

By: Representatives Crudup, Holloway, Watson

To: Universities and Colleges; Appropriations

HOUSE BILL NO. 15

1 AN ACT TO WAIVE THE COST OF TUITION AT ANY STATE INSTITUTION
2 OF HIGHER LEARNING FOR CERTAIN FOSTER CHILDREN, ADOPTED CHILDREN
3 OR WARDS OF THE STATE, SUBJECT TO CERTAIN CONDITIONS; TO REQUIRE
4 THE DEPARTMENT OF CHILD PROTECTION SERVICES, UPON THE REQUEST OF A
5 STATE INSTITUTION OF HIGHER LEARNING, TO CONFIRM THE ELIGIBILITY
6 OF THOSE STUDENTS SEEKING TO PARTICIPATE IN THE WAIVER PROGRAM; TO
7 REQUIRE STUDENTS TO COMPLETE THE FREE APPLICATION FOR FEDERAL
8 STUDENT AID TO DETERMINE THE LEVEL OF NEED AND ELIGIBILITY FOR
9 STATE AND FEDERAL FINANCIAL AID PROGRAMS; TO ESTABLISH THE
10 REQUIREMENTS FOR ELIGIBILITY; TO REQUIRE THE DEPARTMENT AND THE
11 BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO MAKE
12 REPORTS TO THE LEGISLATURE ON CERTAIN COMPONENTS OF THE TUITION
13 WAIVER PROGRAM; TO REQUIRE THE BOARD TO PROMULGATE RULES AND
14 REGULATIONS NECESSARY FOR THE PROPER ADMINISTRATION OF THE
15 PROGRAM; AND FOR RELATED PURPOSES.

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

17 **SECTION 1.** The Legislature of the State of Mississippi finds
18 and declares that it is in the best interest of the state to
19 support youth who have transitioned out of the state's child
20 welfare system and adults who have adopted older children who were
21 considered wards of the State of Mississippi. The Legislature
22 recognizes that a child whose care, custody and control has been
23 assumed by the state is a special ward of the state and faces
24 particular challenges in pursuing post-secondary education. It is



25 the intent of the Legislature to support adoption, foster
26 parenting and educational advancement, by providing postsecondary
27 education advancement opportunities in the form of tuition
28 exemptions for foster children, children who were adopted after
29 the age of nine (9) years and those who are current wards of the
30 state.

31 **SECTION 2.** As used in this act, the following words have the
32 meanings ascribed in the section, unless the context requires
33 otherwise:

34 (a) "Foster child" means a person under the age of
35 twenty-one (21) years who has been placed in the legal custody of
36 the Department of Child Protection Services and who resides in the
37 home of a state certified caregiver.

38 (b) "Adopted child" means a person under the age of
39 twenty-one (21) years for whom all the rights and responsibilities
40 for parenting have been removed from the biological parents and
41 permanently transferred to another.

42 (c) "Ward of the state" means a person under the age of
43 twenty-one (21) years who has been placed in the legal custody of
44 the Department of Child Protection Services for any purposes
45 specified in Sections 43-15-15 and 43-27-101, or who is placed in
46 residential child care.

47 (d) "Tuition" means the charges imposed by a state
48 institution of higher learning for enrollment at the institution,



49 which includes charges for registration and all fees required as a
50 condition of enrollment.

51 (e) "Department" means the Department of Child
52 Protection Services.

53 (f) "Postsecondary educational institution" means a
54 public community or junior college under the authority of the
55 Mississippi Community College Board and local governance of
56 respective community college district boards of trustees, and of a
57 state institution of higher learning under the authority of the
58 Board of Trustees of State Institutions of Higher Learning.

59 **SECTION 3.** (1) (a) Tuition and mandatory student fees for
60 any associate degree program at a community or junior college or
61 up to the amount of tuition equivalent to the cost of an associate
62 degree program undertaken at any state institution of higher
63 learning shall be waived for a Mississippi foster child, adopted
64 child or ward of the state who is a full-time or part-time student
65 at a public community or junior college or state institution of
66 higher learning if the student meets all entrance requirements and
67 maintains academic eligibility with a 2.25 cumulative grade point
68 average on a 4.0 scale while enrolled, and if:

69 (i) The student is currently in the custody of the
70 Department of Child Protection Services and has been placed in
71 foster care or residential child care;

72 (ii) The department was the student's legal
73 custodian;



74 (iii) The student is a former ward of the state of
75 Mississippi and was adopted after the age of nine (9) years; or

76 (iv) The student is a former ward of the State of
77 Mississippi, adopted after the age of nine (9) years, and meets
78 the eligibility criteria of this paragraph and lives outside of
79 Mississippi at the time of application to a state institution of
80 higher learning may apply for the waiver up to the amount of
81 tuition for a Mississippi resident.

82 (b) If an eligible student enrolls and attends a state
83 institution of higher learning, the amount of tuition for the cost
84 of attendance that is equivalent to the cost of tuition at a
85 community or junior college for an associate degree program shall
86 be allocated to the student in equal disbursements over the course
87 of four (4) semesters at the state institution of higher learning.

88 (2) Upon request of the community or junior college or state
89 institution of higher learning of attendance, the department shall
90 confirm the eligibility status of students seeking to participate
91 in the waiver program under subsection (1) of this section.
92 Release of this information shall not constitute a breach of
93 confidentiality required by Sections 43-21-57 and 43-47-7.

94 (3) The student shall complete the Free Application for
95 Federal Student Aid (FAFSA) to determine the level of need and
96 eligibility for state and federal financial aid programs. If the
97 sum of the tuition waiver plus other student financial assistance
98 from all sources, except loans and the work study program under 42



99 USCS Sections 2751 through 2756b, exceed the student's total cost
100 of attendance, as defined in 20 USCS Section 108711, the tuition
101 waiver shall be reduced by the amount exceeding the total cost of
102 attendance.

103 (4) The student shall be eligible for the tuition waiver:

104 (a) For entrance to the postsecondary educational
105 institution for a period of no more than four (4) years after the
106 date of graduation from high school or receipt of a General
107 Education Diploma (GED) or high school equivalency diploma;

108 (b) For a period of three (3) years after first
109 admittance to any public community or junior college or state
110 institution of higher learning if satisfactory progress is
111 achieved or maintained; and

112 (c) For a maximum of sixty (60) collegiate semester
113 credit hours.

114 (5) The department shall report the number of students
115 participating in the tuition waiver program on January 1 of each
116 year to the Mississippi Community College Board, the Board of
117 Trustees of State Institutions of Higher Learning and to the
118 Legislature.

119 (6) The Mississippi Community College Board and the Board of
120 Trustees of State Institutions of Higher Learning shall report
121 nonidentifying data on graduation rates of students participating
122 in the tuition waiver program by January 1 of each year to the
123 Legislature.



124 (7) Nothing in this section shall be construed to:
125 (a) Guarantee acceptance of or entrance into any
126 postsecondary educational institution for a foster child, adopted
127 child or ward of the state;
128 (b) Limit the participation of a student who is a
129 foster child, adopted child or ward of the state in any other
130 program of financial assistance for postsecondary education;
131 (c) Require any public community or junior college or
132 state institution of higher learning to waive costs or fees
133 relating to room and board; or
134 (d) Restrict any public community or junior college or
135 state institution of higher learning or the Department of Child
136 Protection Services from accessing other sources of financial
137 assistance, except loans, that may be available to a student who
138 is a foster child, adopted child or ward of the state.
139 (8) The Mississippi Community College Board and the Board of
140 Trustees of State Institutions of Higher Learning shall jointly
141 promulgate rules and regulations necessary for the proper
142 administration of the tuition waiver authorized by this section.
143 **SECTION 4.** This act shall take effect and be in force from
144 and after July 1, 2020.

