**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 155 TO TITLE 59 SO AS TO ENACT THE “TWENTY‑FIRST CENTURY SCHOLARS PROGRAM”, TO ALLOW AN EIGHTH GRADE STUDENT WHO IS ELIGIBLE FOR FREE OR REDUCED LUNCHES AND WHO MEETS CERTAIN CONDITIONS TO RECEIVE, UPON GRADUATION, AN ANNUAL TUITION SCHOLARSHIP TO A PUBLIC OR PRIVATE INSTITUTION OF HIGHER LEARNING, TO ESTABLISH THE TWENTY‑FIRST CENTURY SCHOLARS FUND FOR THE PURPOSE OF AWARDING TUITION SCHOLARSHIPS TO THE EXTENT MONIES ARE AVAILABLE IN THE FUND, TO REQUIRE THAT THE FUND BE ADMINISTERED BY THE COMMISSION ON HIGHER EDUCATION, TO REQUIRE THE COMMISSION TO RECOMMEND TO THE GENERAL ASSEMBLY A FUNDING SOURCE FOR THE PROGRAM, TO PROVIDE FOR DEFINITIONS, AND TO REQUIRE THE COMMISSION ON HIGHER EDUCATION TO PROMULGATE RULES AND REGULATIONS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Title 59 of the 1976 Code is amended by adding:

“CHAPTER 155

Twenty‑First Century Scholars Program

Section 59‑155‑10. This chapter may be cited as the ‘Twenty‑First Century Scholars Program’.

Section 59‑155‑20. The Twenty‑First Century Scholars Program is established to:

(1) reduce the number of students who withdraw from high school before graduation;

(2) increase the number of students who are prepared to enter the workforce upon graduation;

(3) increase the number of students entering institutions of higher learning;

(4) encourage eligible students to attend institutions of higher learning by reducing the financial burden on the eligible students and their families;

(5) decrease drug and alcohol abuse by encouraging higher educational pursuits;

(6) increase individual economic vitality; and

(7) improve the overall quality of life for many South Carolina residents.

Section 59‑155‑30. As used in this chapter, ‘eligible student’ means a student who:

(1) is a resident of South Carolina;

(2) is enrolled in grade eight at a public or an accredited nonpublic school;

(3) is eligible for free or reduced priced lunches under the national school lunch program; and

(4) agrees in writing, together with the student’s custodial parents or guardian, that the student will:

(a) graduate from a secondary school located in South Carolina that meets the admission criteria of an institution of higher learning;

(b) not illegally use controlled substances or consume alcoholic beverages;

(c) not commit a felony or misdemeanor other than a traffic violation;

(d) timely apply, when the eligible student is a senior in high school:

( i) to an institution of higher learning for admission; and

(ii) for any federal and state student financial assistance available to the eligible student to attend an institution of higher learning; and

(e) achieve a cumulative grade point average upon graduation of at least 2.0 on a 4.0 grading scale (or its equivalent if another grading scale is used) for courses taken during grades 9, 10, 11, and 12.

Section 59‑155‑40. As used in this chapter:

(1) ‘Fund’ refers to the Twenty‑First Century Scholars Fund established under Section 59-155‑50 of this chapter.

(2) ‘Institution of higher learning’ means:

(a) a state educational institution as defined in Section 59‑103‑5; and

(b) a private institution of higher education.

(3) ‘Program’ refers to the Twenty‑First Century Scholars Program established under Section 59-155‑20 of this chapter.

(4) ‘Scholarship applicant’ means a student who:

(a) was an eligible student under Section 59-155‑30;

(b) is a resident of South Carolina;

(c) has graduated from a secondary school located in this State that meets the admission criteria of an institution of higher learning;

(d) has applied to attend and has been accepted to attend an institution of higher learning as a full‑time student; and

(e) certifies in writing that the student has:

(i) not illegally used controlled substances;

(ii) not illegally consumed alcoholic beverages; and

(iii) not committed any other crime classified as a felony or misdemeanor except for traffic offenses; and

(iv) timely filed an application for other types of financial assistance available to the student from the state or federal government.

(5) ‘Tuition scholarship’ means financial assistance provided from the Twenty‑First Century Scholars Fund, to the extent monies are available in the fund, to a student to offset the costs of tuition and other regularly assessed fees incurred by the student in attending an institution of higher learning.

Section 59‑155‑50. (A) There is established in the State Treasury a separate and distinct fund known as the Twenty‑First Century Scholars Fund. The Commission on Higher Education shall administer the fund and distribute revenues in the fund for the purpose of awarding the tuition scholarships authorized in this chapter. The expenses of administering the fund shall be paid from revenues in the fund. Unexpended revenues in this fund carry forward into succeeding fiscal years, and earnings in this fund must be credited to it. The fund may receive donations, grants, and any other funding as provided by law.

(B) The Commission on Higher Education shall identify and recommend to the General Assembly, no later than December 31, 2010, a new or existing funding source, in addition to sources authorized by this chapter, for the Twenty‑First Century Scholars Program. The commission must consider needs based scholarship funding as a potential funding source for the program.

(C) Revenues in the fund must be used to provide annual tuition scholarships to scholarship applicants who qualify under Section 59-155‑60(A) to attend a public institution of higher learning as defined in Section 59‑103‑5 or a private institution of higher learning. Funds must be awarded by the Commission on Higher Education to scholarship applicants according to the financial need of the applicant and to the extent monies are available in the fund.

(D) Each tuition scholarship awarded under this chapter is renewable under Section 59-155‑60(B) for a total scholarship award that does not exceed the equivalent of eight semesters.

(E) An institution of higher learning attended by a scholarship applicant pursuant to the provisions of this section must satisfy the following requirements:

(1) be accredited by an agency that is recognized by the Secretary of the United States Department of Education;

(2) operate an organized program of postsecondary education leading to an associate or a baccalaureate degree on a campus located in South Carolina; and

(3) be approved by the Commission on Higher Education.

Section 59‑155‑60. (A) To initially qualify for a tuition scholarship under this chapter, a scholarship applicant must:

(1) enroll as a full‑time student in an institution of higher learning that satisfies the requirements of Section 59-155‑50(E);

(2) submit to the Commission on Higher Education all of the information and evidence required by the commission to determine eligibility as a scholarship applicant; and

(3) meet other minimum criteria established by the commission.

(B) To qualify for a tuition scholarship renewal under this chapter, a scholarship recipient must:

(1) submit to the commission a renewal application;

(2) continue to comply with the requirements set forth in subsection (A) of this section; and

(3) continue to be a student in good standing at the institution of higher learning.

Section 59‑155‑70. If an eligible student, scholarship applicant, or scholarship recipient violates an agreement entered into under this chapter, the eligible student, scholarship applicant, or scholarship recipient is disqualified from further consideration as a scholarship recipient under this chapter.

Section 59‑155‑80. (A) The Commission on Higher Education shall:

(1) maintain the agreements under Section 59-155‑70 and the certifications under Section 59-155‑40(4);

(2) maintain a comprehensive list of all eligible students under this chapter; and

(3) prepare a statistical report on a fiscal year basis that describes awards to students attending institutions under this chapter and deliver this report to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor before August fifteenth of the year following the fiscal year covered in the report.

(B) The Commission for Higher Education, the State Department of Education, and each approved secondary school shall work together in implementing this program.

Section 59‑155‑90. Each institution of higher learning that participates in the program shall develop by September 1, 2011, specific mentoring programs for scholarship recipients under this chapter to assist the scholarship recipients through particularized academic and social counseling.

Section 59‑155‑100. The Commission on Higher Education shall promulgate regulations to implement this chapter, including:

(1) regulations establishing a process for awarding annual tuition scholarships to eligible scholarship applicants;

(2) regulations regarding the establishment of appeals procedures for individuals who become disqualified from the program under Section 59-155‑70; and

(3) regulations that may include students who are in grades other than grade eight as eligible students.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑