

By: Representative Massengill

To: Appropriations

HOUSE BILL NO. 1090

1 AN ACT TO WAIVE TUITION AND MANDATORY STUDENT FEES FOR ANY
 2 UNDERGRADUATE OR GRADUATE PROGRAM OF ANY MISSISSIPPI PUBLIC
 3 POSTSECONDARY INSTITUTION FOR A MISSISSIPPI FOSTER OR ADOPTED
 4 CHILD; TO PRESCRIBE THE REQUIREMENTS FOR ELIGIBILITY TO RECEIVE A
 5 WAIVER; TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO
 6 CONFIRM THE APPLYING STUDENTS' ELIGIBILITY STATUS UPON REQUEST OF
 7 THE POSTSECONDARY INSTITUTION; TO REQUIRE THE STUDENT TO COMPLETE
 8 THE FREE APPLICATION FOR FEDERAL STUDENT AID TO DETERMINE THE
 9 LEVEL OF NEED AND ELIGIBILITY FOR STATE AND FEDERAL FINANCIAL AID
 10 PROGRAMS; TO PROVIDE THAT A STUDENT'S WAIVER SHALL BE REDUCED BY
 11 THE AMOUNT EXCEEDING THE TOTAL COST OF ATTENDANCE WHEN COMBINED
 12 WITH OTHER STUDENT FINANCIAL ASSISTANCE; TO STIPULATE REQUIREMENTS
 13 FOR CONTINUED ELIGIBILITY; TO REQUIRE THE MISSISSIPPI
 14 POSTSECONDARY STUDENT FINANCIAL ASSISTANCE BOARD TO REPORT DATA ON
 15 GRADUATION RATES OF STUDENTS PARTICIPATING IN THE TUITION WAIVER
 16 PROGRAM BY NOVEMBER 30 EACH YEAR TO PEER; AND FOR RELATED
 17 PURPOSES.

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

19 **SECTION 1.** (1) Tuition and mandatory student fees for any
 20 undergraduate or graduate program of any Mississippi public
 21 postsecondary institution, including all two-year community
 22 colleges and four-year universities and colleges, shall be waived
 23 for a Mississippi foster or adopted child who is a full-time or
 24 part-time student if the student meets all entrance requirements



25 and maintains academic eligibility while enrolled at the
26 postsecondary institution, and if:

27 (a) The student's family receives supplemental adoption
28 benefits under Section 93-17-57;

29 (b) The student is currently placed within the custody
30 of the Department of Child Protection Services and placed in a
31 family foster home or is placed in accordance with the provisions
32 of Section 43-15-13;

33 (c) The student is in an independent living program and
34 the placement is funded by the Department of Child Protection
35 Services;

36 (d) The student who is an adopted child was in the
37 permanent legal custody of and placed for adoption by the
38 Department of Child Protection Services. A student who meets the
39 eligibility criteria of this paragraph and lives outside of
40 Mississippi at the time of application to a Mississippi
41 postsecondary institution may apply for the waiver up to the
42 amount of tuition for a Mississippi resident; or

43 (e) The Department of Child Protection Services was the
44 student's legal custodian on his or her eighteenth birthday.

45 (2) Upon request of the postsecondary institution, the
46 Department of Child Protection Services shall confirm the
47 eligibility status under subsection (1) of this section of the
48 student seeking to participate in the waiver program. Release of



49 this information shall not constitute a breach of confidentiality
50 required by Section 43-21-261.

51 (3) The student shall complete the Free Application for
52 Federal Student Aid to determine the level of need and eligibility
53 for state and federal financial aid programs. If the sum of the
54 tuition waiver plus other student financial assistance, except
55 loans and the work study program under 42 USCS 2751-2756b, from
56 all sources exceeds the student's total cost of attendance, as
57 defined in 20 USCS 108711, the tuition waiver shall be reduced by
58 the amount exceeding the total cost of attendance.

59 (4) Except when extended in accordance with subsection (5)
60 of this section, the student shall be eligible for the tuition
61 waiver:

62 (a) For entrance to the institution for a period of no
63 more than four (4) years after the date of graduation from high
64 school or obtaining a high school equivalency diploma; and

65 (b) For one hundred fifty (150) consecutive or
66 nonconsecutive credit hours earned, after first admittance to any
67 Mississippi institution if satisfactory progress is achieved or
68 maintained up to age twenty-eight (28).

69 (5) The expiration of a student's eligibility under
70 subsection (4) (a) of this section shall be extended by the number
71 of academic terms the institution determines the student was
72 unable to enroll for or complete due to serving:



73 (a) On active duty status in the United States Armed
74 Forces;

75 (b) As an officer in the Commissioned Corps of the
76 United States Public Health Service; or

77 (c) On active service in the Peace Corps Act or the
78 AmeriCorps.

79 The original age limitation under subsection (4)(b) of this
80 section shall be extended by the total number of years during
81 which the student was on active duty status. The number of months
82 served on active duty status shall be rounded up to the next
83 higher year to determine the maximum length of eligibility
84 extension allowed.

85 (6) The Mississippi Postsecondary Student Financial
86 Assistance Board shall report nonidentifying data on graduation
87 rates of students participating in the tuition waiver program by
88 November 30 each year to the Joint Legislative Committee on
89 Performance Evaluation and Expenditure Review (PEER).

90 (8) Nothing in this section shall be construed to:

91 (a) Guarantee acceptance of or entrance into any
92 postsecondary institution for a foster or adopted child;

93 (b) Limit the participation of a foster or adopted
94 student in any other program of financial assistance for
95 postsecondary education;

96 (c) Require any postsecondary institution to waive
97 costs or fees relating to room and board; or



98 (d) Restrict any postsecondary institution or the
99 Department of Child Protection Services from accessing other
100 sources of financial assistance, except loans, that may be
101 available to a foster or adopted student.

102 **SECTION 2.** This act shall take effect and be in force from
103 and after July 1, 2022.

