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**SOUTH CAROLINA COMMISSION ON HIGHER EDUCATION**

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November 4, 1999

**MEMORANDUM**

TO: Mr. Austin Gilbert, Chair, and Members  
Commission on Higher Education

FROM: Ms. Susan Cole, Chair, and Members,  
Access & Equity and Student Services Committee

**Proposed Revisions to the Statutes and Regulations for the Palmetto Fellows  
Scholarship and the South Carolina Need-Based Grants Programs**

**Background**

The 1999-2000 Appropriations Bill included the following amendment to the LIFE Scholarship Program:

"Students must not have been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any 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 LIFE Scholarship, except that a student who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to an alcohol or drug related misdemeanor offense is ineligible only for one calendar year after the adjudication, conviction, or plea occurred."

In order to make all State scholarship and grant programs as consistent as possible, the Access & Equity and Student Services Committee recommends that the statutes for the Palmetto Fellows Scholarship and Need-Based Grants Programs be revised in order to be consistent with the LIFE Scholarship Program.

**Palmetto Fellows Scholarship Program**

Under the current statute for the Palmetto Fellows Scholarship Program, no language exists that stipulates that a student cannot be a felon or be convicted of any alcohol or drug related offenses.

The Committee on Access & Equity and Student Services recommends that the statute be amended by adding the following language:

59-104-20

Students must not have been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any 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 student who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to an alcohol or drug related misdemeanor offense is ineligible only for one academic year after the adjudication, conviction, or plea occurred.

### **South Carolina Need-Based Grants Program**

Under the current statute for the South Carolina Need-Based Grants Program, a student is required to meet a more stringent criterion in regards to criminal record than required by the LIFE Scholarship Program. Thus, the Access & Equity and Student Services Committee recommends that the current language in the statute be amended as follows:

59-142-10

(A) The State shall fund a need-based grant for a student who enrolls as an undergraduate in a public institution of higher learning in the State, who applies for the need-based grant, and who meets the following qualifications:

(1) meets domicile requirements as defined in Section 59-112-20 with the additional requirement of at least twelve consecutive months of residency in the State of South Carolina immediately preceding enrollment;

(2) is accepted by and enrolled or registered in a state public institution of higher learning as a first degree full-time student in a certificate, or diploma of at least one year in length, or undergraduate degree program;

(3) is of good moral character ~~and has never been convicted of a felony; and~~

*(4) has not been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any 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 South Carolina Need-Based Grant, except that a student who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to an alcohol or drug related misdemeanor offense is ineligible only for one academic year after the adjudication, conviction, or plea occurred; and*

(5) is found to be in financial need according to federal Title IV regulations.

(B) To maintain continued *eligibility for the* state need-based grants, once enrolled a student shall:

(1) complete a minimum of twenty-four semester hours an academic year and make satisfactory academic progress toward a degree as determined by the institution;

~~(2) have no criminal record~~ *have not been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any 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 South Carolina Need-Based*

***Grant, except that a student who have been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to an alcohol or drug related misdemeanor offense is ineligible only for one academic year after the adjudication, conviction, or plea occurred; and***

(3) be eligible for the need-based grants for a maximum of four academic years of two semesters.

### **Recommendation**

The Access & Equity and Student Services Committee recommends that the Commission on Higher Education approve the proposed revisions to the statutes for the Palmetto Fellows Scholarship and South Carolina Need-Based Grants Programs. Upon approval by the Commission, the proposed revisions to the statutes will be submitted to the General Assembly for approval. If the General Assembly approves these recommendations, the regulations for the Palmetto Fellows Scholarship and South Carolina Need-Based Grants Programs will be amended in order to be consistent.