

Document No.
COMMISSION ON HIGHER EDUCATION
CHAPTER 62
Statutory Authority: 1976 Code Section 59-150-360

62-900.85–140 South Carolina HOPE Scholarship

Synopsis:

The South Carolina HOPE Scholarship established under the South Carolina Education Lottery Act was approved by the General Assembly during the 2001 legislative session and signed into law on June 13, 2001. Bill H.4879 authorizes funding for scholarships to cover the cost of attendance, up to a maximum of two thousand six hundred fifty dollars (includes \$150 book allowance) to eligible students attending four-year public and independent institutions in South Carolina. The purpose of the SC HOPE Scholarship program is to provide funding to students who graduate from high school with a 3.0 cumulative grade point average, but are not eligible to receive the LIFE or Palmetto Fellows Scholarships. The Bill authorizes the Commission on Higher Education to create regulations for administration of the SC HOPE Scholarship program.

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Instructions: Add new 62-900.85 through 62-900.140, South Carolina HOPE Scholarship, to Chapter 62 regulations.

Text:

62-900.85 Funding

Funds made available for SC HOPE Scholarships under the South Carolina Education Lottery Act, shall be included in the annual appropriation to the Commission on Higher Education. This program is dependent upon the annual proceeds generated by the lottery. The Commission on Higher Education shall award funds to eligible students as SC HOPE Scholarships.

62-900.90 Program Definitions

A. "Academic year" is defined as the twelve-month period during which a full-time student is expected to earn thirty credit hours. The period of time used to measure the academic year will consist of fall, spring, and summer terms or spring, summer, and fall terms (or its equivalent).

- B. "Baccalaureate program" is defined as a program of study leading to a bachelor's degree as defined by the U.S. Department of Education for participation in Federally funded financial aid programs.
- C. "Book allowance" shall mean funds that may be applied to the student's account for expenses towards the cost-of-attendance including the cost of textbooks.
- D. "Cost-of-attendance" as established by Title IV Regulations may include tuition, fees, living expenses, and other costs such as costs related to disability or dependent care.
- E. "Degree-seeking undergraduate student" is defined as any full-time student enrolled in an eligible program of study at an eligible institution.
- F. "Eligible institution" shall be defined as a public or independent bachelor's level institution.
- G. "Eligible program of study" is defined as a program of study leading to the first baccalaureate degree, which meets all other Title IV regulations as authorized by the U.S. Department of Education for participation in federally funded financial aid programs.
- H. "Freshmen year" shall mean the first academic year the student matriculates in an institution after high school graduation or completion of an approved home school program.
- I. "Full-time student" shall mean a student who has matriculated into an eligible program of study and who enrolls full-time, usually fifteen semester credit hours for fall and spring terms or twelve credit hours for fall, eight credit hours for winter, and twelve credit hours for spring trimester terms. In order for the student to be eligible for scholarship disbursement, the student must be enrolled full-time as stipulated by Title IV Regulations, except that credit hours may not include remedial coursework.
- J. "High school" is defined as a high school located in South Carolina, an approved home-school program as defined in the State Statute, Sections 59-65-40, 45, and 47, or a preparatory high school located outside of the state while the student is a dependent of a legal resident of South Carolina who has custody or pays child support and college expenses of the dependent high school student. A "preparatory high school" (out-of-state) is defined as a school recognized by the state in which the school is located to offer curricula through the twelfth grade and prepares students for college entrance.
- K. "Independent institutions" are those institutions eligible to participate in the South Carolina Tuition Grants Program as defined in Chapter 113 of Title 59 of the 1976 Code, which stipulates that an "independent institution of higher learning means any independent eleemosynary junior or senior college chartered before 1962 whose major campus and headquarters are located within South Carolina; or an independent bachelor's level institution which has attained 501(c)(3) tax status and is accredited by the Southern Association of Colleges and Secondary Schools or 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 'independent institution' for purposes of this chapter. However, independent two-year institutions are not eligible for participation in this program.
- L. "Initial college enrollment" shall mean the first time the student matriculates into a post-secondary educational institution after high school graduation or completion of an approved home school program.
- M. An "offense" shall mean a violation of any law or rule in any State or Federal criminal justice system.
- N. "Public institutions" are those four-year baccalaureate degree-granting institutions as defined in Chapter 103 of Title 59 of the 1976 Code, which stipulates "public higher education shall mean state-

supported education in the post-secondary field." Public two-year institutions and technical colleges are not eligible for participation in this program.

O. "South Carolina resident" shall be defined as an individual who satisfies the requirements of residency in accordance with the State of South Carolina Statute for Tuition and Fees, Section 59-112-10, and all related guidelines and regulations promulgated by the Commission on Higher Education as determined by the institutional residency officer each academic year.

P. "Transfer student" shall be defined as a student who has changed enrollment from one institution to an eligible institution.

62-900.95 Student Eligibility

A. To be eligible for a SC HOPE Scholarship, students must:

(1) Be a U.S. citizen or a permanent resident that meets the definition of an eligible non-citizen under State residency statutes;

(2) Be a South Carolina resident for in-state tuition purposes at the time of enrollment at the institution as set forth by Section 59-112-10 and graduated from a high school according to State Statute, Section 59-149-50A.

(3) Earn a 3.0 cumulative grade point average (GPA) on a 4.0 scale. Grade point averages must be reported to two decimal places (minimum) and may not be rounded. For example, a student who earns a 2.99 GPA is not eligible. A student who earns a 3.00 GPA or above is eligible. Until 2004, students may qualify for the SC HOPE Scholarship using the Uniform Grading Scale (UGS) or the grade point calculation policy approved by the school district. Institutions shall use the final GPA as reported by the high school. If a weighted GPA is provided, the institution shall use the high school's weighted GPA based upon the approved policies of the school district in determining whether the student meets the "B" average. The high school must specify which grading scale was used. If more than one grade point average is reported by the final official transcript, the institution may use the grading scale that would be to the student's advantage. Beginning with students graduating in 2004, scholarship eligibility will be based upon the UGS only. No other grading policy will be allowed to qualify for a State scholarship.

(4) Be admitted, enrolled full-time, and classified as a degree-seeking undergraduate student in an eligible institution in South Carolina; and

(5) Certify that he/she has not been adjudicated delinquent, convicted, or pled guilty or nolo contendere to any felonies, alcohol or other drug related offenses under the laws of this or any other state or under the laws of the United States by submitting a signed affidavit each academic year to the institution testifying to the fact, except that a high school or college student who has been adjudicated delinquent, convicted, or pled guilty or nolo contendere of an alcohol or other drug related misdemeanor offense is only ineligible for the next academic year of eligibility after the date of the adjudication, conviction or plea.

B. Students who complete their high school graduation requirements prior to the official graduation date reported on the final high school transcript may be eligible to receive the SC HOPE Scholarship pending the approval of the Commission on Higher Education (CHE). The institutional representative must complete and submit an Early Graduation Application Form and all appropriate documentation as deemed necessary by CHE for each student. The student must request and submit a letter from the high school principal verifying that he/she has met all graduation requirements.

C. Early graduates who enroll mid-year and are classified as degree-seeking will officially begin their initial college enrollment.

D. Students receiving a SC HOPE Scholarship are not eligible for a LIFE or Palmetto Fellows Scholarship.

E. Students who meet all eligibility requirements for the SC HOPE Scholarship are eligible to receive scholarship funds for the freshmen year of attendance only.

F. All documents required for determining SC HOPE Scholarship eligibility must be submitted to the institution by their established deadline(s).

62-900.100 Duration of Award

A. Students are eligible to receive the SC HOPE Scholarship for no more than two terms (or its equivalent) during the freshman year of attendance only.

B. The maximum number of terms of eligibility is based on the student's initial college enrollment with the exception of credit hours earned during the summer session immediately prior to the student's initial college enrollment.

C. If a student enrolls mid-year (spring term) and qualifies to receive the LIFE Scholarship at the end of the summer term, then the student will not be eligible to receive the SC HOPE Scholarship. If the student does not meet the requirements to qualify for the LIFE Scholarship, then the student may receive the SC HOPE Scholarship the next term of eligibility.

62-900.105 Transfer Students

A. A student who transfers from one institution to an eligible institution during the freshman year of attendance is eligible to receive the SC HOPE Scholarship if the student met the eligibility requirements as stated in the "Student Eligibility" Section at the beginning of the academic year.

B. A student who transfers from a two-year or technical institution to an eligible four-year institution who enrolled in remedial courses during the freshman year may be eligible to receive the SC HOPE Scholarship. The terms of eligibility to receive scholarship funds must not include the period of time the student was enrolled in remedial courses at a two-year or technical institution, unless the student completed at least twelve credit hours of non-remedial course work during the first term(s) during the freshman year. The student will be eligible to receive the scholarship for the maximum number of terms of eligibility following completion of remediation if the student was eligible to receive the SC HOPE Scholarship upon high school graduation.

C. Students who did not meet the scholarship eligibility requirements upon high school graduation and enrolled in remedial courses during the first term(s) during the freshman year will not be eligible to receive the SC HOPE Scholarship at the completion of remediation.

62-900.110 Students with Disabilities

A. Students who qualify under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 must meet all eligibility requirements as defined in the "Student Eligibility" Section except for the full-time enrollment requirement, if approved by the Disability Services Provider.

Students must comply with all institutional policies and procedures in accordance with ADA and Section 504 of the Rehabilitation Act of 1973.

B. The institutional Disability Services Provider must provide written documentation to the Office of Financial Aid during the freshman year verifying that the student is approved to be enrolled in less than full-time status.

C. Students who qualify under ADA and Section 504 of the Rehabilitation Act of 1973 may receive the maximum number of available terms of eligibility as stated in the "Duration of Award" Section.

D. In order to be eligible for the SC HOPE Scholarship, students who no longer qualify under ADA and Section 504 of the Rehabilitation Act of 1973 must comply with all requirements set forth under the "Student Eligibility" Section.

62-900.115 Refunds or Repayments

A. In the event a student who has been awarded a SC HOPE Scholarship withdraws, is suspended from the institution, or drops below full-time enrollment status during any term of the academic year, institutions must reimburse the SC HOPE Scholarship Program for the amount of the scholarship for the term(s) in question pursuant to the refund policies of the institution. Collection is the responsibility of the institution.

B. In the event a student withdraws or drops below full-time status after the institution's refund period and therefore must pay tuition and fees for full-time enrollment, the scholarship may be retained pursuant to the refund policies of the institution.

62-900.120 Appeals Procedures

A. The Commission on Higher Education shall define the appeals procedures.

B. Students who did not receive the maximum number of terms of eligibility for the scholarship at the end of the first academic year due to an extenuating circumstance may request an appeal with the Commission on Higher Education.

C. The Commission on Higher Education will allow a student to submit only one appeal at the end of the first academic year based on an extenuating circumstance.

D. A completed appeal's application must be filed with the Commission on Higher Education by the established deadline of the academic year the scholarship is requested. The student must provide a completed application for appeal, a letter requesting an appeal describing the extenuating circumstance, official transcripts from all prior institutions, and any other supporting documentation to substantiate the basis for the appeal.

E. The SC HOPE Scholarship shall be suspended during the appeal period, but will be awarded retroactively if the appeal is granted.

F. The Appeals Committee's decision is final.

62-900.125 Institutional Policies and Procedures for Awarding

A. SC HOPE Scholarship awards are to be used only for payment toward the cost-of-attendance as established by Title IV regulations. The award amount shall not exceed two thousand six hundred fifty dollars (includes \$150 book allowance) during the freshman year only.

B. Eligible institutions shall provide an award notification to eligible students that will include the book allowance and also contain the terms and conditions of the scholarship. Institutions will notify students of all adjustments in scholarship funds that may result from an over-award, change in eligibility, change in the student's residency or financial status or other matters.

C. The institution must retain annual paper or electronic documentation for each award to include at a minimum:

- (1) Award notification
- (2) Institutional disbursement to student
- (3) Student's residency status
- (4) Refund and repayment (if appropriate)
- (5) Enrollment and curriculum requirements
- (6) Affidavit documenting that the student has never been convicted of any felonies,

Alcohol or other drug related misdemeanor offenses

- (7) High school transcript(s) verifying high school graduation or home-school completion date and cumulative grade point average (freshmen only)
- (8) Verification of student's disability (if appropriate)

D. Any student who has attempted to obtain or obtained a SC HOPE Scholarship award through means of willfully false statement or failure to reveal any material fact, condition, or circumstances affecting eligibility will be subject to applicable civil or criminal penalties, including loss of the SC HOPE Scholarship.

E. It is the institution's responsibility to ensure that only eligible students receive the scholarship.

62-900.130 Institutional Disbursements

A. The eligible institution will identify award amounts, which cannot exceed two thousand six hundred fifty dollars (includes \$150 book allowance) for students enrolled at four-year public and independent institutions for the freshmen year of attendance only. Half shall be disbursed during the fall term and half during the spring term (or their equivalents). Scholarships cannot be disbursed during the summer or any interim sessions.

B. The student must be enrolled at the time of disbursement as a full-time student.

C. After the last day to register for each term of the academic year, the institution will verify enrollment of each recipient as a South Carolina resident who is a full-time degree-seeking student. According to the Scholarship and Grant Programs Policies and Procedures Manual, a listing of all eligible recipients by social security numbers with award amounts for the term must be sent to the Commission on Higher Education with the institution's request for funds. A year-end reconciliation report will be submitted to the Commission on Higher Education prior to June 30th of each fiscal year. The reconciliation report shall include any additional requests for funds and/or return of unused funds.

D. The Commission will disburse awards to the eligible institutions to be placed in each eligible student's account.

62-900.135 Program Administration and Audits

A. The South Carolina Commission on Higher Education shall be responsible for the oversight of functions (e.g., guidelines, policies, rules, regulations) relative to this program with participating institutions. The Commission on Higher Education shall be responsible for the allocation of funds, promulgation of guidelines and regulations governing the SC Hope Scholarship program, any audits or other oversight as may be deemed necessary to monitor the expenditures of scholarship funds.

B. According to the Audit Policies and Procedures for Scholarship and Grant Programs Manual, all eligible institutions that participate in the program must abide by program policies, rules or regulations. Institutions also agree to maintain and provide all pertinent information, records, reports or any information as may be required or requested by the Commission on Higher Education or the General Assembly to ensure proper administration of the program.

C. The Chief Executive Officer at each participating institution shall identify to the Commission on Higher Education a SC HOPE Scholarship institutional representative who is responsible for the operation of the program on the campus and will serve as the contact person. The institutional representative will act as the student's fiscal agent to receive and deliver funds for use under the program.

62-900.140 Suspension or Termination of Institutional Participation

A. The Commission may review institutional administrative practices to determine institutional compliance with pertinent statutes, guidelines, rules or regulations. If such a review determines that an institution has failed to comply with program guidelines, rules, or regulations, the Commission may suspend, terminate, or place certain conditions upon the institution's continued participation in the program and require reimbursement to the SC HOPE Scholarship program for any funds lost or improperly awarded.

B. Upon receipt of evidence that an institution has failed to comply with program rules, regulations, or guidelines, the Commission on Higher Education shall notify the institution in writing of the nature of such allegations and conduct an audit.

C. If an audit indicates that a violation or violations may have occurred or are occurring at any public or independent college or university, the Commission on Higher Education shall secure immediate reimbursement from the institution in the event that any funds were expended out of compliance with the provisions of the Act, any relevant Statutes, pertinent rules, and regulations.

Fiscal Impact Statement:

Funding for the SC HOPE Scholarship Program is dependent upon the proceeds generated by the SC Education Lottery.