

By: Senator(s) Nunnelee

To: Universities and  
Colleges; Appropriations

SENATE BILL NO. 2110

1 AN ACT TO AMEND SECTION 37-106-29, MISSISSIPPI CODE OF 1972,  
2 TO INCREASE THE TUITION AMOUNTS UNDER THE MISSISSIPPI RESIDENT  
3 TUITION ASSISTANCE GRANT PROGRAM FOR FRESHMAN AND SOPHOMORE  
4 STUDENTS TO \$1,000.00 PER TERM; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-106-29, Mississippi Code of 1972, is  
7 amended as follows:

8 37-106-29. (1) There is established the Mississippi  
9 Resident Tuition Assistance Grant Program for college or  
10 university freshmen, sophomores, juniors and seniors to be  
11 administered by the Mississippi Postsecondary Education Financial  
12 Assistance Board established under Section 37-106-9, Mississippi  
13 Code of 1972, which shall set the dates and deadlines for applying  
14 for an award under this section. The board shall establish such  
15 rules and regulations as it deems necessary and proper to carry  
16 out the purposes and intent of this section.

17 (2) The college or university shall approve grants to  
18 full-time freshmen, sophomore, junior and senior Mississippi  
19 residents who meet the general requirements for student  
20 eligibility as provided in subsection (4) of this section.

21 (3) Mississippi Resident Tuition Assistance Grants shall be  
22 for Mississippi students from any Mississippi family whose prior  
23 year adjusted gross income (AGI) exceeds the maximum allowed to  
24 qualify for full Pell Grant eligibility and campus-based federal  
25 aid. Those Mississippi students receiving less than the full Pell  
26 Grant award, as determined by the institution, shall receive a  
27 Mississippi Resident Tuition Assistance Grant in an amount not to  
28 exceed the maximum Pell Grant allowable for that individual

29 student. The award shall be applied to tuition, rooms and meals,  
30 books, materials and fees not to exceed One Thousand Dollars  
31 (\$1,000.00) for freshman, sophomore, junior and senior students  
32 attending state institutions of higher learning in Mississippi, or  
33 two-year or four-year regionally accredited, state-approved,  
34 nonprofit colleges and universities in Mississippi, \* \* \* or  
35 public community or junior colleges in Mississippi, \* \* \* which  
36 will be prorated per term, semester or quarter of the academic  
37 year for costs of attendance, calculated according to the formula  
38 specified in subsection (8) of this section.

39 (4) The general requirements for initial eligibility of  
40 students for Mississippi Resident Tuition Assistance Grants  
41 consist of the following:

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

45 (b) Acceptance for enrollment at any state institution  
46 of higher learning or public community or junior college located  
47 in Mississippi, or any regionally accredited, state-approved,  
48 nonprofit four- or two-year college or university located in  
49 Mississippi as listed in subsection (d) of this Section

50 37-106-29(4): (i) a minimum grade point average of 2.5 calculated  
51 on a 4.0 scale after seven (7) semesters certified by the high  
52 school counselor or other authorized school official on the  
53 application and graduation from high school verified by the  
54 institution before disbursement of award and has scored fifteen  
55 (15) on the American College Test Program (ACT); or (ii) has  
56 attended a home education program during Grade levels 9 through  
57 12, and has scored fifteen (15) on the American College Testing  
58 Program; or (iii) satisfactory completion of the General  
59 Educational Development Test (GED) or have successfully completed  
60 the International Baccalaureate Program and has scored fifteen  
61 (15) on the American College Testing Program; provided, however,

62 that any student entering a vocational or technical program of  
63 study, or who has satisfactorily completed the General Education  
64 Development Test and attends a community or junior college will  
65 not be required to have a test score under the American College  
66 Testing Program except those students enrolled in courses of  
67 academic study. Any student currently enrolled in any qualified  
68 institution shall have to only meet the same requirements as  
69 students who are applying for a renewal award.

70 (c) Resident status for purposes of receiving grants  
71 under this section shall be determined in the same manner as  
72 resident status for tuition purposes as set forth in Sections  
73 37-103-1 through 37-103-29, with the exception of 37-103-17.

74 (d) Must attend one (1) of the following institutions  
75 of higher learning: Alcorn State University, Delta State  
76 University, Jackson State University, Mississippi State  
77 University, Mississippi University for Women, Mississippi Valley  
78 State University, University of Mississippi, University of  
79 Southern Mississippi, Coahoma Community College, Copiah-Lincoln  
80 Community College, East Central Community College, East  
81 Mississippi Community College, Hinds Community College, Holmes  
82 Community College, Itawamba Community College, Jones County Junior  
83 College, Meridian Community College, Mississippi Delta Community  
84 College, Mississippi Gulf Coast Community College, Northeast  
85 Mississippi Community College, Northwest Mississippi Community  
86 College, Pearl River Community College, Southwest Mississippi  
87 Community College, Belhaven College, Blue Mountain College,  
88 Millsaps College, Mississippi College, Rust College, Tougaloo  
89 College, William Carey College, Mary Holmes College, Magnolia  
90 Bible College and Wood College.

91 (5) By accepting a Mississippi Resident Tuition Assistance  
92 Grant, the student is attesting to the accuracy, completeness and  
93 correctness of information provided to demonstrate the student's  
94 eligibility. Falsification of such information shall result in

95 the denial of any pending grant and revocation of any award  
96 currently held to the extent that no further payments shall be  
97 made. Any student knowingly making false statements in order to  
98 receive a grant shall be guilty of a misdemeanor punishable, upon  
99 conviction thereof, by a fine of up to Ten Thousand Dollars  
100 (\$10,000.00), a prison sentence of up to one (1) year in the  
101 county jail, or both, and shall be required to return all  
102 Mississippi Resident Tuition Assistance Grants wrongfully  
103 obtained.

104 (6) Eligibility for renewal of Mississippi Resident Tuition  
105 Assistance Grants shall be evaluated at the end of each semester,  
106 or term, of each academic year. As a condition for renewal, a  
107 student shall:

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

111 (b) Maintain continuous enrollment for not less than  
112 two (2) semesters or three (3) quarters in each successive  
113 academic year, unless granted an exception for cause by the  
114 administering agency; examples of cause may include student  
115 participation in a cooperative program, internship program or  
116 foreign study program. If a student fails to maintain continuous  
117 enrollment, and is not granted an exception for cause by the  
118 administering agency, the student is ineligible to receive the  
119 Mississippi Resident Tuition Assistance Grant during the following  
120 semester or trimester or term of the regular academic year.

121 (c) Have a cumulative grade point average of at least  
122 2.50 calculated on a 4.0 scale at the end of each semester or  
123 trimester or term.

124 (7) Each student, each year, must complete a Free  
125 Application for Federal Student Aid form or a Statement of  
126 Certification as designed by the administering board to determine

127 his/her eligibility for a Mississippi Resident Tuition Assistance  
128 Grant.

129 (8) (a) The amount of the Mississippi Resident Tuition  
130 Assistance Grant awarded to any one (1) student, up to the maximum  
131 amount provided in subsection (3) of this section, shall be the  
132 difference of the student's cost of attendance at his accredited  
133 college of choice and the amount of federal aid such student may  
134 receive, not to supplant but to supplement the amount of any  
135 federal aid awarded to the student. Cost of attendance is the  
136 tuition and fees of the applicable institution plus an allowance  
137 for room and meals and books and materials.

138 (b) Payment of the Mississippi Resident Tuition  
139 Assistance Grant shall be made payable to the recipient and the  
140 educational institution and mailed directly to the institution, to  
141 be applied first to tuition.

142 (9) In order for an institution to remain eligible for its  
143 students to participate in the Mississippi Resident Tuition  
144 Assistance Grant Program, the institution shall comply with the  
145 following requirements:

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

150 (b) The institution is required to make refunds to the  
151 Mississippi Resident Tuition Assistance Grant Fund for any funds  
152 which have not been disbursed to the recipient, in the case of  
153 students who have received a grant but who terminate enrollment  
154 during the academic term, semester or quarter of the academic year  
155 if an institution's refund policies permit a student to receive a  
156 refund in such instance. The recipient shall be responsible for  
157 the refund of any funds which have been disbursed by the  
158 institution in such instance.

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

165           (d) The board may conduct its own annual audits of any  
166 institution participating in the Mississippi Resident Tuition  
167 Assistance Grant Program. The board may suspend or revoke an  
168 institution's eligibility to receive future monies under the  
169 program if it finds that the institution has not complied with the  
170 provisions of this act. In determining a student's initial  
171 eligibility, the number of prior semesters enrolled will not be  
172 counted against the student.

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

177           (11) Subject to the availability of funds specifically  
178 appropriated therefor, it is the intent of the Legislature to  
179 fully fund grant awards to eligible students. If funds are  
180 insufficient to fully fund grant awards to eligible students,  
181 grant awards shall be prorated among all eligible students. No  
182 student shall receive any combination of student financial aid in  
183 excess of the cost of attendance as defined in subsection (8)(a).

184           (12) No student receiving a Mississippi Eminent Scholars  
185 Grant as provided in Section 37-106-31 shall be eligible to  
186 receive the Mississippi Resident Tuition Assistance Grant pursuant  
187 to Section 37-106-29 unless he is eligible for such award after  
188 the Mississippi Eminent Scholars Grant has been considered by the  
189 board when conducting an assessment of the financial resources  
190 available to the student. In no case shall any student receive

191 any combination of student financial aid that would exceed the  
192 cost of attendance, as defined in subsection (8)(a).

193 For purposes of this section, certificated shall mean, but  
194 not be limited to, all postsecondary vocational programs in  
195 eligible institutions as identified in subsection (4)(d) of this  
196 section.

197 **SECTION 2.** All new programs authorized under this Senate  
198 Bill No.2110, 2005 Regular Session, shall be subject to the  
199 availability of funds specifically appropriated therefor by the  
200 Legislature during the 2005 Regular Session or any subsequent  
201 session. It is the intent of the Legislature that this act shall  
202 be codified but that no amendment to a Code section or repeal of a  
203 Code section enacted by this Senate Bill No.2110, 2005 Regular  
204 Session, shall take effect until the Legislature has funded any  
205 new programs authorized hereunder by line-item appropriation, said  
206 line-item appropriation to be certified by the Legislative Budget  
207 Office to the Secretary of State.

208 **SECTION 3.** This act shall take effect and be in force from  
209 and after July 1, 2005.