

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 144\*

Short Title: Comm. College Scholarship Program.

(Public)

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Sponsors: Senators Rand, Shaw of Cumberland; Ballance, Blust, Carrington, Conder, Cooper, Dalton, Horton, Hoyle, Jenkins, Kinnaird, Lee, Lucas, Martin of Guilford, Miller, Odom, Perdue, Phillips, Plyler, Reeves, Rucho, Soles, Warren, Weinstein, and Wellons.

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Referred to: Appropriations.

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February 17, 1997

A BILL TO BE ENTITLED

AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH  
CAROLINIANS ATTENDING COMMUNITY COLLEGES.

The General Assembly of North Carolina enacts:

Section 1. Article I of Chapter 115D of the General Statues is amended by adding a new section to read:

**"§ 115D-9. The Education Improvement Program.**

(a) Grants. – The State Board shall develop and implement the Education Improvement Program to provide grants for tuition and fees for eligible persons who enroll in a community college and pursue an associate degree. The State Board shall make determinations of eligibility to receive grants. In no event shall a grant exceed the total cost of tuition and fees charged by a community college. The State Education Assistance Authority shall administer the funding of the grants.

(b) Eligibility. – To be eligible to receive an Education Improvement Program grant, an applicant shall meet all of the following qualifications:

(1) Be a resident for tuition purposes under G.S. 116-143.1;

- 1           (2) Be a graduate of an accredited high school or hold a recognized  
2 equivalent diploma or certificate;  
3           (3) Has not been convicted of a Class A through E felony or a felony under  
4 G.S. 90-95 or under Article 3 of Chapter 18B of the General Statutes or  
5 adjudicated delinquent for acts that would constitute a violation of those  
6 offenses if committed by an adult, if the offense occurred before the  
7 person reached the age of 16; and  
8           (4) Be found to be in financial need, as provided in subsection (c) of this  
9 section.

10       Notwithstanding subdivision (3) of this subsection, the State Board may  
11 determine that an applicant is eligible to receive a grant if the State Board determines that  
12 the applicant has been fully rehabilitated and is otherwise eligible. The State Board is an  
13 authorized agency under G.S. 7A-675 to have access to juvenile records for the purpose  
14 of making determinations of eligibility. The State Board shall develop and implement  
15 guidelines to determine whether a student is eligible to continue to receive Education  
16 Improvement Program grants.

17       (c) Financial Need. – All applicants shall apply for Federal Title IV student  
18 financial assistance. If the applicant is eligible for a Pell Grant of an amount less than the  
19 total of tuition and fees, the amount of an Education Improvement Program grant shall be  
20 equal to the difference between the amount of tuition and fees and the Pell Grant amount.  
21 An applicant who is under 21 years of age and who is found to be ineligible for a Pell  
22 Grant shall be found to be in financial need for purposes of an Education Improvement  
23 Program grant if:

- 24           (1) The applicant's custodial parent or guardian has one dependent child  
25 under the age of 21 and the adjusted gross income of the family for the  
26 tax year immediately preceding the determination of financial need is  
27 less than thirty thousand dollars (\$30,000);  
28           (2) The applicant's custodial parent or guardian has two dependent children  
29 under the age of 21 and the annual adjusted gross income of the family  
30 for the tax year immediately preceding the determination of financial  
31 need is less than thirty-five thousand dollars (\$35,000); or  
32           (3) The applicant's custodial parent or guardian has three or more dependent  
33 children under the age of 21 and the annual adjusted gross income of the  
34 family for the tax year immediately preceding the determination of  
35 financial need is less than forty thousand dollars (\$40,000).

36       Notwithstanding subdivisions (1) through (3) of this subsection, the State Board  
37 has the authority to determine special circumstances under which an applicant who is  
38 under 21 years of age has demonstrated financial need. The State Board shall develop  
39 and implement guidelines for determining the financial need of an applicant who is over  
40 21 years of age and is not eligible to receive a Pell Grant."

41       Section. 2 Article 23 of Chapter 116 of the General Statutes is amended by  
42 adding a new section to read:

43 **"§ 116-209.26. Education Improvement Grants.**

1        In addition to all other powers and duties under this Article, the Authority shall  
2 administer the funding for the Education Improvement Grants awarded by the State  
3 Board of Community Colleges under G.S. 115D-9. In order to accomplish the purposes  
4 of this section, the Authority may:

- 5            (1) In consultation with the State Board of Community Colleges, adopt  
6 rules to implement the funding of the Education Improvement Grants;  
7            (2) Receive from the General Fund or other sources those funds the General  
8 Assembly may authorize to cover, in addition to any other available  
9 funds, the costs of tuition and fees required to be paid to eligible  
10 students under G.S. 115D-9, both initial and continuing, for the coming  
11 academic year; and  
12            (3) Seek, accept, and expend funds from any source, including private  
13 business, industry, foundations, and other groups as well as any federal  
14 or other governmental funding available for this purpose."

15        Section 3. There is appropriated from the General Fund to the State Board of  
16 Community Colleges the sum of eighteen million five hundred eighty-one thousand nine  
17 hundred forty-four dollars (\$18,581,944) for the 1997-98 fiscal year and the sum of  
18 nineteen million six thousand nine hundred eighteen million dollars (\$19,006,918) for the  
19 1998-99 fiscal year, to implement this act. The State Board of Community Colleges shall  
20 allocate funds to the Education Assistance Authority according to a schedule of allocation  
21 it establishes.

22        Section 4. This act becomes effective July 1, 1997, and applies to payments  
23 made for academic years beginning with the 1997-98 academic year.