To: Universities and Colleges; Appropriations

MISSISSIPPI LEGISLATURE

By: Senator(s) Harkins

REGULAR SESSION 2019

SENATE BILL NO. 2908

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

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

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

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

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

(2) For purposes of this section:

(a) "Institution of higher education" shall mean any state institution of higher learning or public community or junior college, or any regionally accredited, state-approved, nonprofit
two-year or four-year college or university located in the State
of Mississippi approved by the board.

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

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

(a) Resident of the State of Mississippi. Resident
status for the purpose of receiving assistance under this chapter
shall be determined in the same manner as resident status for
tuition purposes in Sections 37-103-1 through 37-103-29, with the
exception of Section 37-103-17;
(b) Graduate from high school within the two (2) years preceding the application with a minimum cumulative grade point average of 2.5 calculated on a 4.0 scale;

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

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

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

(f) Be in financial need.

(4) Subject to the availability of funds, the state may pay the tuition of students who enroll at any state institution of higher education to pursue an academic undergraduate degree or associate degree who apply for assistance under the program and who meet the qualifications in paragraphs (a), (e) and (f) of subsection (3) but who fail to meet one (1) of the particular
requirements established by paragraph (b), (c) or (d) of subsection (3) by an amount of ten percent (10%) or less.

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

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

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

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

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

(e) Be in financial need.

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

(a) A mechanism for informing all students of the availability of the assistance provided under this section early
enough in their schooling that a salutary motivational effect is possible;

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

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

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

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

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

The annual adjusted gross income of the family shall be verified by completion of the Free Application for Federal Student Aid (FAFSA) and the completion of the verification process if the applicant is selected for it.
As used in this subsection, the term "family" for an unemancipated applicant means the applicant, the applicant's parents and other children under age twenty-one (21) of the applicant's parents. The term "family" for an emancipated applicant means the applicant, an applicant's spouse, and any children under age twenty-one (21) of the applicant and spouse.

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

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

(b) If the family has one (1) child under the age of twenty-one (21) and the annual adjusted gross income of the family is not less than Forty-seven Thousand One Dollars ($47,001.00) and
not greater than Fifty-five Thousand Dollars ($55,000.00), the
applicant shall be eligible for an award in an amount that is
equal to thirty-three percent (33%) of the tuition; and

(c) For purposes of this subsection:

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

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

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

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

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

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

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

(2) For purposes of this section:

(a) "Institution of higher education" shall mean any
state institution of higher learning or public community or junior
college, or any regionally accredited, state-approved, nonprofit
two-year or four-year college or university located in the State of Mississippi approved by the board.

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

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

(a) Resident of the State of Mississippi. Resident status for the purpose of receiving assistance under this chapter shall be determined in the same manner as resident status for tuition purposes in Sections 37-103-1 through 37-103-29, with the exception of Section 37-103-17;
(b) Graduate from high school within the two (2) years preceding the application with a minimum cumulative grade point average of 2.5 calculated on a 4.0 scale;

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

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

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

(f) Be in financial need.

(4) Subject to the availability of funds, the state may pay the tuition of students who enroll at any state institution of higher education to pursue an academic undergraduate degree or associate degree who apply for assistance under the program and who meet the qualifications in paragraphs (a), (e) and (f) of subsection (3) but who fail to meet one (1) of the particular requirements established by paragraph (b) * * * or (d) of subsection (3) by an amount of ten percent (10%) or less.
(5) To maintain continued state payment of tuition, once enrolled in an institution of higher education, a student shall meet all of the following requirements:

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

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

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

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

(e) Be in financial need.

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

(a) A mechanism for informing all students of the availability of the assistance provided under this section early enough in their schooling that a salutary motivational effect is possible;
(b) Applications, forms, financial audit procedures, eligibility and other program audit procedures and other matters related to efficient operation;

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

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

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

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

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

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

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

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

(b) If the family has one (1) child under the age of twenty-one (21) and the annual adjusted gross income of the family is not less than Forty-seven Thousand One Dollars ($47,001.00) and not greater than Fifty-five Thousand Dollars ($55,000.00), the
applicant shall be eligible for an award in an amount that is
equal to thirty-three percent (33%) of the tuition; and

(c) For purposes of this subsection:

(i) "First-time in college" student shall have the
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shall be as otherwise provided in this section.

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

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