

By: Senator(s) Harkins

To: Universities and
Colleges; Appropriations

SENATE BILL NO. 2908

1 AN ACT TO AMEND SECTION 37-106-75, MISSISSIPPI CODE OF 1972,
2 WHICH PROVIDES FOR THE HIGHER EDUCATION LEGISLATIVE PLAN GRANT
3 PROGRAM, TO REQUIRE THAT THE HIGH SCHOOL COURSES WHICH MUST BE
4 COMPLETED BY POTENTIAL GRANT RECIPIENTS MUST INCLUDE THE COLLEGE
5 PREPARATORY CURRICULUM THAT IS APPROVED BY THE BOARD OF TRUSTEES
6 OF STATE INSTITUTIONS OF HIGHER LEARNING; TO AUTHORIZE THE AWARD
7 OF PARTIAL GRANTS TO FIRST-TIME IN COLLEGE STUDENTS WHO ARE IN
8 FINANCIAL NEED AND WHO MEET CERTAIN OTHER REQUIREMENTS; AND FOR
9 RELATED PURPOSES.

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

11 **SECTION 1.** Section 37-106-75, Mississippi Code of 1972, is
12 amended as follows:

13 **[From * * * July 1, 2016, and until June 30, 2020, this**
14 **section shall read as follows:]**

15 37-106-75. (1) The Legislature hereby establishes the
16 Higher Education Legislative Plan Grant Program.

17 (2) For purposes of this section:

18 (a) "Institution of higher education" shall mean any
19 state institution of higher learning or public community or junior
20 college, or any regionally accredited, state-approved, nonprofit



21 two-year or four-year college or university located in the State
22 of Mississippi approved by the board.

23 (b) "Tuition" shall mean the semester or trimester or
24 term charges and all required fees imposed by an institution of
25 higher education as a condition of enrollment by all students.
26 However, for a two-year nonpublic institution of higher education
27 defined in paragraph (a), the tuition payments shall not exceed
28 the average charges and fees required by all of the two-year
29 public institutions of higher education defined in paragraph (a),
30 and for a four-year nonpublic institution of higher education
31 defined in paragraph (a), the tuition payments shall not exceed
32 the average charges and fees required by all of the four-year
33 public institutions of higher education defined in paragraph (a).

34 (3) Subject to the availability of funds, the state may pay
35 the tuition of students who enroll at any state institution of
36 higher education to pursue an academic undergraduate degree who
37 apply for the assistance under the program and who meet all of the
38 following qualifications:

39 (a) Resident of the State of Mississippi. Resident
40 status for the purpose of receiving assistance under this chapter
41 shall be determined in the same manner as resident status for
42 tuition purposes in Sections 37-103-1 through 37-103-29, with the
43 exception of Section 37-103-17;



44 (b) Graduate from high school within the two (2) years
45 preceding the application with a minimum cumulative grade point
46 average of 2.5 calculated on a 4.0 scale;

47 (c) Successfully complete, as certified by the high
48 school counselor or other school official, seventeen and one-half
49 (17-1/2) units of high school course work which includes the
50 College Preparatory Curriculum (CPC) approved by the Board of
51 Trustees of State Institutions of Higher Learning and required for
52 admission into a state university, plus one (1) unit of art which
53 may include one (1) unit or two (2) one-half (1/2) units from the
54 approved Mississippi Department of Education Arts-Visual and
55 Performing series, and one (1) additional advanced elective unit,
56 which may include Foreign Language II;

57 (d) Have a composite score on the American College Test
58 of at least twenty (20) on the 1989 version or an equivalent
59 concordant value on an enhanced version of such test;

60 (e) Have no criminal record, except for misdemeanor
61 traffic violations; and

62 (f) Be in financial need.

63 (4) Subject to the availability of funds, the state may pay
64 the tuition of students who enroll at any state institution of
65 higher education to pursue an academic undergraduate degree or
66 associate degree who apply for assistance under the program and
67 who meet the qualifications in paragraphs (a), (e) and (f) of
68 subsection (3) but who fail to meet one (1) of the particular



69 requirements established by paragraph (b), (c) or (d) of
70 subsection (3) by an amount of ten percent (10%) or less.

71 (5) To maintain continued state payment of tuition, once
72 enrolled in an institution of higher education, a student shall
73 meet all of the following requirements:

74 (a) Make steady academic progress toward a degree,
75 earning not less than the minimum number of hours of credit
76 required for full-time standing in each academic period requiring
77 such enrollment;

78 (b) Maintain continuous enrollment for not less than
79 two (2) semesters or three (3) quarters in each successive
80 academic year, unless granted an exception for cause by the board;

81 (c) Have a cumulative grade point average of at least
82 2.5 calculated on a 4.0 scale at the end of the first academic
83 year and thereafter maintain such a cumulative grade point average
84 as evaluated at the end of each academic year;

85 (d) Have no criminal record, except for misdemeanor
86 traffic violations; and

87 (e) Be in financial need.

88 (6) The provisions of this section shall be administered by
89 the board. The board may promulgate rules for all matters
90 necessary for the implementation of this section. By rule, the
91 board shall provide for:

92 (a) A mechanism for informing all students of the
93 availability of the assistance provided under this section early



94 enough in their schooling that a salutary motivational effect is
95 possible;

96 (b) Applications, forms, financial audit procedures,
97 eligibility and other program audit procedures and other matters
98 related to efficient operation;

99 (c) A procedure for waiver through the 1996-1997
100 academic year of the program eligibility requirement for
101 successful completion of a specified core curriculum upon proper
102 documentation by the applicant that failure to comply with the
103 requirement is due solely to the fact that the required course or
104 courses were not available to the applicant at the school
105 attended.

106 (7) An applicant shall be found to be in financial need if:

107 (a) The family has one (1) child under the age of
108 twenty-one (21), and the annual adjusted gross income of the
109 family is less than Forty-two Thousand Five Hundred Dollars
110 (\$42,500.00); or

111 (b) The family has an annual adjusted gross income of
112 less than Forty-two Thousand Five Hundred Dollars (\$42,500.00)
113 plus Five Thousand Dollars (\$5,000.00) for each additional child
114 under the age of twenty-one (21).

115 The annual adjusted gross income of the family shall be
116 verified by completion of the Free Application for Federal Student
117 Aid (FAFSA) and the completion of the verification process if the
118 applicant is selected for it.



119 As used in this subsection, the term "family" for an
120 unemancipated applicant means the applicant, the applicant's
121 parents and other children under age twenty-one (21) of the
122 applicant's parents. The term "family" for an emancipated
123 applicant means the applicant, an applicant's spouse, and any
124 children under age twenty-one (21) of the applicant and spouse.

125 (8) Beginning in the 2020-2021 academic year and subject to
126 the availability of funds, the state may pay the percentage of the
127 tuition set forth in paragraphs (a) and (b) of this subsection of
128 first-time in college students who enroll at any state institution
129 of higher education to pursue an academic undergraduate degree who
130 apply for assistance under the program and who meet the
131 qualifications set forth in paragraphs (a) through (f) of
132 subsection (3) of this section. An applicant may be found to be
133 in financial need and eligible for an award for purposes of this
134 subsection as follows:

135 (a) If the family has one (1) child under the age of
136 twenty-one (21) and the annual adjusted gross income of the family
137 is not less than Thirty-nine Thousand Five Hundred Dollars
138 (\$39,500.00) and not more than Forty-seven Thousand Dollars
139 (\$47,000.00), the applicant shall be eligible for an award in an
140 amount that is equal to sixty-six percent (66%) of the tuition; or

141 (b) If the family has one (1) child under the age of
142 twenty-one (21) and the annual adjusted gross income of the family
143 is not less than Forty-seven Thousand One Dollars (\$47,001.00) and



144 not greater than Fifty-five Thousand Dollars (\$55,000.00), the
145 applicant shall be eligible for an award in an amount that is
146 equal to thirty-three percent (33%) of the tuition; and

147 (c) For purposes of this subsection:

148 (i) "First-time in college" student shall have the
149 meaning ascribed to it in Section 37-106-31(e);

150 (ii) "Family" shall have the meaning ascribed to it
151 in subsection (7) of this section;

152 (iii) The annual gross income shall be verified as
153 set forth in subsection (7) of this section; and

154 (iv) The requirements for maintaining an award
155 shall be as otherwise provided in this section.

156 (* * *9) No student shall receive a grant under this
157 section in an amount greater than the tuition charged by the
158 school. The student must apply for a federal grant prior to
159 receiving state funds.

160 **[From and after July 1, 2020, this section shall read as**
161 **follows:]**

162 37-106-75. (1) The Legislature hereby establishes the
163 Higher Education Legislative Plan Grant Program.

164 (2) For purposes of this section:

165 (a) "Institution of higher education" shall mean any
166 state institution of higher learning or public community or junior
167 college, or any regionally accredited, state-approved, nonprofit



168 two-year or four-year college or university located in the State
169 of Mississippi approved by the board.

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171 term charges and all required fees imposed by an institution of
172 higher education as a condition of enrollment by all students.
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174 defined in paragraph (a), the tuition payments shall not exceed
175 the average charges and fees required by all of the two-year
176 public institutions of higher education defined in paragraph (a),
177 and for a four-year nonpublic institution of higher education
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179 the average charges and fees required by all of the four-year
180 public institutions of higher education defined in paragraph (a).

181 (3) Subject to the availability of funds, the state may pay
182 the tuition of students who enroll at any state institution of
183 higher education to pursue an academic undergraduate degree who
184 apply for the assistance under the program and who meet all of the
185 following qualifications:

186 (a) Resident of the State of Mississippi. Resident
187 status for the purpose of receiving assistance under this chapter
188 shall be determined in the same manner as resident status for
189 tuition purposes in Sections 37-103-1 through 37-103-29, with the
190 exception of Section 37-103-17;



191 (b) Graduate from high school within the two (2) years
192 preceding the application with a minimum cumulative grade point
193 average of 2.5 calculated on a 4.0 scale;

194 (c) Successfully complete, as certified by the high
195 school counselor or other school official, * * * high school
196 course work which includes the College Preparatory Curriculum
197 (CPC) approved by the Board of Trustees of State Institutions of
198 Higher Learning and required for admission into a state
199 university * * *;

200 (d) Have a composite score on the American College Test
201 of at least twenty (20) on the 1989 version or an equivalent
202 concordant value on an enhanced version of such test;

203 (e) Have no criminal record, except for misdemeanor
204 traffic violations; and

205 (f) Be in financial need.

206 (4) Subject to the availability of funds, the state may pay
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209 associate degree who apply for assistance under the program and
210 who meet the qualifications in paragraphs (a), (e) and (f) of
211 subsection (3) but who fail to meet one (1) of the particular
212 requirements established by paragraph (b) * * * or (d) of
213 subsection (3) by an amount of ten percent (10%) or less.



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220 such enrollment;

221 (b) Maintain continuous enrollment for not less than
222 two (2) semesters or three (3) quarters in each successive
223 academic year, unless granted an exception for cause by the board;

224 (c) Have a cumulative grade point average of at least
225 2.5 calculated on a 4.0 scale at the end of the first academic
226 year and thereafter maintain such a cumulative grade point average
227 as evaluated at the end of each academic year;

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232 the board. The board may promulgate rules for all matters
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236 availability of the assistance provided under this section early
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240 eligibility and other program audit procedures and other matters
241 related to efficient operation;

242 (c) A procedure for waiver through the 1996-1997
243 academic year of the program eligibility requirement for
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245 documentation by the applicant that failure to comply with the
246 requirement is due solely to the fact that the required course or
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259 verified by completion of the Free Application for Federal Student
260 Aid (FAFSA) and the completion of the verification process if the
261 applicant is selected for it.

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263 unemancipated applicant means the applicant, the applicant's



264 parents and other children under age twenty-one (21) of the
265 applicant's parents. The term "family" for an emancipated
266 applicant means the applicant, an applicant's spouse, and any
267 children under age twenty-one (21) of the applicant and spouse.

268 (8) Beginning in the 2020-2021 academic year and subject to
269 the availability of funds, the state may pay the percentage of the
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272 of higher education to pursue an academic undergraduate degree who
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275 subsection (3) of this section. An applicant may be found to be
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295 (iii) The annual gross income shall be verified as
296 set forth in subsection (7) of this section; and

297 (iv) The requirements for maintaining an award
298 shall be as otherwise provided in this section.

299 (* * *9) No student shall receive a grant under this
300 section in an amount greater than the tuition charged by the
301 school. The student must apply for a federal grant prior to
302 receiving state funds.

303 **SECTION 2.** This act shall take effect and be in force from
304 and after July 1, 2019.

