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## **FREE TUITION FOR RESIDENTS SIXTY YEARS OF AGE**

(Statutory Authority: 1976 Code Section 59-111-330)

62-1100. Authority.

Pursuant to the authority granted to the Commission on Higher Education by the 1976 Code Section 59-111-330, regulations governing the administration of the provision for free tuition for residents sixty years of age are hereby established.

62-1110. Eligibility.

State-supported colleges and universities are authorized to permit legal residents of South Carolina who have attained the age of sixty to attend classes for credit or noncredit purposes on a space available basis without the required payment of tuition if these persons meet admission and other standards deemed appropriate by the college or university and if these persons do not receive compensation as full-time employees.

62-1120. Authorization.

Institutions are authorized but not required to waive the tuition portion of the cost of a course in which eligible residents enroll. The costs of any fees, charges, and/or textbooks normally associated with the course remain in effect and must be borne by the participant.

62-1130. Program Definitions.

A. "Classes for credit or non-credit" is defined as regularly scheduled classes, including those offered through distance education, in which an adequate number of students not eligible for the over sixty waiver are enrolled. An adequate number of students, for the purpose of this provision, shall be consistent with institutional policy.

B. "Full-time employees" is defined as employment that consists of at least thirty seven and one half hours a week on a single job in a full time status. However, a person who works less than thirty seven and one half hours a week but receives or is entitled to receive full time employee benefits shall be considered to be employed full time. A person who meets the eligibility requirements of the Americans with Disabilities Act must present acceptable evidence that they do not satisfy their prescribed employment specifications in order to qualify for this waiver.

C. "Legal residents of South Carolina" is defined as those persons who would otherwise be eligible to pay in-state tuition and fees per Regulation 62-600 - Determination of Rates of Tuition and Fees.

D. "Persons meeting admission and other standards" is defined as persons who have evidence via documentation or evaluation normally accepted by the institutions which show that all course prerequisites have been satisfied.

E. "Persons who have attained the age of sixty" is defined as persons who have reached the age of sixty no later than the first day of class of the term for which the waiver is sought.

F. "Space available basis" is defined as the upper limit of class capacity, both physical and academic, as defined by institutional policy.

G. "State supported college or university" is defined as (1) those institutions enumerated in Section 59-107-10 and the branches and extensions of those institutions; and (2) those institutions under the jurisdiction of the State Board for Technical and Comprehensive Education.

H. "Tuition" is defined as the amount charged for registering for a credit hour of instruction and shall not be construed to include standard fees, charges, or costs of textbooks.

#### 62-1140. Proof of Eligibility.

State supported colleges or universities which offer this waiver may require such proof as deemed necessary to ensure that those applying are eligible for the benefit requested.

#### 62-1150. Inquiries and Appeals.

Each institution offering this waiver shall publish a policy governing the administration of this provision, shall ensure that the policy is accessible to all interested parties, and shall make the policy available upon request. The policy shall include an appeals process to accommodate persons wishing to appeal determinations made. Neither the primary official nor appellate official(s) may waive the provisions of the Statute or regulation governing free tuition for residents sixty years of age.

#### 62-1160. Penalties for Misrepresenting Eligibility.

All persons receiving benefits under this provision shall be responsible for notifying the institution of any changes that would affect such eligibility. Any applicant who willfully misrepresents his eligibility for the tuition waiver, or any person who knowingly aids or abets such applicant in misrepresenting his eligibility for such benefits, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars or imprisoned for not more than thirty days.

#### 62-1170. Institutional Eligibility for State Support.

Persons attending classes under the provisions of this article, on a space available basis without payment of tuition, shall neither be counted in the computation of enrollment for funding purposes nor considered on a formula basis for the issuance of capital improvement bonds.