

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

704E0214

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

**HB 1142** - 02/14/2001

Introduced by: Representatives Kooistra, Elliott, Garnos, Glenski, Holbeck, Lange, and  
Olson (Mel) and Senator McIntyre

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

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

4 Section 1. The Legislature finds that financial aid to qualified resident students in education  
5 beyond high school in South Dakota is in the public interest.

6 Section 2. Terms used in this Act mean:

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

1           conduct of any of the programs established under Title IV of The Higher Education  
2           Act of 1965, as amended through January 1, 2001;

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

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

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

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

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

15          Section 3. There is hereby appropriated from the people's interest fund the sum of eighty-five  
16          thousand dollars (\$85,000), or so much thereof as may be necessary, to the Department of  
17          Education and Cultural Affairs to provide grants pursuant to this Act.

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

20          Section 5. Any amounts appropriated in this Act not lawfully expended or obligated by  
21          June 30, 2002, shall revert in accordance with § 4-8-21.

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

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