

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

400P0343

SENATE BILL NO. 59

Introduced by: The Committee on State Affairs at the request of the Board of Regents

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the South Dakota
2 opportunity scholarship program.

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 first day of classes in the student's first term of enrollment;

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



1 ~~2003~~ 2008;

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

5 (5) Enter into the program within five years of graduation from high school or within one
6 year of the student's release from active duty with an active component of the armed
7 forces if the release is within five years of the student's graduation from high school.

8 If a student attends full-time a regionally accredited university, college, or technical
9 school located outside South Dakota and within two years following high school
10 graduation or within two years following release from active military service returns
11 to the state to attend full-time a regionally accredited university, college, or technical
12 school, the student is eligible to receive a partial award.

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

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

1 Section 2. That § 13-55-33 be amended to read as follows:

2 13-55-33. One-half of the annual scholarship award shall be paid to public institutions on
3 behalf of eligible students there enrolled or directly to eligible students enrolled at nonpublic
4 institutions at the beginning of the fall semester and the other half shall be paid at the beginning
5 of the spring semester. The amount of the annual award shall be as follows:

- 6 (1) One thousand two hundred dollars for the first year of attendance;
- 7 (2) One thousand two hundred dollars for the second year of attendance;
- 8 (3) One thousand two hundred dollars for the third year of attendance;
- 9 (4) Two thousand four hundred dollars for the fourth year of attendance unless the
10 student attended full-time a regionally accredited university, college, or technical
11 school located outside South Dakota prior to admission to the program, in which case
12 the award shall be one thousand two hundred dollars.

13 If, in any year, the total funds available to finance the scholarship awards are insufficient to
14 permit each eligible recipient to receive the full amount provided in this section, the available
15 moneys shall be prorated and distributed to each recipient in proportion to the entitlement
16 contemplated by this section. The total amount of the scholarship may not exceed ~~five~~ six
17 thousand dollars.

18 Section 3. That § 13-55-34 be amended to read as follows:

19 13-55-34. In order to maintain eligibility, a student shall:

- 20 (1) Maintain a cumulative 3.0 grade point average on a 4.0 scale. Cumulative grade point
21 average shall be calculated after the second semester and every semester thereafter.
22 The student shall complete consecutive spring and fall terms in order to remain
23 eligible for continuation of the scholarship program from term to term. A student
24 whose cumulative grade point average falls below 3.0 on a 4.0 scale shall forfeit the

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

13 (2) Complete ~~fifteen~~ twelve credit hours of instruction per semester. The student shall
14 enroll in and complete at least ~~fifteen~~ twelve credit hours of instruction in each
15 consecutive spring and fall term. If the executive director of the Board of Regents
16 determines that a student's failure to enroll or to maintain continued enrollment
17 occurred as a direct result of legitimate factors outside the student's control, or has
18 resulted from the student's participation in an activity that in the executive director's
19 judgment provides knowledge or experience that will enhance the student's academic
20 pursuits, the executive director may extend the student's eligibility to participate in
21 the program for up to two additional years, if the student does not enroll in a
22 noneligible institution; and

23 (3) Sit for and pass all sections of a college proficiency exam as required by Board of
24 Regents Policy Number 2.28 as in effect on January 1, 2003, at the end of the

1 sophomore year. The Board of regents may review and adjust the proficiency
2 examinations administered in keeping with sound academic practice. If such changes
3 are made, the Board of Regents shall notify all eligible institutions of new testing
4 standards or requirements. If the student fails to pass the proficiency examinations
5 the first time, eligibility is forfeited for continuation in the scholarship program.