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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 prior to the beginning of the academic year. The annual maximum grant must be determined for each academic year based on the amount of available program funds.

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; 2014 Act No. 151 (H.3784), Section 1, eff April 7, 2014.

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 upon completion of basic training and Advanced Individual Training (AIT). 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; 2014 Act No. 151 (H.3784), Section 2, eff April 7, 2014.

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. Funds appropriated for the college assistance program may be carried forward and expended for the same purpose. If a midyear budget reduction is imposed by the General Assembly or the State Budget and Control Board, the appropriations for the college assistance program are exempt. 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; 2014 Act No. 151 (H.3784), Section 3, eff April 7, 2014.

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.