

(A178, R185, H3379)

AN ACT TO AMEND SECTIONS 59-104-20 AND 59-149-50, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PALMETTO FELLOWS SCHOLARSHIP AND THE LIFE SCHOLARSHIP, RESPECTIVELY, SO AS TO PROVIDE THAT FOR PURPOSES OF MEETING THE HIGH SCHOOL RANK CRITERIA FOR THESE SCHOLARSHIPS, THE EXISTING HIGH SCHOOL RANK OF A SOUTH CAROLINA RESIDENT ATTENDING AN OUT-OF-STATE HIGH SCHOOL MAY BE USED IF IT IS CALCULATED PURSUANT TO A STATE-APPROVED STANDARDIZED GRADING SCALE AT THE RESPECTIVE OUT-OF-STATE HIGH SCHOOL.

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

Rank of students attending out-of-state school

SECTION 1. Section 59-104-20(F) and (G) of the 1976 Code, as last amended by Act 115 of 2007, is further amended to read:

“(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; 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:
 - (a) a minimum score of 1200 on the Scholastic Aptitude Test (SAT) or an equivalent ACT score;
 - (b) a cumulative 3.5 grade point ratio on the Uniform Grading Scale 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; or
- (2) meet the following two criteria:
 - (a) a minimum score of 1400 on the Scholastic Aptitude Test (SAT) or an equivalent ACT score; and
 - (b) a cumulative 4.0 grade point ratio on the Uniform Grading Scale 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.”

Rank of students attending out-of-state school

SECTION 2. Section 59-149-50(A) of the 1976 Code, as last amended by Act 115 of 2007, is further amended to read:

“(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 cumulative grade average on a 4.0 scale and have scored 1100 or better on the Scholastic Aptitude Test (SAT) or have the equivalent ACT score; 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. 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, the state-approved standardized grading scale shall not be used to meet the eligibility requirements for the LIFE Scholarship.”

Time effective

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 31st day of January, 2008.

Vetoed by the Governor -- 2/6/08.

Veto overridden by House -- 2/12/08.

Veto overridden by Senate -- 2/13/08.