

By: Representatives Crudup, Holloway, Watson

To: Universities and Colleges; Appropriations

HOUSE BILL NO. 16

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

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

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



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

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

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

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

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

46 (d) "Tuition" means the charges imposed by a state  
47 institution of higher learning for enrollment at the institution,  
48 which includes charges for registration and all fees required as a  
49 condition of enrollment.



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

52 (f) "Postsecondary educational institution" means a  
53 public community or junior college under the authority of the  
54 Mississippi Community College Board and local governance of  
55 respective community college district boards of trustees.

56 **SECTION 3.** (1) Tuition and mandatory student fees for any  
57 associate degree program at a community or junior college shall be  
58 waived for a Mississippi foster child, adopted child or ward of  
59 the state who is a full-time or part-time student at a public  
60 community or junior college if the student meets all entrance  
61 requirements and maintains academic eligibility with a 2.25  
62 cumulative grade point average on a 4.0 scale while enrolled, and  
63 if:

64 (a) The student is currently in the custody of the  
65 Department of Child Protection Services and has been placed in  
66 foster care or residential child care;

67 (b) The department was the student's legal custodian;

68 (c) The student is a former ward of the state of  
69 Mississippi and was adopted after the age of nine (9) years; or

70 (d) The student is a former ward of the State of  
71 Mississippi, adopted after the age of nine (9) years, and meets  
72 the eligibility criteria of this paragraph and lives outside of  
73 Mississippi at the time of application to a public community or



74 junior college may apply for the waiver up to the amount of  
75 tuition for a Mississippi resident.

76 (2) Upon request of the community or junior college of  
77 attendance, the department shall confirm the eligibility status of  
78 students seeking to participate in the waiver program under  
79 subsection (1) of this section. Release of this information shall  
80 not constitute a breach of confidentiality required by Sections  
81 43-21-57 and 43-47-7.

82 (3) The student shall complete the Free Application for  
83 Federal Student Aid (FAFSA) to determine the level of need and  
84 eligibility for state and federal financial aid programs. If the  
85 sum of the tuition waiver plus other student financial assistance  
86 from all sources, except loans and the work study program under 42  
87 USCS Sections 2751 through 2756b, exceed the student's total cost  
88 of attendance, as defined in 20 USCS Section 108711, the tuition  
89 waiver shall be reduced by the amount exceeding the total cost of  
90 attendance.

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

92 (a) For entrance to the postsecondary educational  
93 institution for a period of no more than two (2) years after the  
94 date of graduation from high school or receipt of a General  
95 Education Diploma (GED) or high school equivalency diploma;

96 (b) For a period of three (3) years after first  
97 admittance to any public community or junior college if  
98 satisfactory progress is achieved or maintained; and



99                   (c) For a maximum of sixty (60) collegiate semester  
100 credit hours.

101                   (5) The department shall report the number of students  
102 participating in the tuition waiver program on January 1 of each  
103 year to the Mississippi Community College Board and to the  
104 Legislature.

105                   (6) The Mississippi Community College Board shall report  
106 nonidentifying data on graduation rates of students participating  
107 in the tuition waiver program by January 1 of each year to the  
108 Legislature.

109                   (7) Nothing in this section shall be construed to:

110                   (a) Guarantee acceptance of or entrance into any  
111 postsecondary educational institution for a foster child, adopted  
112 child or ward of the state;

113                   (b) Limit the participation of a student who is a  
114 foster child, adopted child or ward of the state in any other  
115 program of financial assistance for postsecondary education;

116                   (c) Require any public community or junior college to  
117 waive costs or fees relating to room and board; or

118                   (d) Restrict any public community or junior college or  
119 the Department of Child Protection Services from accessing other  
120 sources of financial assistance, except loans, that may be  
121 available to a student who is a foster child, adopted child or  
122 ward of the state.



123           (8) The Mississippi Community College Board shall promulgate  
124 rules and regulations necessary for the proper administration of  
125 the tuition waiver authorized by this section.

126           **SECTION 4.** This act shall take effect and be in force from  
127 and after July 1, 2020.

