

Part 2A. Scholarship Grants.

§ 115C-562.1. Definitions.

The following definitions apply in this Part:

- (1) Authority. – The State Education Assistance Authority.
- (2) Division. – The Division of Nonpublic Education, Department of Administration.
- (3) Eligible students. – A student residing in North Carolina who has not yet received a high school diploma and who meets all of the following requirements:
 - a. Meets one of the following criteria:
 1. Was a student (i) assigned to and attending a public school full time pursuant to G.S. 115C-366 or (ii) enrolled full time in a Department of Defense Elementary and Secondary School, established pursuant to 10 U.S.C. § 2164 and located in North Carolina, during the spring semester prior to the school year for which the student is applying.
 2. Received a scholarship grant for the school year prior to the school year for which the student is applying.
 3. Is eligible to enter kindergarten, first grade, or second grade pursuant to Article 25 of this Chapter. A child who is the age of four on or before April 16 is eligible to attend the following school year if the principal, or equivalent, of the school in which the child seeks to enroll finds that the student meets the requirements established by the Authority pursuant to G.S. 115C-562.2(d) and those findings are submitted to the Authority with the child's application.
 4. Is a child in foster care as defined in G.S. 131D-10.2(9).
 5. Is a child whose adoption decree was entered not more than one year prior to submission of the scholarship grant application.
 6. Is a child whose parent or legal guardian (i) is on full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. § 12301, et seq., and 10 U.S.C. § 12401, et seq., or (ii) receives an honorable discharge as an active duty member from the uniformed service of the United States within 12 months prior to application.
 7. Is a child who meets both of the following:
 - I. Was enrolled in a nonpublic school that meets the requirements of Part 1 and Part 2 of this Article during the spring semester prior to the school year for which the student is applying.
 - II. Was enrolled for the entire school year immediately prior to the school year in which the student enrolled in the nonpublic school in one of the following:
 - A. A North Carolina public school.
 - B. A Department of Defense Elementary and Secondary School established pursuant to 10 U.S.C. § 2164 and located in North Carolina.

- a1. Has not enrolled in a postsecondary institution in a matriculated status eligible for enrollment for 12 hours of academic credit.
- b. Meets one of the following criteria:
 - 1. Resides in a household with an income level not in excess of two hundred percent (200%) of the amount required for the student to qualify for the federal free or reduced-price lunch program. The Authority shall not count any distribution from the estate of a decedent in calculating the income level of the applicant's household for the purposes of determining eligibility for a scholarship under this sub-sub-subdivision.
 - 2. Is a child in foster care as defined in G.S. 131D-10.2. The Authority shall not consider the household income of the foster parent, as defined in G.S. 131D-10.2, in determining the eligibility of a foster care child.
- (3c) Full-time student. – A student enrolled exclusively in a nonpublic school for elementary or secondary education whose parents have released the local school administrative unit the student is eligible to attend under G.S. 115C-366 of all obligations to educate the eligible student while the eligible student is receiving a scholarship grant under this Part.
- (4) Local school administrative unit. – A local school administrative unit, charter school, or regional school.
- (5) Nonpublic school. – A school that meets the requirements of Part 1 or Part 2 of this Article as identified by the Division.
- (5c) Part-time student. – A student enrolled part time in a public school and part time in a nonpublic school.
- (5e) Reserve. – The Opportunity Scholarship Grant Fund Reserve established under G.S. 115C-562.8.
- (6) Scholarship grants. – Grants awarded annually by the Authority to eligible students. (2013-360, s. 8.29(a); 2016-94, s. 11A.3(a), (d); 2018-97, s. 2.12(a); 2018-145, s. 1(d); 2020-97, s. 3.3(c); 2021-180, s. 8A.3(c); 2022-6, s. 2.13(a); 2022-74, ss. 8A.1(b), 8A.4(a).)