**24:40:13:02.  Initial eligibility requirements.** In order to be eligible to receive a South Dakota Opportunity Scholarship, a student must:

 (1)  Be graduated from high school with a cumulative average grade of "B" (3.0 on a 4.0 scale), or greater, for all work attempted and completed as designated on the official high school transcript at the time of graduation;

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

 (3)  Take the test administered by the American College Testing Program (ACT) or the Scholastic Assessment Test (SAT) examination while in high school or the summer following graduation from high school and before postsecondary enrollment;

 (4)  Receive a composite score on the ACT of at least 24 or an equivalent score on the SAT as determined by the Board of Regents;

 (5)  Complete the required number of high school courses specified in § 13-55-31.1.

 No course in which a student received a final grade below a "C" (2.0 on a 4.0 scale) may be counted for purposes of this subdivision. If a student who receives disqualifying grades in courses required under this subdivision retakes those courses while in high school, the student may still qualify for eligibility if the student has the required number of courses with grades of C or above in each subcategory;

 (6)  Meet testing requirements as provided in this subdivision. Effective for those students entering into postsecondary education for the first time on or after August 2014, the curriculum requirements specified in subdivision (5) are not required for any student who has received a composite score on the ACT of at least 28 and meets the ACT college readiness benchmarks scores equaling or exceeding 18 for English, 21 for Reading, 22 for Math, and 24 for Science;

 (7)  Attend a participating institution; and

 (8)  Enter into the scholarship program within five years of the date of graduation from high school. A student who entered active military duty immediately after the date of graduation from high school may qualify for the scholarship if the student's release from military service occurs within five years from the student's graduation and the student enters the scholarship program within one year of the student's release from active military duty.

 **Source:** 30 SDR 211, effective July 7, 2004; 35 SDR 187, effective February 12, 2009; 39 SDR 129, effective January 28, 2013.

 **General Authority:** SDCL 13-55-36.

 **Law Implemented:** SDCL 13-55-31, 13-55-31.1, 13-55-31.2.