

R. Wes Hayes, Jr.
Chairman

L. Jeffrey Perez, Ph.D.
President and Executive Director



Committee on Student Services
November 6, 2025, at 11:00AM
In-person and via Zoom

[Zoom Meeting](#)

Meeting ID: 953 9793 7861 Passcode: 381514

AGENDA

- | | |
|---|---|
| 1. Introductions and Approval of Minutes | Ms. Jenni Bryson, Chair |
| 2. Election of Chair and Vice Chair | |
| 3. SC National Guard College Assistance Program
(<i>For Information</i>) | Ms. Alfie Mincy, Program Coordinator
SCNG CAP and Veterans Outreach

MSgt. Jermaine Edmunds, Retention Office Manager,
SC Air National Guard
SGM(r) Mr. Paul Mead, Education Services Officer,
SC Army National Guard |
| 4. Proposed Residency Regulations (Approval) | Dr. Gerrick Hampton, Associate Director |
| 5. Centers of Excellence: Request for Proposal (<i>For Information</i>) | Dr. Lishu Yin, Program Manager |
| 6. FAFSA Updates (<i>For Information</i>) | Ms. Alantis Seckal, College Access Consultant |
| 7. Other Business | Ms. Jenni Bryson |
| 8. Adjournment | |



803-737-2260

1122 Lady St, Ste 400
Columbia, SC 29201

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Minutes of the Committee on Student Services Call Meeting

August 22, 2025
10:00 a.m.

Committee Members Attending

Commissioner Jenni Bryson, Chair
Commissioner Gene Fant
Commissioner Paul Batson
Commissioner Charles Schulze

Staff Members Present

Dr. Karen Woodfaulk
Ms. Kathryn Harris
Ms. Alfie Mincy
Ms. Kathy Rollins
Ms. Alantis Seckal
Ms. Tanya Weigold
Dr. Lishu Yin

Guests

Dr. Lindsay Yearta, CERRA
Ms. Beth Costner, CERRA
Ms. Jennifer Lewis, CERRA

1. Introductions and Approval of Minutes

Ms. Tanya Weigold introduced the guests in attendance and confirmed that the meeting was held in accordance with the Freedom of Information Act. Chair Jenni Bryson provided greetings and reiterated the purpose of the meeting to all in attendance.

Chair Jenni Bryson called to approve the August meeting minutes, Commissioner Batson motioned to approve the minutes, and Commissioner Fant seconded the motion.

2. Center for Educator Recruitment, Retention, and Advancement (CERRA) FY 2026-27 Appropriation Request and FY 2024-25 Annual Report for the EIA Funded Teacher Recruitment Project

Dr. Karen Woodfaulk introduced Dr. Lishu Yin, Program Manager, to present the CERRA budget for approval. Dr. Yin gave a brief overview of the budget source that highlighted the Commission's role and the CERRA budget appropriations as outlined in Proviso 1A.6 which states the Commission's role is to review and approve the budget and ensure funds are used as intended. The proviso includes three recruitment projects: CERRA, programs to recruit minority teachers, and the SC Program for the Recruitment and Retention of Minority Teachers (SC-PRRMT).



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CERRA funding is allocated to three separate programs: Teacher Recruitment Programs, CERRA General Funds, and the Rural Initiative Program. Funding for CERRA is approved through the Commission with Winthrop University acting as the fiscal agent. For the 2025-26 fiscal year, \$3.9 million was allocated to Teacher Recruitment Programs: the Teaching Fellows Program (\$3 million), minority recruitment initiatives (\$166,302), and other teacher recruitment programs, including Teaching Cadets (\$692,587.86). Additionally, CERRA received over \$2.2 million in general funds: \$500,000 of which was designated for the Teaching Fellows program and its operating costs, and \$200,000 of which was designated for developing an Online Educator Employment System and its maintenance. An allocation of \$7.5 million designated for the Rural Initiative Program flows through the South Carolina Department of Education. The total appropriation for the 2025-26 fiscal year was \$13,734,117. CERRA reports to the Governor, the South Carolina Department of Education, President of the Senate, and Speaker of the House.

Dr. Lishu Yin introduced Dr. Lindsay Yearta, the Executive Director for CERRA, who reported that the CERRA programs have had a greater impact this past fiscal year than years prior. Through the help of ProTeam, a program aimed toward middle school students interested in the education profession that uses positive learning experiences, role models, and a curriculum aligned with the Profile of a South Carolina Graduate, the number of sites and classes increased which exponentially impacted the number of students CERRA programs were able to reach. Participation in the Teaching Fellows Program increased from 781 students in the 2024 fiscal year to 826 students in the 2025 fiscal year. Dr. Yearta asked Dr. Yin if there were any specific questions she would like Dr. Yearta to address. Dr. Yin replied that there were none and asked if there were any other items to share with the Committee.

Commissioner Batson asked for an explanation for the discrepancies between the allocations listed on each page of the report. Dr. Yearta stated she would start explaining and offered for Dr. Costner, the CERRA Board Chair, to answer as she has more of a history with CERRA funds. Dr. Yearta explained that the EOC and EIA funds are grouped differently and that, after feedback from Dr. Perez on making the budget request and reports look more similar to accounting reports, the layouts vary to incorporate that feedback. Dr. Costner stated that different entities CERRA reports to ask for different kinds of information and that organizations divide things up separately. Dr. Costner went on to state that internally, CERRA ensures that when money is moved and reported in a different way the bottom line remains the same. Commissioner Batson stated that on page 2, the report stated allocations of \$3.9 million, \$2.2 million, and \$7.5 million, but several pages before, funds are allocated as \$4.1 million, \$2.2 million, and \$7.5 million. Although both totals come to the requested \$13 million, Commissioner Batson asked for clarification on which set of allocations the Committee is voting to approve and why there is a difference in the allocations. Dr. Costner replied that some of those forms were inherited and submitted by July 1 and, after meeting with CHE Staff, the information was re-presented as it is divided by the House Appropriations amount. She went on to state that on the more accounting friendly page, CERRA has targeted where funding goes in the agency and pulled out specifically the \$200,000 allotted for the employment system so CERRA can track and report those funds to CHE.

Dr. Yeara went on to state that Attachment 3, submitted on July 15, needed to be updated when the documents were resubmitted and that Attachment 4 was the correct document with the appropriate revisions for this fiscal year. Commissioner Batson clarified that under H030 the committee was voting to approve a \$3.9 million budget and under H470 the committee was voting to approve \$2.2 million in general funds and \$7.5 million for the Rural Teacher Recruitment Program. Dr. Yeara confirmed. Dr. Woodfaulk mentioned that Dr. Yin's previous slide showed the actual requested amount and asked Ms. Weigold to bring the slide up for the committee to see. Dr. Yin clarified that the slide shows the 2026-27 fiscal year budget request, and that there are three major categories listed: Teacher Recruitment Programs, CERRA General Funds, and the Rural Initiative Program. Per the proviso, CERRA received \$3.9 million specifically appropriated for Teacher Recruitment Programs, defined as the Teaching Fellows program, minority recruitment, and other recruitment programs including Teaching Cadets. Per the proviso, CERRA received \$2.2 million in General Funds. \$500,000 was designated for Teaching Fellows and recurring operating costs, and \$200,000 was designated for the Online Educator Employment System and its recurring costs. During the 2024-25 fiscal year, CERRA was unable to develop the portal, so there is a carryforward amount of \$200,000 shown in Attachment 2. This carryforward amount does not affect the recurring \$200,000 appropriation for the employment system. \$7.5 million was approved by the Commission for the Rural Initiative Program, but those funds flow through the South Carolina Department of Education to Winthrop University. In total, the 2026-27 budget request for approval is \$13,734,117.

Commissioner Batson asked what the relationship between the CERRA budget and recruitment of teachers and SC-PRRMT is as the budgets differ. Dr. Woodfaulk explained that the proviso specifies that 8% of the funding appropriated to CERRA goes to SC-PRRMT, totaling approximately \$339,000. SC-PRRMT is not directly under the oversight of CERRA as their funds go directly to South Carolina State and EIN in order to house the SC-PRRMT program. Commissioner Batson clarified that it is the pleasure of the General Assembly to have the programs separated out per a discussion in years past.

Commissioner Fant asked Chair Bryson if the committee's quorum is 3 or 4. Chari Bryson responded confirming that the quorum is 3, but there were 4 members present. Commissioner Fant stated he would not be able to vote on this matter as his institution participates in these programs, and it would generate a conflict of interest. He went on to state that his institution had just become a residence program which had 12 students join the program as educators and that the program is a big deal for those students and their families as it gives them an opportunity to enter the workforce as teachers essentially debt free. Many students participating in the program are first generation and do not have a lot of family support, and some minority students may not be able to have a lot of family contribution. Commissioner Fant went on to praise the program and to clarify that he is abstaining from the vote as it generated a conflict of interest. Chair Bryson confirmed Commissioner Fant's abstention and thanked him for his kind words.

To provide additional clarity, Dr. Woodfaulk presented the proviso, noting specifically 1A.6 which mentions teacher recruitment programs and CERRA as well as the 8% budget allotment for SC-PRRMT. Proviso language states how funding is associated between teacher recruitment and SC-PRRMT but separates the programs out in terms of the purposes of each program. Dr. Woodfaulk presented the three CHE staff recommendations to the committee for a vote. The recommendations were the approval of the FY2026-27 budget of \$13,724,117 for CERRA, the Teacher Recruitment Program, and the Rural Teacher Recruitment initiative, the approval to conduct an audit of CERRA to be completed and presented to the Commission by Spring 2026 to help ensure proper segregation of collections, carryforward funds, transparency, and compliance, and the approval for CERRA to develop a clear allocation formula for the recurring \$500,000 appropriated by the General Assembly in FY2023-24 and subsequent years for the Teaching Fellows program and related operational costs. Chair Bryson stated that all three recommendations could be combined into one motion for approval. Commissioner Schulze moved to approve the motion, and Commissioner Batson seconded the movement.

3. Other Business

As there was no other business, Chair Bryson motioned to adjourn the meeting at 10:29 am. The motion was moved by Commissioner Batson and seconded by Commissioner Schulze.



R. Wes Hayes, Jr.
Chairman

L. Jeffrey Perez, Ph.D.
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MEMORANDUM

To: Ms. Jenni Bryson, Chair and Members, Committee on Student Services

From: Dr. Karen Woodfaulk, Director, Office of Student Affairs

Date: November 6, 2025

Subject: FY-2024-2025 South Carolina National Guard College Assistance Program- Annual Report

Historical Background

A postsecondary financial assistance program for South Carolina National Guard members - the SC National Guard College Assistance Program (SCNG CAP) - was implemented in the academic year 2007-08 to better support the recruitment goals of the SC National Guard (SCNG) through a loan repayment program. Legislation closed the SC National Guard Student Loan Repayment Program and replaced the loan program with SCNG CAP (**Attachment I**). The Commission on Higher Education (CHE), in consultation with the SCNG, developed program guidance, and CHE promulgated regulations for the operation and administration of the SCNG CAP pursuant to SC Code of Laws Section 59-114-10 et seq. in 2009. The SCNG CAP is administered by CHE in consultation with the SCNG and provides financial assistance for eligible enlisted servicemembers enrolled in undergraduate programs at the two-and four-year public and independent colleges and universities.

Previous Award Cycles through FY 2021-2022

The total SCNG CAP benefits received in previous cycles through FY2021–22 could not exceed \$18,000, and the maximum number of credit hours earned was limited to 130 semester hours or the equivalent in quarter hours from the time of initial eligibility. Eligible Army National Guard servicemembers previously received up to \$4,500 per year, and eligible Air Guard servicemembers received up to \$9,000 per year. During the FY20-21 legislative session, proviso 117.167 (under General Provisions) was approved by the General Assembly to allow eligible members of the SC National Guard to qualify for CAP funds beyond the 130-credit hour maximum, provided that Air and Army Guard members meet all eligibility requirements.

This proviso, effective FY2021-22, allowed additional opportunities for eligible Air and Army Guard members to use CAP funds to pursue less than one-year or one-year certifications, two-year programs, or first or second associates degree without credit hour limits, not to exceed \$18,000.

Award Cycles FY 2022- 2023 through FY 2024- 2025

Under General Provisions from FY22-23 through FY2024-2025, the credit hour limit was removed, and a member of the SC National Guard may qualify for college assistance program grants for more than 130 semester hours or equivalent quarter hours. Eligible Air and Army National Guard servicemembers received up to \$5,500 per year at a four-year institution, and eligible Air Guard servicemembers received up to \$11,000 at a two-year institution. Additionally, servicemembers could receive a total of twenty-two thousand dollars (\$22,000) in total CAP funds to cover up to one hundred percent of college tuition and fees for the academic year. This increase in the lifetime maximum award was used by recruiters to encourage applicants to enlist in the South Carolina National Guard. The increase in the award amount provided educational opportunities for servicemembers to obtain their degrees without the burden of student loans or paying out of pocket, as well as pursue less than one-year or one-year certifications, two-year programs, or first or second associate degrees without credit hour limits, not to exceed the lifetime maximum of \$22,000.

Current FY 2025-2026 Award Cycle

During the FY2023-2024, SCNG CAP representatives expressed a desire to expand opportunities for servicemembers to receive an education benefit that covers their entire undergraduate degree. Formal discussions continued during the year with CHE staff, SCNG CAP representatives at the institutions, the Adjutant General's Office, Governmental Affairs, and the SCNG CAP Advisory Board. During the FY2025-2026 legislative session, proviso 117.140 (under General Provisions) was approved in June 2025 by the General Assembly to continue to allow eligible members of the SC National Guard to qualify for more than 130 semester hours. This proviso, effective FY2025-26, also allows Air and Army National Guard servicemembers to receive up to \$12,000 per academic year with a maximum of \$4,000 per semester for full-time students. Additionally, the lifetime amount increases to twenty-five thousand dollars (\$25,000). The carryover of unexpended funds for FY2025-2026 was \$11,752,064.33 and the annual lottery appropriation remains \$6,200,000.

The Air and Army National Guard have exceeded their recruitment goals, and the number of approved applications for College Assistance Program benefits has increased over the past two consecutive academic years. This growth is attributed to the increase in lifetime award amounts per academic year, as well as enhanced outreach efforts and expanded marketing of the college assistance benefits across multiple social

media platforms. The Air National Guard exceeded their recruitment with 151 recruits in 2024-25 and 188 in 2025-26, far surpassing their base goals of 80 and 86, respectively. The number of approved applications for Airmen for 2024-2025 was 62, and as of October 2025, 90 applications have been approved for 2025-26, which is a 45 percent increase from the previous year. In 2024-25, the Army National Guard recruitment goal was 913, but actual recruits reached 1060, exceeding the target by 16 percent. In 2025-2026, the goal increased slightly to 933, and the recruitment rose to 1087, again surpassing the target by 17 percent. As of October 2025, the Army National Guard has also seen a 17 percent increase in approved CAP applications for soldiers, rising from 952 in 2024-25 to 1,118 for the 2025-26 academic year. This upward trend for the SC Air and Army National Guard suggests that proposed tuition incentives, new enlistment options, and strengthened outreach are effectively driving engagement and expanding opportunities for SC National Guard servicemembers to enlist and pursue post-secondary education.

The number of approved applications does not reflect the actual number of awards and eligible servicemembers that receive college assistance. Eligible members may apply for CAP benefits but choose not to enroll, enroll part-time, or not receive an award due to other eligibility requirements. The official number of awards and eligible servicemembers will be reported through the CHE Information Management System (CHEMIS).

The educational pursuits of South Carolina National Guard service members in the 2025–26 academic year reveal distinct patterns between the Army and Air divisions. Among Army National Guard servicemembers, a strong majority, 71 percent, are pursuing bachelor's degrees, with 24 percent working toward associate degrees and five percent seeking academic certificates. The Air National Guard servicemembers show a more balanced distribution: 57 percent are pursuing bachelor's degrees, 40 percent associate degrees, and three percent academic certificates. These trends suggest that while both branches prioritize degree attainment, they reflect differences in career pathways or entry-level academic goals.

Air National Guard:

Over the past decade, the Air National Guard has demonstrated a stable increase in the number of servicemembers awarded college assistance. From 79 awards in 2015-16 to 68 in 2024-25 the data fluctuates but remains relatively steady. During the 2022-2023 academic year, the yearly award amounts rose due to the increase in the maximum SCNG CAP award amount from the \$18,000 lifetime award amount to \$22,000, and the additional open enrollment opportunities during the new application window that began in November 2022. Although the CAP benefits increased and the number of awards has

remained steady, the yearly amount awarded for the Air National Guard service members may have fluctuated due to various challenges, such as deployments and lower college enrollment. The Air National Guard representatives shared that increased marketing, briefings, and education fairs, along with strong outreach in the high school programs, have boosted their recruitment footprint and attracted more airmen.

Army National Guard:

The Army National Guard has demonstrated steady growth in the number of servicemembers awarded college assistance over the past decade. From 770 awards in 2015-16 to 949 in 2024-25, the data reflects an increase in the number of awards and the yearly award amounts. During the 2022-2023 through 2024-2025 period, the award amounts have climbed significantly due to the increase in the maximum SCNG CAP award amount from the \$18,000 lifetime award amount to \$22,000. The Army National Guard believes that marketing and the increase in the current maximum benefit to \$25,000 have enabled soldiers to receive additional funding for academic certifications and lesser degrees.

The SC Air and Army National Guard representatives actively promote SCNG CAP to support recruitment and retention. With proposed changes to increase appropriations, raise the lifetime amount from \$25,000 to \$32,000 to fully cover undergraduate tuition and fees while extending benefits to graduate education, the National Guard anticipates that stronger outreach and marketing will expand their recruitment footprint and increase post-secondary enrollment among servicemembers.

Ten-year Summary - Attachments II and III

The data of the ten-year summary is in Attachments II and III for Air and Army Guard SCNG CAP servicemembers, show the unduplicated headcount and the award amounts per academic year. This means that a servicemember who receives a SCNG CAP award at any point over the three semesters (fall, spring, and summer) during the academic year will only be counted once, while all of the multiple awards will be counted for the academic year. Also, the award amounts vary among SCNG CAP recipients in general. Awards are counted by semesters, which means that the award amounts for the same number of students will differ between years and institutions.

CHAPTER 114
South Carolina National Guard College Assistance Program Act

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.

Effect of Amendment

The 2007 amendment substituted "College Assistance Program" for "Tuition Assistance".

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.

Effect of Amendment

The 2007 amendment rewrote this section.

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.

Effect of Amendment

The 2007 amendment rewrote this section.

2014 Act No. 151, Section 1, in the second to the last sentence, added "prior to the beginning of the academic year", and added the last sentence, relating to annual maximum grant.

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.

Effect of Amendment

The 2007 amendment rewrote this section.

2014 Act No. 151, Section 2, in subsection (B), substituted "upon completion of basic training and Advanced Individual Training (AIT)" for "on the day of enlistment".

SECTIONS 59-114-50, 59-114-60. Omitted by 2007 Act No. 40, Section 1, eff June 4, 2007.

Editor's Note

Former Section 59-114-50 was entitled "Administration of program; regulations" and was derived from 1979 Act No. 199, Part II, Section 5.

Former Section 59-114-60 was entitled "Agreements for rebating or carrying forward credit on accounts" and was derived from 1979 Act No. 199, Part II, Section 5.

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 Executive Budget Office, as appropriate, 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.

Code Commissioner's Note

At the direction of the Code Commissioner, references in this section to the offices of the former State Budget and Control Board, Office of the Governor, or other agencies, were changed to reflect the transfer of them to the Department of Administration or other entities, pursuant to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1), effective July 1, 2015.

Effect of Amendment

2014 Act No. 151, Section 3, added the second and third sentences, relating to the carry forward of funds and midyear budget reduction.

SECTION 59-114-70. Omitted by 2007 Act No. 40, Section 1, eff June 4, 2007.

Editor's Note

Former Section 59-114-70 was entitled "Tuition assistance payments made directly to applicants" and was derived from 1979 Act No. 199 Part II, Section 5; 1997 Act No. 155, Part II, Section 53C.

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.

Effect of Amendment

The 2007 amendment rewrote this section.

South Carolina National Guard College Assistance Program
Academic Year 2015-2016 to 2019-2020
Unduplicated Headcounts as of 9/10/2025

Institutional Sector	2015-2016		2016-2017		2017-2018		2018-2019		2019-2020	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Research Institutions										
Clemson University	18	\$77,203.13	21	\$80,437.50	14	\$55,125.00	17	\$62,437.50	25	\$124,031.25
U.S.C. - Columbia	90	\$406,412.25	75	\$302,062.50	76	\$314,828.00	62	\$268,601.50	56	\$248,062.50
Medical University of S.C.	1	\$2,250.00	1	\$4,500.00	1	\$4,500.00				
Research Subtotal	109	\$485,865.38	97	\$387,000.00	91	\$374,453.00	79	\$331,039.00	81	\$372,093.75
Comprehensive Teaching Institutions										
The Citadel	76	\$317,250.00	50	\$214,312.50	36	\$158,625.00	33	\$134,437.50	25	\$55,126.00
Coastal Carolina University	45	\$176,625.00	44	\$159,750.00	42	\$175,500.00	50	\$186,198.50	37	\$147,375.00
College of Charleston	14	\$58,500.00	9	\$45,000.00	12	\$45,000.00	12	\$44,437.50	10	\$33,750.00
Francis Marion University	29	\$104,062.50	17	\$63,562.50	12	\$38,250.00	10	\$39,375.00	21	\$86,625.00
Lander University	17	\$69,188.00	10	\$40,500.00	17	\$64,125.00	17	\$59,625.00	20	\$69,750.00
South Carolina State Univ.	29	\$123,750.00	16	\$67,500.00	21	\$76,125.00	23	\$84,937.50	19	\$70,017.50
U.S.C. - Aiken	13	\$57,376.00	15	\$69,750.00	11	\$49,500.00	6	\$20,812.50	12	\$47,813.00
U.S.C. - Beaufort	6	\$27,000.00	7	\$26,438.00	5	\$18,000.00	5	\$27,000.00	8	\$31,500.00
U.S.C. - Upstate	45	\$188,437.50	40	\$158,625.00	36	\$129,595.00	39	\$140,067.00	39	\$161,961.00
Winthrop University	26	\$110,906.25	24	\$104,625.00	14	\$58,593.75	13	\$45,000.00	8	\$24,750.00
Comprehensive Subtotal	300	#####	232	\$950,063.00	206	\$813,313.75	208	\$781,890.50	199	\$728,667.50
Two-Year Regional Campuses of USC										
U.S.C. - Lancaster	2	\$6,750.00	1	\$4,500.00	3	\$10,125.00	2	\$4,500.00	3	\$7,875.00
U.S.C. - Salkehatchie	6	\$13,499.00	2	\$9,788.00	2	\$10,462.00	1	\$1,690.00	2	\$6,187.50
U.S.C. - Sumter	4	\$17,437.00	1	\$2,250.00	1	\$4,500.00	3	\$21,375.00	6	\$33,750.00
U.S.C. - Union	2	\$5,625.00	2	\$5,062.00	3	\$8,437.00	3	\$7,312.50	1	\$3,938.00
Two-Year Regional USC Subtotal	14	\$43,311.00	6	\$21,600.00	9	\$33,524.00	9	\$34,877.50	12	\$51,750.50
Technical Colleges										
Aiken Tech	3	\$11,251.00	8	\$28,688.00	2	\$1,124.00			5	\$19,125.00
Central Carolina Tech	12	\$41,765.62	14	\$41,062.50	7	\$19,687.50	20	\$73,687.50	12	\$25,500.00
Denmark Tech	1	\$4,500.00								
Florence-Darlington Tech	16	\$57,107.50	12	\$38,250.00	8	\$23,793.50	9	\$21,206.50	8	\$18,562.50
Greenville Tech	42	\$129,544.25	42	\$149,062.50	22	\$66,375.00	25	\$86,625.00	19	\$57,937.50
Horry-Georgetown Tech	21	\$79,881.00	21	\$65,253.00	10	\$28,689.00	24	\$82,692.00	20	\$59,629.00
Midlands Tech	74	\$260,206.00	69	\$220,161.75	63	\$194,739.00	60	\$167,898.50	40	\$152,710.00
Northeastern Tech	3	\$9,000.00	4	\$10,125.00			1	\$2,813.00	1	\$3,938.00
Orangeburg-Calhoun Tech	7	\$15,187.50	4	\$11,251.00	2	\$5,063.00	3	\$8,438.00	4	\$7,877.00
Piedmont Tech	7	\$20,251.00	13	\$48,377.00	17	\$46,128.00	9	\$24,189.00	4	\$11,813.00
Spartanburg Community College	20	\$72,000.00	14	\$54,000.00	15	\$45,750.00	8	\$23,062.50	8	\$32,625.00
Tech Coll. of the Lowcountry	4	\$10,685.00	3	\$5,063.00	4	\$6,188.00	5	\$13,502.00	2	\$5,064.00
Tri-County Tech	37	\$129,369.00	13	\$47,250.00	11	\$25,312.50	14	\$50,625.00	10	\$31,500.00
Trident Tech	29	\$101,816.00	26	\$65,816.00	24	\$71,067.00	19	\$52,318.00	18	\$48,942.00
Williamsburg Tech			3	\$10,125.00	1	\$4,500.00			1	\$4,500.00
York Tech	16	\$55,690.00	13	\$41,064.00	21	\$66,375.50	15	\$45,063.50	13	\$38,252.00
Technical Subtotal	292	\$998,253.87	259	\$835,548.75	207	\$604,792.00	212	\$652,120.50	165	\$517,975.00
Independent Senior Institutions										
Allen University	2	\$13,500.00	2	\$6,188.00	4	\$11,248.00	7	\$24,750.00	5	\$20,814.00
Anderson University	1	\$4,500.00	1	\$4,500.00	1	\$2,250.00	2	\$11,250.00	5	\$23,624
Benedict College	7	\$16,875.00	3	\$18,000.00	8	\$31,500.00			7	\$29,250.00
Bob Jones University	2	\$6,750.00	1	\$2,250.00	2	\$9,000.00	2	\$9,000.00	1	\$4,500.00
Charleston Southern University	6	\$24,750.00	5	\$16,313.00	5	\$25,313.00	4	\$16,312.50	2	\$7,875.00
Clafin University	9	\$29,813.00	14	\$46,125.00	15	\$67,500.00	15	\$63,000.00	15	\$60,750.00
Coker University	3	\$11,250.00	3	\$11,250.00	4	\$7,312.50	2	\$6,750.00	5	\$20,250.00
Columbia College	4	\$19,125.00	3	\$15,750.00	6	\$26,995.50	2	\$6,188.00		
Columbia International Univ.	4	\$16,875.00	2	\$9,000.00	1	\$1,688.00	2	\$3,938.00	1	\$4,500.00
Converse University							1	\$4,500.00		
Furman University										
Limestone University	74	\$224,663.00	65	\$190,122.00	53	\$148,308.00	53	\$163,129.00	58	\$172,690.00
Morris College	4	\$18,000.00	3	\$18,000.00	3	\$11,250.00	1	\$4,500.00	5	\$18,001.00
Newberry College			2	\$4,875.00	2	\$11,250.00	3	\$15,750.00	1	\$2,250.00
North Greenville University	8	\$36,000.00	6	\$22,500.00	5	\$15,750.00	5	\$20,250.00	3	\$13,500.00
Presbyterian College	1	\$9,000.00								
South University	13	\$35,875.00	5	\$18,750.00	7	\$16,125.00	2	\$7,875.00	3	\$7,875.00
Southern Wesleyan University	4	\$16,098.00	2	\$8,438.00	4	\$12,375.00	3	\$9,000.00	3	\$10,125.00
Voorhees University	4	\$13,500.00	4	\$15,750.00	1	\$2,250.00	1	\$4,500.00	3	\$11,250.00
Wofford College			1	\$2,250.00						
Independent Senior Subtotal	146	\$496,574.00	122	\$410,061.00	121	\$400,115.00	105	\$370,692.50	117	\$407,254.00
Independent Two-Year Institutions										
Spartanburg Methodist College	2	\$9,000.00	1	\$2,250.00	4	\$13,500.00	3	\$11,250.00	1	\$4,500.00
Independent Two-Year Subtotal	2	\$9,000.00	1	\$2,250.00	4	\$13,500.00	3	\$11,250.00	1	\$4,500.00
Grand Total	863	#####	717	\$2,606,522.75	638	\$2,239,697.75	616	\$2,181,870.00	575	\$2,082,240.75

*Academic year includes Fall, Winter, Spring, and Summer

South Carolina National Guard College Assistance Program
Academic Year *2020 -2021 to 2024-2025
Unduplicated headcounts as of 9/10/2025

Institutional Sector	2020-2021		2021-2022		2022-2023		2023-2024		2024-2025	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Research Institutions										
Clemson University	41	\$161,437.50	52	\$224,437.50	64	\$304,750.50	59	\$275,003.00	60	\$271,564.00
U.S.C. - Columbia	82	\$334,500.00	134	\$559,272.50	155	\$737,218.00	147	\$653,125.00	174	\$807,625.00
Medical University of S.C.			1	\$9,000.00	1	\$2,750.00				
Research Subtotal	123	\$495,937.50	187	\$792,710.00	220	\$1,044,718.50	206	\$928,128.00	234	\$1,079,189.00
Comprehensive Teaching Institutions										
The Citadel	76	\$306,827.50	98	\$422,579.00	115	\$583,688.00	91	\$406,314.00	88	\$409,833.00
Coastal Carolina University	46	\$165,936.00	37	\$160,737.00	55	\$238,560.50	51	\$241,312.50	65	\$282,562.50
College of Charleston	11	\$45,562.00	16	\$59,063.00	13	\$65,312.00	15	\$67,375.00	25	\$107,250.00
Francis Marion University	9	\$36,562.50	13	\$55,107.00	17	\$78,375.00	11	\$43,687.50	16	\$68,062.50
Lander University	31	\$118,687.00	35	\$138,375.00	34	\$151,937.50	38	\$172,312.50	38	\$173,187.50
South Carolina State Univ.	9	\$29,812.50	18	\$74,250.00	23	\$106,047.38	18	\$88,000.00	26	\$126,437.50
U.S.C. - Aiken	10	\$36,750.50	18	\$76,121.00	22	\$98,314.00	32	\$132,346.00	40	\$184,937.50
U.S.C. - Beaufort	7	\$29,250.00	6	\$20,812.00	5	\$19,813.00	6	\$29,610.00	8	\$33,689.00
U.S.C. - Upstate	42	\$158,064.00	39	\$142,634.00	55	\$221,724.00	64	\$284,580.00	66	\$281,064.00
Winthrop University	7	\$31,500.00	11	\$42,750.00	20	\$84,740.00	15	\$73,126.00	18	\$81,813.00
Comprehensive Subtotal	248	\$958,952.00	291	\$1,192,428.00	359	\$1,648,511.38	341	\$1,538,663.50	390	\$1,748,836.50
Two-Year Regional Campuses of USC										
U.S.C. - Lancaster	5	\$20,250.00	7	\$25,875.00	8	\$39,187.50	5	\$22,000.00	5	\$17,875.00
U.S.C. - Salkehatchie	1	\$1,687.50	1	\$3,375.00	1	\$2,062.50			1	\$2,750.00
U.S.C. - Sumter	3	\$11,250.00	3	\$10,125.00	5	\$36,437.50	5	\$22,000.00	5	\$32,312.50
U.S.C. - Union	3	\$7,095.50								
Two-Year Regional USC Subtotal	12	\$40,283.00	11	\$39,375.00	14	\$77,687.50	10	\$44,000.00	11	\$52,937.50
Technical Colleges										
Aiken Tech	4	\$8,438.00	4	\$15,187.50	7	\$28,875.50	4	\$15,001.00	4	\$7,563.00
Central Carolina Tech	11	\$37,687.50	10	\$26,437.50	10	\$34,374.50	7	\$26,125.00	16	\$55,062.50
Denmark Tech					1	\$2,750.00			3	\$9,625.00
Florence-Darlington Tech	4	\$15,468.50	8	\$23,625.00	6	\$17,876.00	6	\$26,814.00	8	\$26,814.00
Greenville Tech	25	\$70,875.00	21	\$68,203.50	36	\$118,250.00	28	\$107,140.50	43	\$180,812.50
Horry-Georgetown Tech	18	\$56,814.00	18	\$59,065.00	22	\$96,253.00	22	\$91,443.00	27	\$114,989.00
Midlands Tech	43	\$159,177.00	39	\$164,804.00	68	\$276,812.50	73	\$293,240.31	72	\$297,687.50
Northeastern Tech							4	\$13,063.00	1	\$2,750.00
Orangeburg-Calhoun Tech	2	\$3,938.00	3	\$7,312.50	4	\$11,687.50	4	\$11,688.00	4	\$15,297.50
Piedmont Tech	6	\$18,002.00	4	\$11,251.00	6	\$24,750.00	10	\$40,562.50	8	\$27,156.00
Spartanburg Community College	11	\$44,437.50	9	\$30,375.00	11	\$40,562.50	19	\$72,187.50	13	\$52,937.50
Tech Coll. of the Lowcountry	2	\$6,188.00	1	\$2,250.00	4	\$17,188.00	5	\$15,813.00	3	\$7,563.00
Tri-County Tech	9	\$29,250.00	10	\$31,810.00	15	\$52,301.12	17	\$73,562.50	13	\$41,937.50
Trident Tech	15	\$51,191.00	17	\$52,177.00	16	\$74,769.00	15	\$67,380.00	29	\$90,006.00
Williamsburg Tech							2	\$8,250.00		
York Tech	10	\$28,688.00	11	\$36,000.00	7	\$28,876.00	4	\$16,500.00	10	\$35,063.00
Technical Subtotal	160	\$530,154.50	155	\$528,498.00	213	\$825,325.62	220	\$878,770.31	254	\$965,264.00
Independent Senior Institutions										
Allen University	1	\$4,500.00	3	\$11,250.00	2	\$5,500.00				
Anderson University	8	\$34,312.50	5	\$16,688.00	7	\$32,313.00	6	\$30,250.00	6	\$33,000.00
Benedict College	8	\$31,500.00	7	\$24,750.00	2	\$8,250.00	3	\$10,313.00	5	\$16,500.00
Bob Jones University	4	\$15,750.00	3	\$18,000.00	4	\$13,750.00	1	\$3,437.50	1	\$5,500.00
Charleston Southern University	6	\$34,875.00	9	\$45,000.00	9	\$38,500.00	7	\$25,313.00	17	\$69,437.00
Clafin University	10	\$38,250.00	9	\$43,875.00			7	\$26,750.00	7	\$26,125.00
Coker University	3	\$9,000.00	1	\$2,250.00			2	\$5,500.00	2	\$11,000.00
Columbia College	2	\$2,460.00			3	\$10,312.00	7	\$30,126.00	6	\$23,375.00
Columbia International Univ.	1	\$4,500.00	1	\$4,500.00	1	\$5,500.00	1	\$2,750.00	2	\$11,000.00
Converse University					2	\$8,250.00	1	\$4,125.00	1	\$2,750.00
Furman University					1	\$2,750.00	1	\$2,750.00		
Limestone University	46	\$98,816.00	49	\$142,619.00	59	\$200,962.00	84	\$320,337.00	69	\$223,789.00
Morris College	2	\$6,750.00	1	\$4,500.00	1	\$2,750.00	2	\$4,125.00		
Newberry College			3	\$13,500.00	4	\$16,500.00	2	\$8,250.00	4	\$11,000.00
North Greenville University	6	\$25,875.00	4	\$20,250.00	3	\$13,750.00	4	\$16,500.00	3	\$10,250.00
Presbyterian College			1	\$2,250.00	3	\$11,000.00	8	\$37,507.00	7	\$25,875.00
South University	3	\$4,875.00	5	\$18,375.00	7	\$19,251.25	7	\$23,830.00	3	\$8,251.00
Southern Wesleyan University	3	\$8,438.00	1	\$4,500.00	2	\$11,000.00	1	\$1,375.00	2	\$5,500.00
Voorhees University	3	\$9,000.00			3	\$13,750.00	1	\$5,500.00		
Wofford College			1	\$2,250.00	1	\$5,500.00	1	\$5,500.00		
Independent Senior Subtotal	106	\$328,901.50	103	\$374,557.00	114	\$419,588.25	146	\$564,238.50	135	\$483,352.00
Independent Two-Year Institutions										
Spartanburg Methodist College	2	\$9,000.00	2	\$9,000.00	3	\$8,250.00	2	\$8,250.00	2	\$8,250.00
Independent Two-Year Subtotal	2	\$9,000.00	2	\$9,000.00	3	\$8,250.00	2	\$8,250.00	2	\$8,250.00
Grand Total	651	\$2,363,228.50	749	\$2,936,568.00	923	\$4,024,081.25	925	\$3,962,050.31	1,026	\$4,337,829.00

*Academic year includes Fall, Winter, Spring, and Summer



MEMORANDUM

To: Ms. Jenni Bryson, Chair and Members, Committee on Student Services

From: Dr. Karen Woodfaulk, Director, Office of Student Affairs

Date: November 6, 2025

Subject: Approval of Changes to the Regulation Regarding the Determination of Rates of Tuition and Fees

In effort to update the regulation to reflect recently passed legislation, and to promote flexibility and simplify the residency determination process, Commission staff has made revisions to the regulation regarding the Determination of Rates of Tuition and Fees.

CHE staff has solicited institutional ideas and feedback on draft regulations during multiple intervals over the past year. CHE staff made requests for institutional concerns and proposed changes to the residency regulation on October, 10, 2024. From the feedback received, a draft regulation was generated and circulated to an advisory group of state residency officers, who met on February 5, 2025 to provide feedback on the suggested changes to the regulation. CHE staff then sent the draft regulation to all institutions for feedback on August 27, 2025. Based on the feedback from this review by the institutions, and with assistance from staff from the SC General Assembly, a revised draft of the regulation was created. The advisory group of residency officers met again on September 24, 2025 to review the current draft of the regulation, and provide commentary and additional feedback. After their feedback was incorporated, and sent to legislative staff to review, the current draft version of the residency regulation was reviewed at a statewide meeting on October 9, 2025. Institutions, as well as the general public, will have another opportunity to provide feedback during the open comment period, to take place from December 12, 2025 to January 29, 2026.

The regulation proposes multiple clarifications, pertaining to the process and items used to determine intent to be a S.C. resident, and one amendment based on a statutory change regarding the length of time required to obtain a S.C. Driver's License when moving into the state. A review of all the changes is below:



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- Section 62-600: B. Language added to clarify Section of S.C. Code that places residency at college level
- Section 62-602: C. Language added to clarify definition of a “Dependent Person”. Language added to clarify that residency determination may be based on one S.C. resident parent or guardian.
D. Language added to allow institution to determine fair value of rental cost in area.
F. Language added to clarify where five tests for dependency are located in Internal Revenue Service publications.
H. Language added to include state income taxes (when applicable) when determining if an applicant is independent for financial purposes.
J. Inserts language already in the regulation to this section, regarding VISA’s that are eligible for in-state charges.
M. Adding language referencing section 62-605 (C), which lists items of intent that can be shown to prove SC residency.
- Section 62-603: A. Language added to clarify that residency is based on independent persons, as well as parent, spouse or legal guardian. Language added to clarify when twelve month residency period begins.
B. Language added to clarify the minimum items an applicant must show to demonstrate intent to be a S.C. resident.
C. Language added to clarify that an institution may consider alternate year tax filing situations with divorced or separated parents.
- Section 62-604: A. Language removed for clarity. Language added to allow individuals who are receiving in-state charges while on an approved VISA, who then receive permanent status, to continue paying in-state charges without any break.
- Section 62-605: B. Language added to clarify the minimum items an applicant must show to demonstrate intent to be a S.C. resident.

C. Items of intent required to be show in the process to become a S.C. resident were set at a minimum of four. Items deemed no longer necessary for the list were removed. Required number of days to acquire a S.C. Driver’s License reduced to 45 days in order to be consistent with state law. Number of vehicles required to be registered for residency purposes reduced to one.
D. Language removed to provide greater flexibility to institutions and applicants when attempting to prove intent to be a S.C. resident.

- Section 62-609: A(2). Language added to allow Faculty and Administrative Employees at public colleges to qualify for twelve-month exception to residency.
A(3). Language to clarify how an individual working remotely for a company that has a S.C. location may qualify for twelve-month exception to residency, based on full-time employment.
- Section 62-611: Language removed to clarify that institutions may not prevent students from obtaining transcripts in the event they owe the institution funds.
- Section 62-612: Language removed to provide institutions flexibility in the appeal process for residency.

Recommendation

The Commission staff recommends that the Committee on Students Services approve the proposed amendments to the regulation for the Determination of Rates of Tuition and Fees. If approved by the Committee on Student Services and the Commission on Higher Education, the proposed regulation will be submitted to the SC General Assembly during the 2026 legislative session for approval under the Administrative Procedures Act.



Document No. 5051
COMMISSION ON HIGHER EDUCATION
CHAPTER 62
Statutory Authority: 1976 Code Section 59-112-100

62-600 - 62-612. Determination of Rates of Tuition and Fees.

Preamble:

R.62-600 through 62-612 of Chapter 62 is being amended and replaced in its entirety. Revisions to the existing regulation for the SC Residency Regulation are being considered to clarify the policies and procedures for administering the program. In the proposed amendments, the regulation is being updated to reflect recently passed Act 51 of 2023, relating to the requirement to acquire a South Carolina Driver's license within a 45 day period of relocating to the state. In addition, the number of items required to show intent are being reduced. There are other revisions which seek to simplify the residency process for both applicants and institutions. The revisions seek to promote flexibility among the State institutions and their residency classification processes.

The proposed regulation will require legislative review.

A Notice of Drafting was published in the *South Carolina State Register* on June 27, 2025.

Section-by-Section Discussion:

- Section 62-600: B. Language added to clarify Section of S.C. Code that places residency at college level
- Section 62-602: C. Language added to clarify definition of a "Dependent Person". Language added to clarify that residency determination may be based on one S.C. resident parent or guardian.
D. Language added to allow institution to determine fair value of rental cost in area.
F. Language added to clarify where five tests for dependency are located in Internal Revenue Service publications.
H. Language added to include state income taxes (when applicable) when determining if an applicant is independent for financial purposes.
J. Inserts language already in the regulation to this section, regarding VISA's that are eligible for in-state charges.
M. Adding language referencing section 62-605 (C), which lists items of intent that can be shown to prove SC residency.
- Section 62-603: A. Language added to clarify that residency is based on independent persons, as well as parent, spouse or legal guardian. Language added to clarify when twelve month residency period begins.
B. Language added to clarify the minimum items an applicant must show to demonstrate intent to be a S.C. resident.
C. Language added to clarify that an institution may consider alternate year tax filing situations with divorced or separated parents.
- Section 62-604: A. Language removed for clarity. Language added to allow individuals who are receiving in-state charges while on an approved VISA, who then receive permanent status, to continue paying in-state charges without any break.

- Section 62-605: B. Language added to clarify the minimum items an applicant must show to demonstrate intent to be a S.C. resident.
C. Items of intent required to be show in the process to become a S.C. resident were set at a minimum of four. Items deemed no longer necessary for the list were removed. Required number of days to acquire a S.C. Driver's License reduced to 45 days in order to be consistent with state law. Number of vehicles required to be registered for residency purposes reduced to one.
D. Language removed to provide greater flexibility to institutions and applicants when attempting to prove intent to be a S.C. resident.
- Section 62-609: A(2). Language added to allow Faculty and Administrative Employees at public colleges to qualify for twelve month exception to residency.
A(3). Language to clarify how an individual working remotely for a company that has a S.C. location may qualify for twelve month exception to residency, based on full-time employment.
- Section 62-611: Language removed to clarify that institutions may not prevent students from obtaining transcripts in the event they owe the institution funds.
- Section 62-612: Language removed to provide institutions flexibility in the appeal process for residency.

Notice of Public Hearing and Opportunity for Public Comment:

Interested members of the public and regulated community are invited to make oral or written comments on the proposed regulation at a public hearing to be conducted by the South Carolina Commission on Higher Education on February 5, 2026, to be held in the Main Conference Room at 1122 Lady Street, Suite 400, Columbia, SC. The meeting will commence at 1:00 p.m. at which time the Commission will consider items on its agenda in the order presented. The order of presentation for public hearings will be noted in the Commission's agenda to be published by the Commission ten days in advance of the meeting.

Interested persons are also provided an opportunity to submit written comments on the proposed regulation to publiccomments@che.sc.gov at the attention of Dr. Karen Woodfaulk, Director of Student Services, South Carolina Commission on Higher Education, 1122 Lady Street, Suite 400, Columbia, SC 29201. Comments must be received in writing no later than 5:00 p.m. on January 29, 2026. Comments received shall be considered by the staff in formulating the final proposed regulation for the public hearing on February 5, 2026, as noticed above. Comments received by the deadline shall be submitted to the Commission for consideration at the public hearing.

Preliminary Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Need and Reasonableness:

The South Carolina Commission on Higher Education proposes the following revisions to Chapter 62 regulation, R.62-600 through 62-612, Determination of Rates of Tuition and Fees. Revisions to the existing regulation for the SC Residency Regulation are being considered to clarify the policies and procedures for administering the program. In the proposed amendments, the regulation is being updated to reflect recently passed Act 51 of 2023, relating to the requirement to acquire a South Carolina Driver's license within a 45

day period of relocating to the state. In addition, the number of items required to show intent are being reduced. There are other revisions which seek to simplify the residency process for both applicants and institutions. The revisions seek to promote flexibility among the State institutions and their residency classification processes.

DESCRIPTION OF REGULATION:

Purpose: The Agency is updating the regulation to provide institutions with flexibility with residency determinations and update the regulation to be consistent with state law.

Legal Authority: SC Commission on Higher Education has general authority to promulgate regulations pursuant to 59-112-100.

Plan for Implementation: the revised regulations will take effect upon approval by the South Carolina General Assembly and publication in the *State Register*. CHE will notify the public of the revised regulations and post the revised regulations on the agency's website.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

The agency is updating the regulations to assist institutions with determining resident classification and provide clarity.

DETERMINATION OF COSTS AND BENEFITS:

There is no cost incurred by the state.

UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates concerning the regulations.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

These regulations will have no effect on the environment or public health.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

Statement of Rationale:

These regulations are updated to be consistent with changes in state laws regarding the S.C. Driver's License and to clarify the policies and procedures for determining the requirements for in-state resident classification.

Instructions:

Modify and replace in its entirety R. 62-600 through 62-612 with the following.

Text:

ARTICLE V
DETERMINATION OF RATES OF TUITION AND FEES

Table of Contents:

- 62-600. Rates of Tuition and Fees.
- 62-601. Code of Laws Governing Residence.
- 62-602. Definitions.
- 62-603. Establishing Residency, Citizens and Permanent Residents.
- 62-604. Non-Resident Aliens, Non-Citizens, and Non-Permanent Residents.
- 62-605. Establishing the Requisite Intent to Become a South Carolina Domiciliary.
- 62-606. Maintaining Residence.
- 62-607. Effect of Change of Residency.
- 62-608. Effect of Marriage.
- 62-609. Exceptions.
- 62-610. Application for Change of Resident Status.
- 62-611. Incorrect classification.
- 62-612. Inquiries and Appeals.

62-600. Rates of Tuition and Fees.

A. Resident classification is an essential part of tuition and fee determination, admission regulations, scholarship eligibility, and other relevant policies of the state. It is important that institutions have fair and equitable regulations that can be administered consistently and are sensitive to the interests of both students and the state. The Commission on Higher Education hereby establishes regulations for the Statute Governing Residency for Tuition and Fee Purposes to be applied consistently by all South Carolina institutions of higher education. These regulations do not address residency matters relating to in county categories used within the State's technical colleges.

B. Institutions of higher education are required by the Statute to determine the residence classification of applicants- as established in Section 59-112-80 of the S.C. Code of Laws. The initial determination of one's resident status is made at the time of admission. The determination made at that time, and any determination made thereafter, prevails for each subsequent semester until information becomes available that would impact the existing residency status and the determination is successfully challenged. The burden of proof rests with the students to show evidence as deemed necessary to establish and maintain their residency status.

62-601. Code of Laws Governing Residence.

Rules regarding the establishment of legal residence for tuition and fee purposes for institutions of higher education are governed by Title 59, Chapter 112 of the 1976 South Carolina Code of Laws, as amended.

62-602. Definitions.

A. "Academic Session" is defined as a term or semester of enrollment. (62-607.B)

B. "Continue to be Enrolled" is defined as continuous enrollment without an interruption that would require the student to pursue a formal process of readmission to that institution. Formal petitions or applications for change of degree level shall be considered readmissions. (62-607.A)

C. "Dependent Person" is defined as one whose predominant source of income or support is from payments from a parent, spouse, or legal guardian, who claims the dependent person on his/her/their federal and state (when applicable) income tax returns. In situations where the dependent is submitting the tax return of joint filers, the residency and income of both filers should be considered. However, in cases where the institution determines S.C. residency has been established by one parent or legal guardian, the residency

determination of the institution may be based solely on one parent or legal guardian. In the case of those individuals who are supported by family members who do not earn enough reportable income for taxation purposes, a dependent person can be defined as one who qualifies as a dependent or exemption on the federal and state (when applicable) income tax returns of the parent, spouse, or guardian. A dependent person is also one for whom payments are made, under court order, for child support and the cost of the dependent person's college education. A dependent person's residency is presumed to be that of the person upon whom they are dependent. (62-602.G) (62-602.N) (62-603.B) (62-605.C) (62-607.A)

D. "Domicile" is defined as the true, fixed, ~~principal~~ primary residence and place of habitation. It shall indicate the place where a person intends to remain, or to where one expects to return upon leaving without establishing a new domicile in another state. For purposes of this section, one may have only one legal domicile. One is presumed to abandon automatically an old domicile upon establishing a new one. Housing provided on an academic session basis for student at institutions shall be presumed not to be a place of principal residence, as residency in such housing is by its nature temporary. In cases where domicile is being rented or leased, the institution may determine the appropriate value for the type of domicile being rented in the identified area. (62-602.E) (62-602.K) (62-602.M) (62-602.N) (62-603.A) (62-603.B) (62-605.B) (62-605.C) (62-607.A) (62-607.B) (62-608.A) (62-608.C) (62-608.D) (62-609.A.3) (62-609.A.4)

E. "Full time employment" 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, with gross earnings of at least minimum wage. 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 if such status is verified by the employer. A person who meets the eligibility requirements of the Americans with Disabilities Act must present acceptable evidence that they satisfy their prescribed employment specifications in order to qualify as having full time employment. (62-605.C.1) (62-609.A.2) (62-609.A.3)

F. "Guardian" is defined as one legally responsible for the care and management of the person or property of a minor child based upon the five tests for dependency prescribed by the Internal Revenue Service in publication 501, each year; provided, however, that where circumstances indicate that such guardianship or custodianship was created primarily for the purpose of conferring South Carolina domicile for tuition and fee purposes on such child or dependent person, it shall not be given such effect. (62-602.C) (62-602.E) (62-602.I) (62-602.M) (62-603.B) (62-605.C)

G. "Immediately Prior" is defined as the period of time between the offer of admission and the first day of class of the term for which the offer was made, not to exceed one calendar year. (62-607.A)

H. "Independent Person or parent, spouse or guardian of the dependent person" is defined as one in his/her majority (eighteen years of age or older) or an emancipated minor, whose predominant source of income is his/her own earnings or income from employment, investments, or payments from trusts, grants, scholarships, commercial, educational or student loans in the name of the independent person and provided by an insured and federally regulated financial entity, or payments made in accordance with court order and for the purposes of determining residency for tuition and fees. An independent person:

(1) must provide more than half of his or her support, which shall include the institutional cost of attendance as defined by Title IV, during the twelve months immediately prior to the date that classes begin for the semester for which resident status is requested ;

(2) cannot claim the domicile of another individual as their own for the purposes of establishing intent to become a South Carolina resident;

(3) must have established his/her own domicile and provide documentation of establishing his/her own domicile for twelve months to include documentation of renting a domicile ~~if applicable~~, prior to receiving in-state tuition and fees; and

(4) cannot be claimed as a dependent or exemption on the federal and state (when applicable) tax returns of his or her parent, spouse, or guardian for the year in which resident status is requested. (62-602.N) (62-603.A) (62-605.C) (62-607.B) (62-608.B)

I. "Minor" is defined as a person who has not attained the age of eighteen years. An "emancipated minor" shall mean a minor whose parents have entirely surrendered the right to the care, custody and

earnings of such minor and are no longer under any legal obligation to support or maintain such minor. (62-602.GH)

J. “Non-resident Alien” is defined as a person who is not a citizen or permanent resident of the United States. By virtue of their non-resident status “non-resident aliens” generally do not have the capacity to establish domicile in South Carolina. Individuals in certain VISA classifications identified in Title 8 of the Code of Federal Regulations (CFR), and approved by the South Carolina Commission on Higher Education, shall be charged the resident classification rate. (62-602.M) (62-604.A)

K. “Parent” is defined as the father, mother, stepfather, stepmother, foster parent or parent of a legally adopted child. (62-602.C) (62-602.E) (62-602.I) (62-602.J) (62-602.M) (62-603.B) (62-603.C) (62-605.C)

L. “Reside” is defined as continuous and permanent physical presence within the State, provided that absences for short periods of time shall not affect the establishment of residence. Excluded are absences associated with requirements to complete a degree, absences for military training service, and like absences, provided South Carolina domicile is maintained. (62-603.A) (62-606.B) (62-609.A) (62-609.A.3) (62-609.A.4) (62-609.B)

M. “Resident” for tuition and fee purposes is defined as an independent person who has abandoned all prior domiciles and has been domiciled in South Carolina continuously for at least twelve months immediately preceding the first day of class of the term for which resident classification is sought and for whom there is a demonstration of intent from section 62-605 C, that supports the establishment to make South Carolina the state of residence at least twelve months prior to the first day of class, an absence of domiciliary evidence in other states or countries not withstanding other provisions of the Statute. (62-600.A) (62-600.B) (62-602.I) (62-602.K) (62-602.M) (62-603.A) (62-603.B) (62-603.C) (62-604.A) (62-605.A) (62-605.C) (62-605.C.7) (62-606.A) (62-606.A.5) (62-606.B) (62-607.A) (62-608.B) (62-609.A.3) (62-610.A) (62-610.B) (62-611.A) (62-611.B)

N. “Spouse” is defined as the husband or wife of a married person in accordance with Title 20, Chapter 1 of the 1976 South Carolina Code of Laws, as amended. (62-602.C) (62-602.E) (62-602.I) (62-602.M) (62-603.B) (62-605.C)

O. “Temporary Absence” is defined as a break in enrollment during a fall or spring semester (or its equivalent) during which a student is not registered for class. (62-606.A)

P. “Terminal Leave” is defined as a transition period following active employment and immediately preceding retirement (with a pension or annuity), during which the individual may use accumulated leave. (62-609.A.4)

Q. “United States Armed Forces” is defined as the United States Air Force, Army, Marine Corps, Navy, and Coast Guard. (62-606.B) (62-609.A(1))

R. “Trust” is defined as a legal entity created by a grantor for the benefit of designated beneficiaries under the laws of the state and the valid trust instrument. However, that where circumstances indicate that such trust was created primarily for the purpose of conferring South Carolina domicile for tuition and fee purposes on such child or independent person, it shall not be given such effect.

62-603. Establishing Residency, Citizens and Permanent Residents.

A. Independent persons, or the parent, spouse, or legal guardian of dependent persons, who have physically resided and been domiciled in South Carolina for twelve continuous months immediately preceding the date the classes begin for the semester for which resident status is claimed may qualify to pay in state tuition and fees. The twelve month residency period starts when the independent person establishes the intent to become a South Carolina resident per Section 62-605 entitled “Establishing the Requisite Intent to Become a South Carolina Domiciliary.” The twelve month residency period begins with the establishment of domicile, in conjunction with the determination that intent to establish residency is present, as determined by the institution, cannot start until the absence of indicia in other states is proven. Absences from the State during the twelve month period may affect the establishment of permanent residence for tuition and fee purposes.

B. The resident status of a dependent person is based on the resident status of the person who provides more than half of the dependent person’s support and claims or, only in the case of those individuals who

are supported by family members who do not earn enough reportable income for taxation purposes, qualifies to claim the dependent person as a dependent for federal and state (when applicable) income tax purposes. Thus, the residence and domicile of a dependent person shall be presumed to be that of their parent, spouse, or guardian. Items that a parent or legal guardian shall provide to demonstrate residency include the following:

(1) Possession of a valid South Carolina driver's license, or if a non-driver, a South Carolina identification card. Failure to obtain this within 45 days of the establishment of the intent to become a South Carolina resident may delay the beginning date of residency eligibility until a valid South Carolina driver's license is obtained;

(2) Possession of a valid South Carolina vehicle registration card for at least one vehicle the independent person is in sole or partial ownership of. Failure to obtain this within 45 days of the establishment of the intent to become a South Carolina resident may delay the beginning date of residency eligibility until the applicant obtains a valid South Carolina vehicle registrations card(s). Independents persons who do not own vehicles should notify the institution;

(3) Maintenance of an established and primary domicile in South Carolina;

(4) Filing South Carolina income taxes as a resident during the past tax year, including income earned outside of South Carolina from the date South Carolina domicile was claimed;

The institution shall require the four items listed above to make a determination of resident classification. The institution may require additional documentation and information, in conjunction with the items listed above, when making determinations on resident classification if insufficient or incorrect information has been submitted.

C. In the case of divorced or separated parents, the resident status of the dependent person may be based on the resident status of the parent who claims the dependent person as a dependent for tax purposes (consideration may be given for claiming status over a two-year period to allow for alternate year claiming stipulations); or based on the resident status of the parent who has legal custody or legal joint custody of the dependent person; or based on the resident status of the person who makes payments under a court order for child support and at least the cost of his/her college tuition and fees.

62-604. Non-Resident Aliens, Non-Citizens, and Non-Permanent Residents.

A. Except as otherwise specified in this section or as provided in Section 62-609 (1) & (2), ~~independent~~ non-citizens and non-permanent residents of the United States will be assessed tuition and fees at the non-resident, out of state rate. ~~Independent~~ ~~n~~Non-resident aliens, ~~including refugees, asylees, and parolees~~ may be entitled to resident, in state classification once they have been awarded permanent resident status by the United States Citizenship and Immigration Services (USCIS) and meet all the statutory residency requirements provided that all other domiciliary requirements are met. Time spent living in South Carolina immediately prior to the awarding of permanent resident status does not count toward the twelve month residency period, with the exception of time spent in an eligible unexpired and CHE approved VISA classification at the time permanent status was awarded to receive in state residency status. Certain non resident aliens present in the United States in specified visa classifications are eligible to receive in state residency status for tuition and fee purposes as prescribed by the Commission on Higher Education. They are not, however, eligible to receive state sponsored tuition assistance/scholarships.

B. Title 8 of the Code of Federal Regulations (CFR) serves as the primary resource for defining visa categories.

62-605. Establishing the Requisite Intent to Become a South Carolina Domiciliary.

A. Resident status may not be acquired by an applicant or student while residing in South Carolina for the primary purpose of enrollment in an institution or for access to state supported programs designed to serve South Carolina residents. An applicant or student from another state who comes to South Carolina usually does so for the purpose of attending school. Therefore, an applicant or student who enrolls as a

non-resident in an institution is presumed to remain a non-resident throughout his or her attendance and does not qualify under any of the residency provisions.

B. If a person asserts that his/her domicile has been established in this State, the individual has the burden of proof. Such persons must provide to the designated residency official of the institution to which they are applying any and all evidence the person believes satisfies the burden of proof. The residency official will consider any and all evidence provided concerning such claim of domicile, including the four listed items of intent in 62-605(C), but will not necessarily regard any single item of evidence as conclusive and will evaluate the evidence that ~~domicile intent to become a South Carolina resident~~ has been established.

C. For independent persons or the parent, spouse, or guardian of dependent persons, indicia showing intent to become a South Carolina resident ~~may shall~~ include, ~~although any single indicator may not be conclusive, the four the~~ following indicia:

— (1) ~~Statement of full time employment;~~

— (2) ~~Designating South Carolina as state of legal residence on military record;~~

(3) Possession of a valid South Carolina driver's license, or if a non-driver, a South Carolina identification card. Failure to obtain this within ~~90~~ 45 days of the establishment of the intent to become a South Carolina resident ~~will may~~ delay the beginning date of residency eligibility until a valid South Carolina driver's license is obtained;

~~(4)(2)~~ Possession of a valid South Carolina vehicle registration card for at least one vehicle for every vehicle the independent person is in sole or partial ownership of. Failure to obtain this within 45 days of the establishment of the intent to become a South Carolina resident ~~will may~~ delay the beginning date of residency eligibility until the applicant obtains a valid South Carolina vehicle registrations card(s). Independents persons who do not own vehicles should notify the institution;

(5) Maintenance of an established and ~~current~~ primary domicile in South Carolina;

(6) Paying Filing South Carolina income taxes as a resident during the past tax year, including income earned outside of South Carolina from the date South Carolina domicile was claimed;

— (7) ~~Ownership of principal residence in South Carolina;~~

— (8) ~~Licensing for professional practice (if applicable) in South Carolina.~~

The institution shall require the four items listed above to make a determination of resident classification. The institution may require additional documentation and information, in conjunction with the items listed above, when making determinations on resident classification if insufficient or incorrect information has been submitted.

~~D. The individual seeking residency must ensure that no item from the list above or any other item, reflects residency or intent to be a resident in another state or country. Having any one item from the list above or any other item(s) reflecting residency in another state or country will delay the beginning date of residency. The absence of indicia in other states or countries is required before the student is eligible to pay in-state rates.~~

62-606. Maintaining Residence.

A. A person's temporary absence from the State does not necessarily constitute loss of South Carolina residence unless the person has acted inconsistently with the claim of continued South Carolina residence during the person's absence from the State. The burden is on the person to show retention of South Carolina residence during the person's absence from the State. A person who obtains indicia in another state after leaving the state is demonstrating intent to be a resident of that state. Steps a person should take to retain South Carolina resident status for tuition and fee purposes include:

(1) Continuing to use a South Carolina permanent address on all records;

(2) Maintaining South Carolina driver's license;

(3) Maintaining South Carolina vehicle registration;

(4) Satisfying South Carolina resident income tax obligation. Individuals claiming permanent residence in South Carolina are liable for payment of income taxes on their total income from the date that they established South Carolina residence. This includes income earned in another state or country.

B. Active duty members of the United States Armed Forces and their dependents who are permanently assigned to a state outside of South Carolina on active duty are eligible to pay in state tuition and fees as long as they continuously claim South Carolina as their state of legal residence during their military service. Documentation will be required in all cases to support this claim, including an official Leave and Earnings Statement (LES) demonstrating South Carolina as the member's state of legal residence. South Carolina residents who change their state of legal residence while in the military lose their South Carolina resident status for tuition and fee purposes.

62-607. Effect of Change of Residency.

A. Notwithstanding other provisions of this section, any dependent person of a legal resident of this state who has been domiciled with his/her family in South Carolina for a period of not less than three years immediately prior to his/her enrollment may enroll at the in state rate and may continue to be enrolled at such rate even if the parent, spouse or guardian upon whom he is dependent moves his domicile from this State. The student must continue to be enrolled and registered for classes (excluding summers) in order to maintain eligibility to pay in state rates in subsequent semesters. Transfers within or between South Carolina colleges and universities of a student seeking a certificate, diploma, associate, baccalaureate, or graduate level degree does not constitute a break in enrollment.

B. If domicile of an independent person in South Carolina is lost after enrollment, and information becomes available that would impact the existing residency status, eligibility for in state rates shall end on the last day of the academic session during which domicile is lost. Application of this provision shall be at the discretion of the institution involved. However, a student must continue to be enrolled and registered for classes (excluding summers) in order to maintain eligibility to pay in state rates in subsequent semesters.

62-608. Effect of Marriage.

A. In ascertaining domicile of a married person, irrespective of gender, such a review shall be determined just as for an unmarried person by reference to all relevant evidence of domiciliary intent.

B. If a non-resident marries a South Carolina resident, the non-resident does not automatically acquire South Carolina resident status. The non-resident may acquire South Carolina resident status if the South Carolina resident is an independent person and the non-resident is a dependent of the South Carolina resident.

C. Marriage to a person domiciled outside South Carolina shall not be solely the reason for precluding a person from establishing or maintaining domicile in South Carolina and subsequently becoming eligible or continuing to be eligible for residency.

D. No person shall be deemed solely by reason of marriage to a person domiciled in South Carolina to have established or maintained domicile in South Carolina and consequently to be eligible for or to retain eligibility for South Carolina residency.

62-609. Exceptions.

A. Persons in the following categories qualify to pay in state tuition and fees without having to establish a permanent home in the state for twelve months. Persons who qualify under any of these categories must meet the conditions of the specific category on or before the first day of class of the term for which payment of in state tuition and fees is requested. The following categories apply only to in state tuition and do not apply to State supported scholarships and grants. Individuals who qualify for in state tuition and fees under the following exceptions do not automatically qualify for LIFE, SC HOPE or Palmetto Fellows Scholarships. However, where all scholarship & grant timelines related to residency and academic requirements are met, persons in categories (1), (3) and (4) may qualify for state scholarships or grants:

(1) "Military Personnel and their Dependents": Members of the United States Armed Forces who are permanently assigned in South Carolina on active duty and their dependents are eligible to pay in state

tuition and fees. When such personnel are transferred from the State, their dependents may continue to pay in state tuition and fees as long as they are continuously enrolled or transfer to an eligible institution during the term or semester, excluding summer terms, immediately following their enrollment at the previous institution. In the event of a transfer, the receiving institution shall verify the decision made by the student's previous institution in order to certify the student's eligibility for in-state tuition rates. It is the responsibility of the transferring student to ensure that all documents required to verify both the previous and present residency decisions are provided to the institution. Members of the United States Armed Forces who are permanently assigned in South Carolina on active duty (and their dependents) may also be eligible to pay in state tuition and fees as long as they are continuously enrolled after their discharge from the military, provided they have demonstrated an intent to establish a permanent home in South Carolina and they have resided in South Carolina for a period of at least twelve months immediately preceding their discharge. Military personnel who are not stationed in South Carolina and/or former military personnel who intend to establish South Carolina residency must fulfill the twelve month "physical presence" requirement for them or their dependents to qualify to pay in state tuition and fees.

(2) "Faculty and Administrative Employees with Full Time Employment and their Dependents": Full time faculty and administrative employees of South Carolina state supported colleges and universities, their spouse and their dependents are eligible to pay in state tuition and fees.

(3) "Residents with Full Time Employment and their Dependents:" Persons who reside, are domiciled, and are full time employed with an employer that is physically located in the State and who continue to work full time until they meet the twelve month requirement and their dependents are eligible to pay in state tuition and fees, provided that they have taken steps to establish a permanent home in the State. Steps an independent person must take to establish residency in South Carolina are listed in Section 62-605 entitled ("Establishing the Requisite Intent to Become a South Carolina Domiciliary"). Individuals with remote work with a company that has a physical presence in South Carolina may qualify for this provision, provided they can provide the following:

- a) verification of full-time employment from the home company;
- b) documentation of the number of hours worked per week or entitlement to full-time benefits
- c) documentation of the beginning date of employment.
- d) documentation of the physical address of South Carolina office or facility; and
- e) a copy of the employee's most recent paystub

(4) "Retired Persons and their Dependents:" Retired persons with taxable retirement income received as monthly/quarterly/annual disbursements from a retirement account, or who are receiving a pension or annuity who reside in South Carolina and have been domiciled in South Carolina as prescribed in the Statute for less than a year may be eligible for in state rates if they maintain residence and domicile in this State. All retirement income must show South Carolina income tax withholdings prior to the first day of classes for the term in which residency is being sought. Social Security is not considered as a type of eligible retirement income. Persons on terminal leave who have established residency in South Carolina may be eligible for in state rates even if domiciled in the State for less than one year if they present documentary evidence from their employer showing they are on terminal leave. The evidence should show beginning and ending dates for the terminal leave period and that the person will receive a pension or annuity when he/she retires. Steps an independent person must take to establish residency in South Carolina are listed in Section 62-605 entitled ("Establishing the Requisite Intent to Become a South Carolina Domiciliary").

(5) "Covered Individuals Receiving Specific Education Benefits:" Covered individuals living in South Carolina, who are enrolled in a public institution of higher education and receiving educational assistance under Chapter 30, Chapter 31 and Chapter 33, Title 38 of the United States Code, are entitled to pay in-state tuition and fees without regard to the length of time the covered individual has resided in this State. For purposes of this subsection, a covered individual is defined as:

(a) a veteran who served ninety days or longer on active duty in the Uniformed Service of the United States, their respective Reserve forces, or the National Guard;

(b) a person who is entitled to and receiving assistance under Section 3319, Title 38 of the United States Code by virtue of the person's relationship to the veteran described in subitem (a);

(c) a person using transferred benefits under Section 3319, Title 38 of the United States Code while the transferor is on active duty in the Uniformed Service of the United States, their respective Reserve forces, or the National Guard;

(d) a person who is entitled to and receiving assistance under Section 3311(b)(9), Title 38 of the United States Code; or

(e) a person who is entitled to and is receiving assistance under Section 3102(a), Title 38 of the United States Code.

A covered individual shall remain eligible for in-state rates as long as he remains continuously enrolled in an in-state institution or transfers to another in-state institution during the term or semester, excluding summer terms, immediately following his enrollment at the previous in-state institution. In the event of a transfer, the in-state institution receiving the covered individual shall verify the covered individual's eligibility for in-state rates with the covered individual's prior in-state institution. It is the responsibility of the transferring covered individual to ensure all documents required to verify both the previous and present residency decisions are provided to the in-state institution.

B. South Carolina residents who wish to participate in the Regional Contract Program sponsored by the Southern Regional Education Board (SREB) must have continuously resided in the State for other than educational purposes for at least two years immediately preceding their submission of the residency status application and must meet all other residency requirements during this two year period. Individuals who qualify for in-state tuition and fees are not automatically classified as South Carolina residents. A determination of one's resident status made at the time of one's initial application to be certified as a South Carolina resident for purposes of participation in the Regional Contract Program does not prevail for each subsequent academic year. A South Carolina resident student who has been certified as a State resident for the purpose of participating in the Southern Regional Education Board Contract Program must be recertified prior to the beginning of each fall semester for each academic year for which benefits are requested.

C. South Carolina residents who wish to participate in the Academic Common Market program sponsored by the Southern Regional Education Board must be a resident for at least one year, or satisfy the conditions of an exception as provided in R.62-609A(1), R.62-609A(3) or R.62-609A(4), immediately preceding application for consideration and must meet all other residency requirements during this one year period.

62-610. Application for Change of Resident Status.

A. Persons applying for a change of resident classification must complete a residency application/petition and provide supporting documentation prior to a reclassification deadline as established by the institution.

B. The burden of proof rests with those persons applying for a change of resident classification who must show required evidence to document the change in resident status.

62-611. Incorrect classification.

A. Persons incorrectly classified as residents are subject to reclassification and to payment of all non-resident tuition and fees not paid. If incorrect classification results from false or concealed facts, such persons may be charged tuition and fees past due and unpaid at the out of state rate. The violator may also be subject to administrative, civil, and financial penalties. Until these charges are paid, such persons will not be allowed to ~~receive transcripts or~~ graduate from a South Carolina institution.

B. Residents whose resident status changes are responsible for notifying the Residency Official of the institution attended of such changes.

62-612. Inquiries and Appeals.

A. Inquiries regarding residency requirements and determinations should be directed to the institutional residency official.

B. Each institution will develop an appeals process to accommodate persons wishing to appeal residency determinations made by the institution's residency official. Each institutions appeal process

should be directed by that institutions primary residency officer, in conjunction with those individuals who practice the application of State residency regulations on a daily basis. The professional judgment of the residency officer and administrators will constitute the institutional appeal process. Neither the primary residency official nor appellate official(s) may waive the provisions of the Statute ~~or regulation~~ governing residency for tuition and fee purposes.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions.

Statement of Rationale:

These regulations are updated to be consistent with changes in law and to clarify the policies and procedures for administering the program