to the board the eligibility status of each awarded
262 student. The eligibility status of each student to receive a
263 disbursement shall be determined by each institution as of this
264 date. Institutions shall not be required to reevaluate a
265 student's eligibility status after this date for purposes of
266 amending eligibility determinations previously made. However, an



267 institution shall be requested to make refunds for students who
268 receive award disbursements and terminate enrollment for any
269 reason during the academic term when an institution's refund
270 policies permit a student to receive a refund under the
271 circumstances.

272 (c) Institutions shall certify to the board the amount
273 of funds disbursed to each student and shall remit to the board
274 any undisbursed advances within sixty (60) days of the end of
275 regular registration.

276 (4) A recipient shall maintain the equivalent of a 3.5
277 cumulative grade point average on a 4.0 scale, or shall maintain
278 an approved equivalent student progress evaluation plan, on at
279 least twelve (12) hours per quarter, trimester or semester in
280 order to be eligible for a continuation of the award. No student
281 may receive a Mississippi Eminent Scholars Grant for more than the
282 equivalent semesters or quarters required to complete one (1)
283 degree or certificate program per institution. The award may be
284 renewed annually upon certification of eligibility by the eligible
285 institutions that the recipient meets the necessary
286 qualifications. If any recipient transfers from one university,
287 community college or junior college to another, his award will be
288 transferable, provided he is otherwise eligible for the award. If
289 a student fails to maintain continuous enrollment, and is not
290 granted an exception for cause by the administering board, the
291 student is ineligible to receive the Mississippi Eminent Scholars



292 Grant during the following semester or trimester or term of the
293 regular academic year.

294 (5) The board may conduct its own annual audits of any
295 institution participating in the Mississippi Eminent Scholars
296 Grant Program. The board may suspend or revoke an institution's
297 eligibility to receive future monies under the program if it finds
298 that the institution has not complied with the provisions of this
299 section.

300 (6) For purposes of this section, certificated shall mean,
301 but not be limited to, all postsecondary vocational programs in
302 eligible institutions approved by the board.

303 **SECTION 3.** This act shall take effect and be in force from
304 and after July 1, 2019.

