

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

632D0309

HOUSE BILL NO. 1083

Introduced by: Representatives Kooistra, Cerny, Crisp, Davis, Fischer-Clemens, Garnos, Haley, Kazmerzak, Klaudt, Lockner, Lucas, McCoy, McIntyre, Munson (Donald), Patterson, Peterson, Slaughter, Volesky, and Wilson and Senators Olson, Dunn (Rebecca), Moore, Symens, and Valandra

1 FOR AN ACT ENTITLED, An Act to appropriate money for leveraging educational assistance
2 partnership program grants.

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

4 Section 1. That chapter 13-55B be amended by adding thereto a NEW SECTION to read
5 as follows:

6 The Legislature finds that financial aid to qualified resident students in education beyond high
7 school in South Dakota is in the public interest.

8 Section 2. Terms used in this Act mean:

9 (1) "Eligible institution," any institution of education beyond the high school level,
10 located in South Dakota, which includes all public and private nonprofit and
11 proprietary institutions, including four-year colleges and universities, community and
12 junior colleges, area technical or vocational schools, trade schools, technical institutes,
13 schools of nursing or of the health professions or any institution which is determined
14 by the secretary to be regularly accredited to offer postsecondary educational services
15 by a recognized and appropriate accrediting agency, as determined by the secretary,

1 and which has an agreement with the United States secretary of education for the
2 conduct of any of the programs established under Title IV of The Higher Education
3 Act of 1965, as amended through January 1, 2000;

4 (2) "Financial need," the amount of assistance, as determined by a federal Department of
5 Education approved needs analysis system, required for a student to attend an eligible
6 institution;

7 (3) "Qualified student," any resident student who is enrolled in an eligible institution in
8 a course of study on at least a half-time basis, as certified by the institution, and who
9 has established financial need and who is maintaining satisfactory progress toward
10 graduation. Correspondence courses do not constitute a course of study;

11 (4) "Resident student," any person who has been determined by the secretary to be a
12 resident of South Dakota and who is enrolled at an eligible institution;

13 (5) "Secretary," the secretary of the Department of Education and Cultural Affairs;

14 (6) "Leveraging educational assistance partnership program (LEAPP) grant," any award
15 by the State of South Dakota to a qualified student under this Act.

16 Section 3. There is hereby appropriated from the general fund the sum of four hundred
17 thousand dollars (\$400,000), or so much thereof as may be necessary, to the Department of
18 Education and Cultural Affairs to provide grants pursuant to this Act.

19 Section 4. The secretary of the Department of Education and Cultural Affairs shall approve
20 vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

21 Section 5. Any amounts appropriated in this Act not lawfully expended or obligated by
22 June 30, 2001, shall revert in accordance with § 4-8-21.

23 Section 6. The secretary may award an LEAPP grant to any qualified resident who is
24 admitted to and is attending any eligible institution on at least a half-time basis, has established
25 financial need, and has received qualifying matching aid.

1 Section 7. A participating eligible institution shall calculate the amount of an LEAPP grant
2 to a qualified student for the normal academic year, or its equivalent, from a range of five
3 hundred dollars to one thousand dollars, inclusive, and shall make a recommendation to the
4 secretary for approval, disapproval, or modification of a grant. The institution making the
5 recommendation for each LEAPP grant shall consider any other financial assistance available to
6 the qualified student in relation to the financial assistance available to other qualified students
7 attending that institution and may not exceed the lesser of the unmet need of the qualified student
8 or the amount of qualifying matching aid.

9 Section 8. Each applicant, in accordance with the rules promulgated by the secretary, shall:

- 10 (1) Complete and file an application for an LEAPP grant;
- 11 (2) Provide the information required to make a financial need determination; and
- 12 (3) Report promptly to the secretary any information requested which is necessary to
13 make a proper determination with respect to the student's application.

14 Section 9. The secretary shall promulgate rules, pursuant to chapter 1-26, to administer the
15 LEAPP grants. The rules shall include:

- 16 (1) Specification of application forms and financial need statements;
- 17 (2) Definitions of tuition, fees, and residency;
- 18 (3) Criteria for approval or disapproval of LEAPP grants;
- 19 (4) Procedures for proration of funds if grant applications exceed available funds; and
- 20 (5) Specific records to be kept according to accounting practices.