DISCLAIMER

The South Carolina Legislative Council is offering access to the unannotated South Carolina Code of Laws on the Internet as a service to the public. The unannotated South Carolina Code on the General Assembly's website is now current through the 2011 session. The unannotated South Carolina Code, consisting only of Code text, numbering, and history may be copied from this website at the reader's expense and effort without need for permission.

The Legislative Council is unable to assist users of this service with legal questions. Also, legislative staff cannot respond to requests for legal advice or the application of the law to specific facts. Therefore, to understand and protect your legal rights, you should consult your own private lawyer regarding all legal questions.

While every effort was made to ensure the accuracy and completeness of the unannotated South Carolina Code available on the South Carolina General Assembly's website, the unannotated South Carolina Code is not official, and the state agencies preparing this website and the General Assembly are not responsible for any errors or omissions which may occur in these files. Only the current published volumes of the South Carolina Code of Laws Annotated and any pertinent acts and joint resolutions contain the official version.

Please note that the Legislative Council is not able to respond to individual inquiries regarding research or the features, format, or use of this website. However, you may notify Legislative Printing, Information and Technology Systems at [LPITS@scstatehouse.gov](mailto:LPITS@scstatehouse.net) regarding any apparent errors or omissions in content of Code sections on this website, in which case LPITS will relay the information to appropriate staff members of the South Carolina Legislative Council for investigation.

CHAPTER 114.

SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM ACT

**SECTION 59‑114‑10.** Short title.

This chapter may be cited as the "South Carolina National Guard College Assistance Program Act".

HISTORY: 1979 Act No. 199, Part II, Section 5; 2007 Act No. 40, Section 1, eff June 4, 2007, applicable beginning with the 2007‑2008 academic year.

**SECTION 59‑114‑20.** Definitions.

As used in this chapter:

(1) "Academic year" means a period of three hundred sixty‑five days beginning with the first day of enrollment for a course of instruction by a National Guard member.

(2) "College assistance program" means the South Carolina National Guard College Assistance Program.

(3) "Commission" means the South Carolina Commission on Higher Education.

(4) "Eligible institution" means:

(a) a public institution of higher learning as defined in Section 59‑103‑5 and an independent institution of higher learning as defined in Section 59‑113‑50; and

(b) a public or independent bachelor's level institution chartered before 1962 whose major campus and headquarters are located within South Carolina; or an independent bachelor's level institution which was incorporated in its original charter in 1962, was granted a license to operate in 1997 by the Commission on Higher Education, has continued to maintain a campus in South Carolina, and is accredited by the Southern Association of Colleges and Secondary Schools. Institutions whose sole purpose is religious or theological training, or the granting of professional degrees do not meet the definition of 'public or independent institution' for purposes of this chapter.

(5) "National Guard" means South Carolina Army or Air National Guard.

(6) "Tuition and fees" means the amount charged for registering for credit hours of instruction, costs of textbooks, and other fees and charges associated with attendance at an eligible institution as approved by the commission.

HISTORY: 1979 Act No. 199, Part II, Section 5; 2007 Act No. 40, Section 1, eff June 4, 2007, applicable beginning with the 2007‑2008 academic year.

**SECTION 59‑114‑30.** College assistance program grants; restrictions.

Qualifying members of the National Guard may receive college assistance program grants up to an amount equal to one hundred percent of college tuition and fees, provided, however, the total of all grants received may not exceed eighteen thousand dollars. A member may not qualify for college assistance program grants for more than one hundred thirty semester hours or related quarter hours. Grants are not to be awarded for graduate degree courses. A new application must be submitted for each separate academic year.

HISTORY: 1979 Act No. 199, Part II, Section 5; 1997 Act No. 155, Part II, Section 53A; 2007 Act No. 40, Section 1, eff June 4, 2007, applicable beginning with the 2007‑2008 academic year.

**SECTION 59‑114‑40.** Qualification requirements.

(A) Members of the National Guard enrolled or planning to enroll in an eligible institution may apply to the commission for a college assistance program grant. To qualify, an applicant must:

(1) be in good standing with the active National Guard at the beginning of each academic year and remain a member in good standing with the active National Guard throughout the entire academic year for which benefits are payable;

(2) have valid tuition and fee expenses from an eligible institution;

(3) maintain a cumulative grade point average that the institution requires to remain as a student; and

(4) satisfy additional eligibility requirements as may be promulgated by the commission.

(B) Individuals joining the National Guard become eligible for college assistance program grants on the day of enlistment. Enlisted personnel shall continue their service in the National Guard during the term of the courses covered by the grant received. Officers shall continue their service with the National Guard for at least four years after completion of the most recent grant awarded or degree completion.

(C) National Guard members receiving a full Reserve Officer's Training Corps (ROTC) scholarship are not eligible for college assistance program grants.

HISTORY: 1979 Act No. 199, Part II, Section 5; 1997 Act No. 155, Part II, Section 53B; 2007 Act No. 40, Section 1, eff June 4, 2007, applicable beginning with the 2007‑2008 academic year.

**SECTIONS 59‑114‑50, 59‑114‑60.** Omitted by 2007 Act No. 40, Section 1, eff June 4, 2007.

**SECTIONS 59‑114‑50, 59‑114‑60.** Omitted by 2007 Act No. 40, Section 1, eff June 4, 2007.

**SECTION 59‑114‑65.** Grants dependent on availability of funds; administration costs.

Grants provided pursuant to this chapter are subject to the availability of funds appropriated by the General Assembly. Up to five percent of the amount appropriated to the college assistance program may be used to defray administrative costs incurred by the commission associated with the implementation of this chapter.

HISTORY: 2007 Act No. 40, Section 1, eff June 4, 2007, applicable beginning with the 2007‑2008 academic year.

**SECTION 59‑114‑70.** Omitted by 2007 Act No. 40, Section 1, eff June 4, 2007.

**SECTION 59‑114‑75.** Grants to institutions; recovery of funds upon withdrawal of student; promulgation of regulations.

The commission shall disburse grants awarded pursuant to this chapter to the eligible institutions to be placed in an account established for each eligible student. In the event that a student who has received a grant withdraws, is suspended, or otherwise becomes ineligible, the institution must reimburse the college assistance program for the amount of the grant for the applicable term pursuant to the refund policies of the institution. The institution is responsible for collecting any amount due to the institution from the student. The commission shall administer the provisions of this chapter and shall promulgate regulations necessary to implement the provisions of this chapter.

HISTORY: 2001 Act No. 41, Section 2; 2007 Act No. 40, Section 1, eff June 4, 2007, applicable beginning with the 2007‑2008 academic year.