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CHAPTER 113.

 TUITION GRANTS

**SECTION 59‑113‑10.** Higher Education Tuition Grant Commission.

There is created a Higher Education Tuition Grant Commission consisting of eight representatives of the independent institutions of higher learning in the State who choose to come under the provisions of this chapter. In addition, the membership of the commission includes one ex officio member who must be the chief executive officer of the State Commission on Higher Education or his designee. The terms of the representatives of the institutions are for three years and until their successors are selected and qualify. The membership of the commission must be rotated among the participating institutions. The commission shall administer the provisions of this chapter and shall make those regulations as may be necessary in order to carry out the intent of this chapter. The commission is responsible solely to the General Assembly and shall report to that body at least annually.

**SECTION 59‑113‑20.** Qualifications of applicants for grants.

The State of South Carolina shall grant an amount, as provided in this chapter, to any applicant who meets the following qualifications:

(a) has been a resident of South Carolina for at least one year;

(b) is of good moral character;

(c) has demonstrated qualities of academic merit and financial need;

(d) has been accepted by or is registered in a South Carolina independent institution of higher learning as a full‑time student whose academic programs are not comprised solely of sectarian instruction;

(e) is not enrolled in a course of study leading to a degree in theology, divinity, or religious education; and

(f) has not been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug‑related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a South Carolina tuition grant, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug‑related misdemeanor offense nevertheless shall be eligible or continue to be eligible for such grants after the expiration of one academic year from the date of the adjudication, conviction, or plea.

**SECTION 59‑113‑30.** Students covered by chapter; amount of grants; adjustment for scholarships.

(A) The provisions of this chapter apply to students entering college as freshmen during the 1970‑71 academic year.

(B) The amount of the grant to be paid for each semester, or appropriate academic term, must be determined by the Higher Education Tuition Grant Commission and the Commission shall award the maximum amount permissible under its regulations or the determined need of the student, whichever is less.

(C) The maximum amount may not exceed the average state appropriation for each full‑time student enrolled in the state‑supported institutions of higher learning with four‑year undergraduate degree programs in the previous year. The tuition grants must be calculated annually by the Commission.

(D) The need of each applicant must be determined by acceptable need analysis such as the parents’ confidential statement and such other analyses as the Commission may determine.

(E) An adjustment must be made in the tuition grant of any student awarded a scholarship from any other source if the combination of grants and awards exceeds the calculated need of the student. If the scholarship is for only a portion of tuition and fees, the student may qualify for a proportionate tuition grant in accordance with the provisions of this chapter.

**SECTION 59‑113‑40.** Misapplication of grants.

It shall be unlawful for any person to obtain, attempt to obtain, expend or attempt to expend, any tuition grant provided by this chapter for any purpose other than in payment of, or reimbursement for, the tuition cost of the student to whom such scholarship has been awarded at the institution the student is authorized to attend under the tuition grant.

**SECTION 59‑113‑45.** Disbursement of funds; awards of accrued interest on undisbursed funds.

South Carolina Tuition Grant funds shall be disbursed to eligible students on a semester‑by‑semester basis. Interest accruing on the balance of undisbursed tuition grant funds on deposit with the State Treasurer’s office from September fifteenth through December thirty‑first shall be calculated by the State Treasurer’s office and transferred within thirty days to the South Carolina Tuition Grant Commission to be awarded as tuition grants to eligible students.

**SECTION 59‑113‑47.** Exemption from mid‑year budget reductions.

The grant funds appropriated pursuant to this chapter are exempt from mid‑year budget reductions.

**SECTION 59‑113‑50.** “Independent institution of higher learning” defined.

For the purposes of this chapter, an independent institution of higher learning means an:

(1) independent eleemosynary junior or senior college in South Carolina whose major campus and headquarters are located within South Carolina and which is accredited by the Southern Association of Colleges and Secondary Schools; or

(2) independent bachelor’s level institution chartered before 1962 whose major campus and headquarters are located within South Carolina.