

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

400P0701

## SENATE APPROPRIATIONS ENGROSSED NO. **SB 201** - 2/7/2008

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~~ 23, 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. The requirement for a  
13 composite score of 23 applies to eligible students graduating from high school in  
14 2008 or after;

15 (3) Meet the high school course requirements for graduation from the distinguished high



1 school program as provided in ~~Board of Regents Policy Number 2:3(2)(F)~~ section  
2 24:43:11:05 of the Administrative Rules of South Dakota as in effect on January 1,  
3 ~~2003~~ 2008;

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

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

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

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

1 reduced by one semester for each semester of work completed prior to admission to the  
2 program.

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

4 13-55-34. In order to maintain eligibility, a student shall:

5 (1) Maintain a cumulative 3.0 grade point average on a 4.0 scale. Cumulative grade point  
6 average shall be calculated after the second semester and every semester thereafter.

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

22 (2) Complete at least fifteen credit hours of instruction ~~per semester~~ in six out of eight  
23 semesters. The student shall complete at least twelve credit hours of instruction in  
24 two out of eight semesters. The student shall enroll in ~~and complete~~ at least fifteen

1 credit hours of instruction in each consecutive spring and fall term. The requirement  
2 to enroll in at least fifteen credit hours of instruction does not apply to a student who  
3 has earned sufficient credits towards graduation such that fewer than fifteen credit  
4 hours are required for the student to meet graduation requirements. If the executive  
5 director of the Board of Regents determines that a student's failure to enroll or to  
6 maintain continued enrollment occurred as a direct result of legitimate factors outside  
7 the student's control, or has resulted from the student's participation in an activity that  
8 in the executive director's judgment provides knowledge or experience that will  
9 enhance the student's academic pursuits, the executive director may extend the  
10 student's eligibility to participate in the program for up to two additional years, if the  
11 student does not enroll in a noneligible institution; and

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