**A** **BILL**

TO AMEND SECTION 59-149-10 OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF THE LEGISLATIVE INCENTIVES FOR FUTURE EXCELLENCE (LIFE) SCHOLARSHIPS, TO ALLOW FOR AN ANNUAL BOOK ALLOWANCE TO BE INCLUDED IN THE CALCULATIONS FOR ANNUAL COST OF ATTENDANCE; TO AMEND SECTION 59-149-15(A) OF THE 1976 CODE, RELATING TO AN ADDITIONAL LIFE SCHOLARSHIP STIPEND, TO PROVIDE THAT THE STIPEND IS AVAILABLE TO CERTAIN STUDENTS; TO AMEND SECTION 59-149-30 OF THE 1976 CODE, RELATING TO A FULL-TIME ENROLLMENT REQUIREMENT, TO ALLOW A LIFE SCHOLARSHIP TO BE PRORATED UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 59-149-50 OF THE 1976 CODE, RELATING TO GRADE POINT AVERAGE REQUIREMENTS FOR LIFE SCHOLARSHIP ELIGIBILITY, TO INCREASE THE REQUIRED GRADE POINT AVERAGE AND INCREASE THE SAT REQUIREMENTS FOR ELIGIBILITY; TO AMEND SECTION 59-149-60 OF THE 1976 CODE, RELATING TO THE DURATION OF THE LIFE SCHOLARSHIP, TO PROVIDE THAT THE SEMESTER REQUIREMENTS ARE RELATED TO AN APPROVED PROGRAM; TO AMEND SECTION 59-104-20 OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF THE PALMETTO FELLOWS SCHOLARSHIP PROGRAM, TO ALLOW A PALMETTO FELLOWS SCHOLARSHIP TO BE PRORATED UNDER CERTAIN CIRCUMSTANCES, AND TO INCREASE THE REQUIRED GRADE POINT AVERAGE AND INCREASE THE SAT REQUIREMENTS FOR ELIGIBILITY; TO AMEND SECTION 59-104-25(A) OF THE 1976 CODE, RELATING TO AN ADDITIONAL PALMETTO FELLOWS SCHOLARSHIP STIPEND, TO PROVIDE THAT THE STIPEND IS AVAILABLE TO CERTAIN STUDENTS, AND TO PRESCRIBE THE AMOUNT AVAILABLE; AND TO AMEND SECTION 59-150-370 OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF THE SC HOPE SCHOLARSHIPS, TO SPECIFY WHERE THE CRITERIA USED TO DETERMINE ELIGIBILITY FOR A HOPE SCHOLARSHIP MUST BE LOCATED.

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

SECTION 1. Section 59-149-10 of the 1976 Code is amended to read:

“Section 59-149-10. (A) Legislative Incentives for Future Excellence (LIFE) Scholarships are established which must be offered by the State. These scholarships cover the cost of attendance as defined by the Commission on Higher Education by regulation up to a maximum of two thousand dollars a year to eligible resident students attending four‑year public or independent institutions as defined in subsection (B), and to cover the cost of attendance up to a maximum of one thousand dollars a year to eligible resident students attending two‑year public or independent institutions as defined in subsection (B).

(B) For purposes of this chapter, a ‘public or independent institution’ which a student may attend to receive a LIFE Scholarship includes the following:

(1) a South Carolina public institution defined in Section 59‑103‑5 and an independent institution as defined in Section 59‑113‑50.

(2) 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.

(C) These LIFE Scholarships must be granted and awarded as provided in this chapter.

~~(D)~~ ~~Beginning with school year 2000‑2001, the annual amount of a LIFE Scholarship for eligible resident students attending a four‑year public or independent institution as defined herein is increased from the cost of attendance up to a maximum of two thousand dollars a year to the cost of attendance up to a maximum of three thousand dollars a year, and the annual amount of a LIFE Scholarship for eligible resident students attending a two‑year public or independent institution as defined herein which includes state technical colleges is increased from the cost of attendance up to a maximum of one thousand dollars a year to the cost of tuition for thirty credit hours a year or its equivalent. Tuition for this purpose means the amount charged for registering for credit hours of instruction and shall not include other fees, charges, or costs of textbooks.~~

~~(E)~~(D)(1) Beginning with school year ~~2002‑2003~~ 2019-2020, the annual amount of a LIFE Scholarship for eligible resident students attending ~~a~~ an eligible four‑year public or independent institution as defined in this chapter ~~is~~, in conjunction with all other gift aid, cannot exceed the cost of attendance, to include a three hundred dollar a year book allowance. ~~increased to the cost of tuition for thirty credit hours a year or its equivalent plus a three hundred dollar a year book allowance. Tuition for this purpose means the amount charged for registering for credit hours of instruction and shall not include other fees, charges, or costs of textbooks, except for the referenced three hundred dollar book allowance, and may not exceed four thousand seven hundred dollars for each student for each year, plus the book allowance.~~

(2) In addition, ~~and notwithstanding the provisions of subsection (D) above,~~ beginning with school year ~~2002‑2003~~ 2019-2020, eligible resident students attending eligible two‑year independent institutions may not receive an annual LIFE scholarship of more than the maximum. The maximum award amount cannot exceed the cost of tuition at two‑year regional public institutions for thirty credit hours a year or its equivalent, to include a three hundred dollar a year book allowance. Tuition for this purpose means the amount charged for registering for credit hours of instruction and shall not include other fees, charges, or costs of textbooks. ~~An eligible student attending a two‑year public or independent institution or technical college shall receive the three hundred dollar book allowance in addition to his cost of tuition.~~”

SECTION 2. Section 59-149-15(A) of the 1976 Code is amended to read:

“Section 59-149-15. (A) A resident student who is at least a ~~sophomore~~ junior attending a four‑year public or private institution of higher learning in this State, who is majoring in science or mathematics as defined below, and who is receiving a LIFE Scholarship for the current year, shall receive an additional LIFE Scholarship stipend ~~equal~~ not to exceed ~~to~~ the cost of attendance after applying all other scholarships or grants, not to exceed two thousand five hundred dollars each year. A student may receive the stipend for no more than ~~three~~ two additional years of instruction, including his ~~sophomore~~ junior year, if enrolled in a four‑year degree program, or for not more than ~~four~~ three additional years of instruction, including his ~~sophomore~~ junior year, if enrolled in ~~a~~ an approved five‑year degree program or a 3 plus 2 program. ~~In addition, during his freshman year, the student must have successfully completed a total of at least fourteen credit hours of instruction in mathematics courses, or life and physical science courses, or a combination of both. A year is defined as thirty credit hours of instruction or its equivalent each year.~~ To receive the additional LIFE Scholarship stipend each year, the student must receive the underlying LIFE Scholarship for that year and must be making acceptable progress each year toward receiving a degree in his science or mathematics major. ~~For purposes of meeting the required minimum level of instruction in mathematics and life and physical science courses during a student’s freshman year, advanced placement courses in mathematics and life and physical sciences taken in high school on which the student scored high enough on the advanced placement test to receive credit at his institution and for which he received credit, count toward the fulfillment of this minimum requirement.~~”

SECTION 3. Section 59-149-30 of the 1976 Code is amended to read:

“Section 59-149-30. Full‑time enrollment as defined in Title IV of the Federal Higher Education Act is a requirement for eligibility. The student must be admitted, enrolled in full-time status, and classified as a degree‑seeking undergraduate student, with the exception of a student who is entering their seventh or eighth term of attendance and has applied for graduation with the institution. The amount awarded may be prorated to the amount awarded for the number of credit hours attempted for the current term of attendance, which must be the term of graduation for the student.”

SECTION 4. Section 59-149-50 of the 1976 Code is amended to read:

“Section 59-149-50. (A) To be eligible for a LIFE Scholarship, a student must be either a student who has graduated from a high school located in this State, a student who has completed at least three of the final four years of high school within this State, a home school student who has successfully completed a high school home school program in this State in the manner required by law, a student who has graduated from a preparatory high school outside this State, while a dependent of a parent or guardian who is a legal resident of this State and has custody of the dependent, or a student whose parent or guardian has served in or has retired from one of the United States Armed Forces within the last four years, paid income taxes in this State for a majority of the years of service, and is a resident of this State. These students also must meet the requirements of subsection (B) and be eligible for in‑state tuition and fees as determined pursuant to Chapter 112, Title 59 and applicable regulations. In addition, the student must have graduated from high school with a minimum of a ~~3.0~~ 3.5 cumulative grade average on a ~~4.0~~ 5.0 scale of the South Carolina Uniform Grading Policy and have ~~scored~~ earned ~~1100~~ 1170 or better on the Scholastic Aptitude Test (SAT) or have the equivalent ACT score as determined by the Commission on Higher Education; provided that, if the student is to attend such a public or independent two‑year college or university in this State, including a technical college, the SAT requirement does not apply. The GPA and class rank criteria, as well as the high school graduation date, must be demonstrated on an official final high school transcript, which must also indicate a uniform date of calculation as determined by the Commission on Higher Education. The GPA, class rank and SAT criteria must be met by no later than the established date of graduation for the class in which the student entered high school. Students who graduate mid-year are unable to use rank as an eligibility criterion. If a student chooses to attend such a public or independent institution of this State and does not make the required SAT score or the required high school grade point average, as applicable, the student may earn a LIFE Scholarship after his freshman year if he meets the grade point average and semester credit hour requirements of subsection (B). For the purpose of meeting the rank criteria pursuant to this section, the existing high school rank of a South Carolina resident attending an out‑of‑state high school may be used provided it is calculated pursuant to a state‑approved, standardized grading scale at the respective out‑of‑state high school. If the Commission on Higher Education determines that a state‑approved standardized grading scale substantially deviates from the South Carolina Uniform Grading ~~Scale~~ Policy, the state‑approved standardized grading scale shall not be used to meet the eligibility requirements for the LIFE Scholarship.

(B) Students receiving a LIFE Scholarship to retain it and students currently enrolled in an eligible institution to receive such a scholarship must earn a 3.0 cumulative grade point average on a 4.0 scale and earn at least an average of thirty credit hours each year for the maximum of semesters permitted at that institution by Section 59‑149‑60. The cumulative grade point average calculation, for purposes of LIFE scholarship eligibility, must be inclusive of the student’s grade point average at all public or independent institutions attended by the student.

(C) Students who were LIFE Scholarship recipients seeking a degree at such a public or independent institution of this State during their freshman or other year who failed to earn a cumulative 3.0 at the end of the term they attempted the requisite number of hours required by subsection (B) may regain eligibility if their cumulative grade average is a 3.0 at the end of the term they have attempted at least sixty hours if they are a sophomore or ninety hours if they are a junior.

(D) Beginning with school year ~~2002‑2003~~ 2019-2020, an entering freshman at a four‑year institution to be eligible for a LIFE Scholarship in addition to the other requirements of this chapter shall meet two of the following three criteria:

(1) have the grade point average required by this section;

(2) have the Scholastic Aptitude Test (SAT) or equivalent ACT score required by this section;

(3) be in the top thirty percent of his high school graduating class.

For home school students and students whose high school graduating class is less than fifty students, the Commission on Higher Education may define alternative criteria for students to meet the requirement of item (3).

After receipt of a LIFE Scholarship by an entering freshman beginning with school year ~~2002‑2003~~ 2019-2020, a student shall meet the criteria established in this chapter to retain or regain the scholarship.

For an exceptionally gifted student who is accepted into college without having attended high school, the Commission on Higher Education shall define alternative criteria for the student to qualify for a LIFE Scholarship.”

SECTION 5. Section 59-149-60 of the 1976 Code is amended to read:

“Section 59-149-60. The student may receive a LIFE Scholarship for not more than ten semesters for ~~a~~ an approved five‑year degree program, eight semesters for ~~a~~ an approved four‑year degree program, or four semesters for ~~a~~ an approved two‑year degree program.”

SECTION 6. Section 59-104-20 of the 1976 Code is amended to read:

“Section 59-104-20. (A) The Palmetto Fellows Scholarship Program is established to foster scholarship among the state’s post‑secondary students and retain outstanding South Carolina high school graduates in the State through awards based on scholarship and achievement. Measures must be taken to ensure equitable minority participation in this program. Recipients of these scholarships are designated Palmetto Fellows. Each Palmetto Fellow shall receive a scholarship in an amount not to exceed six thousand seven hundred dollars. These scholarships in combination with all other grants and scholarships shall not exceed the cost of attendance at the institution attended. During the seventh or eighth term of attendance, if the student has applied for graduation with the institution, the institution may prorate the amount awarded for the number of credit hours attempted for the current term of attendance, which must be the term of graduation for the student. The commission shall promulgate regulations and establish procedures to administer the program and request annual state appropriations for the program.

(B) Students, either new or continuing, must not have 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 Palmetto Fellows Scholarship, 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 scholarships after the expiration of one academic year from the date of the adjudication, conviction, or plea.

(C) Of the funds made available for higher education Palmetto Fellows Scholarships for any year, a percentage thereof must be allocated for students attending South Carolina independent colleges of higher learning in this State. This percentage must be equivalent to the percentage of the independent colleges’ share of the total South Carolina resident undergraduate full‑time enrollment (FTE) of all public and independent higher education institutions in South Carolina based on the previous year’s data as determined by the Commission on Higher Education and the South Carolina Tuition Grants Commission.

(D) After expending funds appropriated for Palmetto Fellows Scholarships from all other sources, there is automatically appropriated from the general fund of the State whatever amount is necessary to provide Palmetto Fellows Scholarships to all persons meeting the requirements of this section.

(E) A Palmetto Fellows Scholarship is available to an eligible resident student who attends or will attend full-time as defined in Title IV to an eligible ~~four‑year~~ public or independent institution.

(F) For purposes of subsection (E):

(1) ‘Public or independent institution’ means a:

(a) South Carolina public institution defined in Section 59‑103‑5, ~~excluding a public two‑year or technical institution,~~ and an independent institution as defined in Section 59‑113‑50, excluding an eleemosynary junior ~~or independent two‑year~~ institution and institutions whose sole purpose is religious or theological training or the granting of professional degrees; or

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

(2) ‘Resident student’ means a:

(a) student who is either a member of a class graduating from a high school located in this State, a home school student who has successfully completed a high school home school program in this State in the manner required by law, or a student graduating from a preparatory high school outside this State, while a dependent of a parent or guardian who is a legal resident of this State and has custody of the dependent; and

(b) student classified as a resident of South Carolina for in‑state tuition purposes under Chapter 112 of this title at the time of enrollment at the institution.

(G) In addition to qualifications established by regulation, to qualify for a Palmetto Fellows Scholarship, a student shall:

(1) meet the following three criteria by no later than the established date of graduation for the class in which the student entered high school:

(a) a minimum score of ~~1200~~ 1280 on the Scholastic Aptitude Test (SAT) or an equivalent ACT score as determined by the Commission on Higher Education;

(b) a cumulative ~~3.5~~ 4.0 grade point ~~ratio~~ average on the South Carolina Uniform Grading ~~Scale~~ Policy at the end of the junior or senior year; and

(c) rank in the top six percent of the class at the end of the ~~sophomore,~~ junior~~,~~ or senior year. When calculating eligibility for Palmetto Fellows Scholarships in schools where the top six percent of the graduating class is two students or less, the top two students must be considered for the scholarship regardless of class rank. The top six percent of the graduating class must meet all Palmetto Fellows Scholarship eligibility requirements in order to receive a scholarship. If the top six percent of the class is not a whole number of students, the Commission on Higher Education shall round up to the next whole number of students eligible. Students who graduate mid-year are unable to use rank as an eligibility criterion. The GPA and class rank criteria, as well as the high school graduation date, must be demonstrated on an official final high school transcript, which must also indicate a uniform date of calculation as determined by the Commission on Higher Education; or

(2) meet the following two criteria by no later than the established date of graduation for the class in which the student entered high school:

(a) a minimum score of ~~1400~~ 1450 on the Scholastic Aptitude Test (SAT) or an equivalent ACT score as determined by the Commission on Higher Education; and

(b) a cumulative ~~4.0~~ 4.4 grade point ratio on the South Carolina Uniform Grading ~~Scale~~ Policy at the end of the junior or senior year.

Qualifying scores must be certified by the high school on the Palmetto Fellows Scholarship application by the scholarship application deadline. For the purposes of meeting the rank criteria pursuant to this subsection, the existing high school rank of a South Carolina resident attending an out‑of‑state high school may be used provided it is calculated pursuant to a state‑approved, standardized grading scale at the respective out‑of‑state high school. If the Commission on Higher Education determines that a state‑approved standardized grading scale substantially deviates from the South Carolina Uniform Grading Scale, the state‑approved standardized grading scale shall not be used to meet the eligibility requirements for the Palmetto Fellows Scholarship.

(H) Notwithstanding another provision of law, a student who met the initial eligibility requirements to receive a Palmetto Fellows Scholarship Award as a senior in high school and has met the continuing eligibility requirements shall receive the award. A student may receive a Palmetto Fellows Scholarship for not more than ten semesters for an approved five-year degree program, eight semesters for a four-year degree program, or four semesters for a two-year degree program. A student who received a Palmetto Fellows Scholarship Award as a senior in high school but declined the award to attend an out-of-state institution is eligible to reapply for the annual scholarship, providing he meets all of the initial and continuing academic eligibility requirements of the Palmetto Fellows program, if he transfers to a qualifying South Carolina institution of higher learning. The number of semesters or academic years a student attended an out‑of‑state institution are to be deducted from the number of semesters or academic years a student is eligible for the scholarship. All funding provided for Palmetto Fellows Scholarships regardless of its source or allocation must be used to implement the provisions of this subsection.

(I) The Commission on Higher Education shall, by regulation, define alternative qualifications for an exceptionally gifted student who is a resident of South Carolina and is accepted into an institution of higher learning without having attended or graduated from high school.”

SECTION 7. Section 59-104-25(A) of the 1976 Code is amended to read:

“Section 59-104-25. (A) A resident student who is at least a ~~sophomore~~ junior attending a four‑year public or private institution of higher learning in this State, who is majoring in science or mathematics as defined below, and who is receiving a Palmetto Fellows Scholarship for the current year, shall receive an additional Palmetto Fellows Scholarship stipend equal to the cost of attendance after applying all other scholarships or grants, not to exceed three thousand three hundred dollars each year for no more than ~~three~~ two additional years of instruction, including his ~~sophomore~~ junior year, if the student enrolled in a four‑year degree program, or for not more than ~~four~~ three additional years of instruction, including his ~~sophomore~~ junior year, if enrolled in ~~a~~ an approved five‑year degree program or a 3 plus 2 program. A year is defined as thirty credit hours of instruction or its equivalent each year. To receive the additional Palmetto Fellows Scholarship stipend each year, the student must receive the underlying Palmetto Fellows Scholarship for that year and must be making acceptable progress each year toward receiving a degree in his science or mathematics major. ~~In addition, during his freshman year, the student must have successfully completed a total of at least fourteen credit hours of instruction in mathematics courses, or life and physical science courses, or a combination of both. For purposes of meeting the required minimum level of instruction in mathematics and life and physical science courses during a student’s freshman year, advanced placement courses in mathematics and life and physical sciences taken in high school on which the student scored high enough on the advanced placement test to receive credit at his institution and for which he received credit, count toward the fulfillment of this minimum requirement.~~”

SECTION 8. Section 59-150-370 of the 1976 Code is amended to read:

“Section 59-150-370. (A) SC HOPE Scholarships are hereby established and are provided by the State. These scholarships are authorized in an amount of up to two thousand five hundred dollars, plus a three hundred dollar book allowance to cover the cost of attendance, as defined by the Commission on Higher Education by regulation, during the first year of attendance only, to an eligible student attending a four‑year public or independent institution as defined in subsection (B) who does not also qualify for a LIFE Scholarship or a Palmetto Fellows Scholarship.

(B) For purposes of this chapter, a ‘public or independent institution’ that a student may attend to receive a SC HOPE Scholarship includes the following:

(1) a South Carolina four‑year public institution as defined in Section 59‑103‑5 and a four‑year independent institution as defined in Section 59‑113‑50;

(2) 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 is accredited by the Southern Association of Colleges and Secondary Schools; or an independent bachelor’s level institution which is accredited by the New England Association of Colleges and 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.

(C) A student is eligible to receive a SC HOPE Scholarship if he meets the criteria for receiving and maintaining the Legislative Incentives for Future Excellence (LIFE) Scholarship except that a minimum Scholastic Aptitude Test (SAT) or ACT score and requisite class rank are not required for eligibility for the SC HOPE Scholarship. The criteria used for determining SC HOPE eligibility, as well as the high school graduation date, must be demonstrated on an official final high school transcript, which must also indicate a uniform date of calculation as determined by the Commission on Higher Education. The criteria must be met by no later than the established date of graduation for the class in which the student entered high school. These SC HOPE Scholarships must be granted and awarded as provided in this section.

(D) These SC HOPE Scholarships in combination with all other grants and scholarships must not exceed the cost of attendance at the particular institutions referenced in subsection (B).

(E) The Commission on Higher Education must promulgate regulations and establish procedures to administer the provisions of this section.

(F) All institutions participating in the SC HOPE Scholarship Program must report their enrollment and other relevant data as solicited by the Commission on Higher Education which may audit these institutions to ensure compliance with this provision.”

SECTION 9. This act takes effect upon approval by the Governor.

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