

AN ACT

ENTITLED, An Act to establish the Native American achievement schools grant program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 13-14 be amended by adding a NEW SECTION to read:

There is hereby established the Native American achievement schools grant program to be administered by the Office of Indian Education within the Department of Education. The purpose of the grant program is to fund the establishment of up to three Native American achievement school projects aimed at improving academic outcomes for Native American students.

Section 2. That chapter 13-14 be amended by adding a NEW SECTION to read:

An applicant seeking a grant from the Native American achievement schools grant program shall:

- (1) Be an accredited public school within the State of South Dakota;
- (2) Serve a student population for which the school-level results for the 2014-15 academic year on the state academic assessment are below the statewide average proficiency in English language arts and mathematics;
- (3) Serve a student population of which at least fifty percent is comprised of Native American students;
- (4) Demonstrate access to a physical facility that is adequate for implementation of the project; and
- (5) Demonstrate the ability to complete the project in accordance with all requirements of this Act, state and federal laws and regulations, and policies of the department.

Section 3. That chapter 13-14 be amended by adding a NEW SECTION to read:

In selecting grant recipients, the department shall give priority to projects that meet the requirements of this chapter and show commitment to increasing student success through building cultural identities, encouraging academic perseverance, supporting the development of the whole

child, and encouraging student leadership skills by demonstrating one or more of the following characteristics:

- (1) Offering programming designed to lead to postsecondary readiness and work readiness;
- (2) Supporting the recruitment and retention of highly effective teachers and administrators;
- (3) Demonstrating commitment to the implementation of the Oceti Sakowin Essential Understandings and Standards across the curriculum;
- (4) Demonstrating a commitment to the implementation of courses offering instruction in Dakota, Lakota, or Nakota languages;
- (5) Maintaining a school environment that cultivates diversity of the student population and promotes a sense of belonging;
- (6) Forming partnerships with community organizations or governmental entities; and
- (7) Planning for sustainability.

Section 4. That chapter 13-14 be amended by adding a NEW SECTION to read:

The department shall inform potential applicants of the application and award period and of the amount of funding available for the grants. The department shall also provide the application form and scoring rubric that informs potential applicants of the weight to be assigned to each characteristic referenced in section 3 of this Act within the selection process. Applicants shall complete the application form and provide any additional information requested by the department. The application is not complete until all necessary information is submitted.

Section 5. That chapter 13-14 be amended by adding a NEW SECTION to read:

The department, with the assistance of a group of reviewers designated by the secretary of education, shall determine grant recipients and award amounts utilizing a competitive process. The group of reviewers shall include three members of the Indian Education Advisory Council established pursuant to § 13-1-47.

Section 6. That chapter 13-14 be amended by adding a NEW SECTION to read:

In addition to complying with the requirements in section 4 of this Act and the additional requirements of this chapter, all grant recipients will be subject to the following conditions:

- (1) The amount of a grant may not exceed the actual cost of the project as proposed in the application;
- (2) The grant shall be paid on a reimbursement basis, following procedures and requirements outlined by the department;
- (3) Any funds provided through the grant must be necessary and reasonable to complete the project;
- (4) Necessary documentation, as determined by the department, shall be submitted to support all expenditures;
- (5) Expenditures must be approved before the end of the grant period;
- (6) A grant project must expend all funds provided through the grant within thirty-six months following grant approval; and
- (7) No grant funds may be used for costs associated with writing the grant proposal, contractual obligations that became effective prior to the award period of the grant, purchases that become the property of any individual or organization other than the grant recipient, or purchases or services beyond the project outcomes or activities.

Section 7. That chapter 13-14 be amended by adding a NEW SECTION to read:

Each grant recipient shall submit grant status reports to the department on a quarterly basis, and a final grant report including data related to the implementation of the project. The department shall determine the details required in the reports and the deadlines for report submissions. Each grant recipient shall provide the department with reasonable access to facilities and records that may be necessary for the department to determine compliance with the terms of the grant and all the

requirements of this Act.

Section 8. That chapter 13-14 be amended by adding a NEW SECTION to read:

The submission of false or misleading statements or information as part of a grant application or the failure to comply with any requirement shall be considered a default upon the terms of a grant. In the event of a default, the department may require the grant recipient to repay any funds dispersed under the grant to the department within thirty days of a written demand from the department. The department may begin a civil action to recover any grant funds that a grant recipient is required to repay under this section.

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I certify that the attached Act
originated in the

SENATE as Bill No. 82

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 82

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State