

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

400P0701

HOUSE EDUCATION ENGROSSED NO. **SB 201** - 2/21/2008

Introduced by: The Committee on Education at the request of the Office of the Governor

1 FOR AN ACT ENTITLED, An Act to revise certain eligibility requirements for the South
2 Dakota opportunity scholarship.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-55-31 be amended to read as follows:

5 13-55-31. In order to be eligible for a South Dakota opportunity scholarship award, a student
6 shall:

7 (1) Be a resident of South Dakota at the time of graduation from high school;

8 (2) Have a composite score of 24, or higher, on the test administered by the American
9 College Testing Program or a ~~verbal-mathematics score of 1070-1100~~, an equivalent
10 score as determined by the Board of Regents on the Scholastic Assessment Test, and
11 the ACT or SAT test shall be taken before the student graduates from high school;

12 (3) Meet the high school course requirements for graduation from the distinguished high
13 school program as provided in ~~Board of Regents Policy Number 2:3(2)(F)~~ section
14 24:43:11:05 of the Administrative Rules of South Dakota as in effect on January 1,
15 ~~2003~~ 2008;



1 (4) Attend a university, college, or technical school that is accredited by the North
2 Central Association of Colleges and Schools and that provides instruction from a
3 campus located in South Dakota; and

4 (5) Enter into the program within five years of graduation from high school or within one
5 year of the student's release from active duty with an active component of the armed
6 forces if the release is within five years of the student's graduation from high school.
7 If a student attends full-time a regionally accredited university, college, or technical
8 school located outside South Dakota and within two years following high school
9 graduation or within two years following release from active military service returns
10 to the state to attend full-time a regionally accredited university, college, or technical
11 school, the student is eligible to receive a partial award.

12 A student is eligible to participate in the South Dakota opportunity scholarship program for
13 the equivalent of four academic years (eight consecutive spring and fall terms) or until the
14 attainment of a baccalaureate ~~or technical~~ degree, whichever comes first. However, the
15 executive director of the Board of Regents may grant exceptions to the continuous enrollment
16 requirements for good cause shown.

17 A student who would have been eligible for the scholarship, but who applies after
18 completing one or more semesters of full-time work at an accredited institution, may be
19 admitted to the program only if the student has complied with the same grade point and credit
20 hour requirements that would apply to program participants. Admission granted under these
21 circumstances may not be retroactive, and eligibility for participation in the program shall be
22 reduced by one semester for each semester of work completed prior to admission to the
23 program.

24 Section 2. That § 13-55-34 be amended to read as follows:

1 13-55-34. In order to maintain eligibility, a student shall:

2 (1) Maintain a cumulative 3.0 grade point average on a 4.0 scale. Cumulative grade point
3 average shall be calculated after the second semester and every semester thereafter.
4 The student shall complete consecutive spring and fall terms in order to remain
5 eligible for continuation of the scholarship program from term to term. A student
6 whose cumulative grade point average falls below 3.0 on a 4.0 scale shall forfeit the
7 scholarship for the subsequent semester and for subsequent semesters until the
8 student has reestablished eligibility. To reestablish eligibility, the student shall
9 comply with all course load, enrollment, and proficiency examination requirements
10 for continued eligibility stated in §§ 13-55-30 to 13-55-35, inclusive, and the student
11 shall achieve a cumulative grade point average of 3.0, or greater, on a 4.0 scale. The
12 scholarship shall be reinstated beginning the semester following that in which the
13 student achieves a cumulative grade point average of 3.0, or greater, on a 4.0 scale.
14 Reinstatement of a scholarship does not extend the time allowed under the
15 scholarship program; any scholarship award forfeited cannot be reclaimed after a
16 student has regained eligibility. A student whose cumulative grade point average falls
17 below 3.0 on a 4.0 scale a second time forfeits the scholarship for all subsequent
18 semesters;

19 (2) Complete fifteen credit hours of instruction per semester. The student shall enroll in
20 and complete at least fifteen credit hours of instruction in each consecutive spring
21 and fall term. If the executive director of the Board of Regents determines that a
22 student's failure to enroll or to maintain continued enrollment occurred as a direct
23 result of legitimate factors outside the student's control, or has resulted from the
24 student's participation in an activity that in the executive director's judgment provides

1 knowledge or experience that will enhance the student's academic pursuits, the
2 executive director may extend the student's eligibility to participate in the program
3 for up to two additional years, if the student does not enroll in a noneligible
4 institution; and

5 (3) Sit for and pass all sections of a college proficiency exam as required by Board of
6 Regents Policy Number 2.28 as in effect on January 1, 2003, at the end of the
7 sophomore year. The Board of regents may review and adjust the proficiency
8 examinations administered in keeping with sound academic practice. If such changes
9 are made, the Board of Regents shall notify all eligible institutions of new testing
10 standards or requirements. If the student fails to pass the proficiency examinations
11 the first time, eligibility is forfeited for continuation in the scholarship program.