

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

400P0701

## SENATE BILL NO. 201

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~~ 23, or higher, on the test administered by the American  
9 College Testing Program or a verbal-mathematics score of ~~1070-1100~~ 1060, or  
10 higher, on the Scholastic Assessment Test and the ACT or SAT test shall be taken  
11 before the student graduates from high school;
- 12 (3) Meet the high school course requirements as provided in Board of Regents Policy  
13 Number 2:3(2)(F) as in effect on January 1, 2003;
- 14 (4) Attend a university, college, or technical school that is accredited by the North  
15 Central Association of Colleges and Schools and that provides instruction from a



1 campus located in South Dakota; and

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

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

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

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

23 13-55-34. In order to maintain eligibility, a student shall:

24 (1) Maintain a cumulative 3.0 grade point average on a 4.0 scale. Cumulative grade point

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

17 (2) Complete at least fifteen credit hours of instruction per semester in six out of eight  
18 semesters. The student shall complete at least twelve credit hours of instruction in  
19 two out of eight semesters. The student shall enroll in ~~and complete~~ at least fifteen  
20 credit hours of instruction in each consecutive spring and fall term. The requirement  
21 to enroll in at least fifteen credit hours of instruction does not apply to a student who  
22 has earned sufficient credits towards graduation such that fewer than fifteen credit  
23 hours are required for the student to meet graduation requirements. If the executive  
24 director of the Board of Regents determines that a student's failure to enroll or to

1 maintain continued enrollment occurred as a direct result of legitimate factors outside  
2 the student's control, or has resulted from the student's participation in an activity that  
3 in the executive director's judgment provides knowledge or experience that will  
4 enhance the student's academic pursuits, the executive director may extend the  
5 student's eligibility to participate in the program for up to two additional years, if the  
6 student does not enroll in a noneligible institution; and

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