

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

400P0343

## SENATE STATE AFFAIRS ENGROSSED NO. **SB 59** - 1/14/2008

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 § 13-55-34 be amended to read as follows:

2 13-55-34. In order to maintain eligibility, a student shall:

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

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

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

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

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