

By: Representative Clark

To: Universities and  
Colleges; Appropriations A

## HOUSE BILL NO. 432

1 AN ACT TO WAIVE THE COST OF TUITION AT ANY STATE INSTITUTION  
2 OF HIGHER LEARNING FOR CERTAIN FOSTER OR ADOPTED CHILDREN OR WARDS  
3 OF THE STATE, SUBJECT TO CERTAIN CONDITIONS; TO REQUIRE THE  
4 DEPARTMENT OF HUMAN SERVICES, UPON THE REQUEST OF A STATE  
5 INSTITUTION OF HIGHER LEARNING, TO CONFIRM THE ELIGIBILITY OF  
6 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 adults who adopt and provide foster care for children in  
20 the custody of the state. The Legislature recognizes that a child  
21 whose care, custody and control has been assumed by the state is a  
22 special ward of the state and faces particular challenges in  
23 pursuing higher education. Because it is the intent of the  
24 Legislature to support adoption, foster parenting and educational



25 advancement, the purpose of this act is to provide postsecondary  
26 education advancement opportunities for foster children, adopted  
27 children and those who are wards of the state.

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

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

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

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

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

48           (e) "Department" means the Department of Human  
49 Services.



**SECTION 3.**

(1) Tuition and mandatory student fees for any associate degree program of any state institution of higher learning shall be waived for a Mississippi foster or adopted child or ward of the state who is a full-time or part-time student at a state institution of higher learning if the student meets all entrance requirements and maintains academic eligibility with a 2.25 cumulative grade point average on a 4.0 scale while enrolled, and if:

(a) The student is currently in the custody of the Department of Human Services and has been placed in foster care or residential child care;

(b) The student is an adopted child and meets the eligibility criteria of this paragraph and lives outside of Mississippi at the time of application to a state institution of higher learning may apply for the waiver up to the amount of tuition for a Mississippi resident; or

(c) The department was the student's legal custodian on or before the age of twenty-one (21).

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



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

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

(a) For entrance to the institution for a period of no more than four (4) years after the date of graduation from high school or receipt of a General Education Diploma (GED);

(b) For a period of five (5) years after first admittance to any state institution of higher learning if satisfactory progress is achieved or maintained; and

(c) For a maximum of one hundred twenty (120) university semester credit hours.

(5) The department shall report the number of students participating in the tuition waiver program on January 1 of each year to the Board of Trustees of State Institutions of Higher Learning and to the Legislature.

(6) The Board of Trustees of State Institutions of Higher Learning shall report nonidentifying data on graduation rates of



students participating in the tuition waiver program by January 1 of each year to the Legislature.

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

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

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

(c) Require any state institution of higher learning to waive costs or fees relating to room and board; or

(d) Restrict any state institution of higher learning or the department from accessing other sources of financial assistance, except loans, that may be available to a student who is a foster child, adopted child or ward of the state.

(8) The Board of Trustees of State Institutions of Higher Learning shall promulgate rules and regulations necessary for the proper administration of the tuition waiver authorized by this section.

**SECTION 4.** This act shall take effect and be in force from and after July 1, 2025.

