

By: Senator(s) Parks

To: Universities and
Colleges; Appropriations

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2580

1 AN ACT TO BRING FORWARD SECTIONS 37-106-75 AND 37-106-29,
2 MISSISSIPPI CODE OF 1972, WHICH ARE THE PROVISIONS RELATED TO THE
3 HIGHER EDUCATION LEGISLATIVE PLAN (HELP) GRANT AND THE MISSISSIPPI
4 RESIDENT TUITION ASSISTANCE GRANT PROGRAM, FOR THE PURPOSE OF
5 POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 37-106-75, Mississippi Code of 1972, is
8 brought forward as follows:

9 37-106-75. (1) The Legislature hereby establishes the
10 Higher Education Legislative Plan Grant Program.

11 (2) For purposes of this section:

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

17 (b) "Tuition" shall mean the semester or trimester or
18 term charges and all required fees imposed by an institution of
19 higher education as a condition of enrollment by all students.



20 However, for a two-year nonpublic institution of higher education
21 defined in paragraph (a), the tuition payments shall not exceed
22 the average charges and fees required by all of the two-year
23 public institutions of higher education defined in paragraph (a),
24 and for a four-year nonpublic institution of higher education
25 defined in paragraph (a), the tuition payments shall not exceed
26 the average charges and fees required by all of the four-year
27 public institutions of higher education defined in paragraph (a).

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

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

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

41 (c) Successfully complete, as certified by the high
42 school counselor or other school official, high school coursework
43 which includes the College Preparatory Curriculum (CPC) approved



44 by the Board of Trustees of State Institutions of Higher Learning
45 and required for admission into a state university;

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

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

51 (f) Be in financial need.

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

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

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



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

70 (c) Have a cumulative grade point average of at least
71 2.5 calculated on a 4.0 scale at the end of the first academic
72 year and thereafter maintain such a cumulative grade point average
73 as evaluated at the end of each academic year;

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

76 (e) Be in financial need.

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

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

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

88 (c) A procedure for waiver through the 1996-1997
89 academic year of the program eligibility requirement for
90 successful completion of a specified core curriculum upon proper
91 documentation by the applicant that failure to comply with the



92 requirement is due solely to the fact that the required course or
93 courses were not available to the applicant at the school
94 attended.

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

96 (a) The family has one (1) child under the age of
97 twenty-one (21), and the annual adjusted gross income of the
98 family is less than Forty-two Thousand Five Hundred Dollars
99 (\$42,500.00); or

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

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

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

114 (8) No student shall receive a grant under this section in
115 an amount greater than the tuition charged by the school. The



116 student must apply for a federal grant prior to receiving state
117 funds.

118 **SECTION 2.** Section 37-106-29, Mississippi Code of 1972, is
119 brought forward as follows:

120 37-106-29. (1) There is established the Mississippi
121 Resident Tuition Assistance Grant Program for college or
122 university freshmen, sophomores, juniors and seniors to be
123 administered by the Mississippi Postsecondary Education Financial
124 Assistance Board established under Section 37-106-9, Mississippi
125 Code of 1972, which shall set the dates and deadlines for applying
126 for an award under this section. The board shall establish such
127 rules and regulations as it deems necessary and proper to carry
128 out the purposes and intent of this section.

129 (2) The board shall approve grants to full-time freshmen,
130 sophomore, junior and senior Mississippi residents who meet the
131 general requirements for student eligibility as provided in
132 subsection (4) of this section.

133 (3) Mississippi Resident Tuition Assistance Grants shall be
134 for Mississippi resident students from any Mississippi family
135 whose prior year adjusted gross income (AGI) exceeds the maximum
136 allowed to qualify for full Pell Grant eligibility and
137 campus-based federal aid. Those Mississippi students qualifying
138 for less than the full Pell Grant award shall receive a
139 Mississippi Resident Tuition Assistance Grant in an amount not to
140 exceed the maximum Pell Grant allowable for that individual



141 student. The award shall be applied to tuition, rooms and meals,
142 books, materials and fees not to exceed One Thousand Dollars
143 (\$1,000.00) for junior and senior students attending state
144 institutions of higher learning in Mississippi or four-year
145 regionally accredited, state-approved, nonprofit colleges and
146 universities in Mississippi, and Five Hundred Dollars (\$500.00)
147 for freshmen and sophomores attending state institutions of higher
148 learning or public community or junior colleges in Mississippi, or
149 regionally accredited, state-approved, nonprofit two-year or
150 four-year colleges in Mississippi, which will be prorated per
151 term, semester or quarter of the academic year for costs of
152 attendance, calculated according to the formula specified in
153 subsection (8) of this section.

154 (4) The general requirements for initial eligibility of
155 students for Mississippi Resident Tuition Assistance Grants
156 consist of the following:

157 (a) Member of a Mississippi family whose prior year
158 adjusted gross income (AGI) exceeds the maximum allowed to qualify
159 for Pell Grant eligibility and campus-based federal aid.

160 (b) Acceptance for enrollment at any state institution
161 of higher learning or public community or junior college located
162 in Mississippi, or any regionally accredited, state-approved,
163 nonprofit two-year or four-year college or university located in
164 Mississippi and approved by the board.

165 (c) Completion of a secondary education as follows:



166 (i) Graduation from high school verified by the
167 institution before disbursement of award with a minimum grade
168 point average of 2.5 calculated on a 4.0 scale after seven (7)
169 semesters as certified by the high school counselor or other
170 authorized school official on the application; or

171 (ii) Attendance at a home education program during
172 grade levels 9 through 12; or

173 (iii) Satisfactory completion of the High School
174 Equivalency Diploma; or

175 (iv) Successful completion of the International
176 Baccalaureate Program.

177 (d) A minimum score of fifteen (15) on the ACT test
178 except that any student entering a vocational or technical program
179 of study, or who has satisfactorily completed the High School
180 Equivalency Diploma Test and attends a community or junior college
181 will not be required to have a test score under the ACT unless a
182 student enrolls in courses of academic study.

183 (e) Any student currently enrolled in any qualified
184 institution shall have to only meet the same requirements as
185 students who are applying for a renewal award.

186 (5) By accepting a Mississippi Resident Tuition Assistance
187 Grant, the student is attesting to the accuracy, completeness and
188 correctness of information provided to demonstrate the student's
189 eligibility. Falsification of such information shall result in
190 the denial of any pending grant and revocation of any award



191 currently held to the extent that no further payments shall be
192 made. Any student knowingly making false statements in order to
193 receive a grant shall be guilty of a misdemeanor punishable, upon
194 conviction thereof, by a fine of up to Ten Thousand Dollars
195 (\$10,000.00), a prison sentence of up to one (1) year in the
196 county jail, or both, and shall be required to return all
197 Mississippi Resident Tuition Assistance Grants wrongfully
198 obtained.

199 (6) Eligibility for renewal of Mississippi Resident Tuition
200 Assistance Grants shall be evaluated at the end of each semester,
201 or term, of each academic year. As a condition for renewal, a
202 student shall:

203 (a) Make steady academic progress toward a certificate
204 or degree, as outlined in the school Satisfactory Academic
205 Progress Standards and certified by the institution's registrar.

206 (b) Maintain continuous enrollment for not less than
207 two (2) semesters or three (3) quarters in each successive
208 academic year, unless granted an exception for cause by the
209 administering board; examples of cause may include student
210 participation in a cooperative program, internship program or
211 foreign study program. If a student fails to maintain continuous
212 enrollment, and is not granted an exception for cause by the
213 administering board, the student is ineligible to receive the
214 Mississippi Resident Tuition Assistance Grant during the following
215 semester or trimester or term of the regular academic year.



216 (c) Have a cumulative grade point average of at least
217 2.50 calculated on a 4.0 scale at the end of each semester or
218 trimester or term.

219 (7) Each student, each year, must complete a Free
220 Application for Federal Student Aid form or a Statement of
221 Certification as designed by the administering board to determine
222 his/her eligibility for a Mississippi Resident Tuition Assistance
223 Grant.

224 (8) (a) The amount of the Mississippi Resident Tuition
225 Assistance Grant awarded to any one (1) student, up to the maximum
226 amount provided in subsection (3) of this section, shall be the
227 difference of the student's cost of attendance at his accredited
228 college of choice and the amount of federal aid such student may
229 receive, not to supplant but to supplement the amount of any
230 federal aid awarded to the student. Cost of attendance is the
231 tuition and fees of the applicable institution plus an allowance
232 for room and meals and books and materials.

233 (b) Payment of the Mississippi Resident Tuition
234 Assistance Grant shall be made payable to the recipient and the
235 educational institution and mailed directly to the institution, to
236 be applied first to tuition.

237 (9) In order for an institution to remain eligible for its
238 students to participate in the Mississippi Resident Tuition
239 Assistance Grant Program, the institution shall comply with the
240 following requirements:



241 (a) A complete and accurate roster of the eligibility
242 status of each awarded student shall be made to the board for each
243 term, semester or quarter of the academic year the student
244 receives a Mississippi Resident Tuition Assistance Grant.

245 (b) The institution is required to make refunds to the
246 Mississippi Resident Tuition Assistance Grant Fund for any funds
247 which have not been disbursed to the recipient, in the case of
248 students who have received a grant but who terminate enrollment
249 during the academic term, semester or quarter of the academic year
250 if an institution's refund policies permit a student to receive a
251 refund in such instance. The recipient shall be responsible for
252 the refund of any funds which have been disbursed by the
253 institution in such instance.

254 (c) If a student drops below full-time status but does
255 not terminate all enrollment during the term, semester or quarter
256 of the academic year no refund will be required for that term.
257 However, that student is ineligible to receive the Mississippi
258 Resident Tuition Assistance Grant during the following term,
259 semester or quarter of the regular academic year.

260 (d) The board may conduct its own annual audits of any
261 institution participating in the Mississippi Resident Tuition
262 Assistance Grant Program. The board may suspend or revoke an
263 institution's eligibility to receive future monies under the
264 program if it finds that the institution has not complied with the
265 provisions of this section. In determining a student's initial



266 eligibility, the number of prior semesters enrolled will not be
267 counted against the student.

268 (10) No student may receive a Mississippi Resident Tuition
269 Assistance Grant for more than the equivalent semesters or
270 quarters required to complete one (1) baccalaureate degree or one
271 (1) certificate or associate degree program per institution.

272 (11) No student receiving a Mississippi Eminent Scholars
273 Grant as provided in Section 37-106-31 shall be eligible to
274 receive the Mississippi Resident Tuition Assistance Grant pursuant
275 to this section unless he is eligible for such award after the
276 Mississippi Eminent Scholars Grant has been considered by the
277 board when conducting an assessment of the financial resources
278 available to the student. In no case shall any student receive
279 any combination of student financial aid that would exceed the
280 cost of attendance, as defined in subsection (8)(a).

281 For purposes of this section, certificated shall mean, but
282 not be limited to, all postsecondary vocational programs in
283 eligible institutions approved by the board.

284 **SECTION 3.** This act shall take effect and be in force from
285 and after July 1, 2023, and shall stand repealed on June 30, 2023.

