

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

228I0115

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

**HB 1103** - 02/11/2003

Introduced by: Representatives Wick, Adelstein, Begalka, Bradford, Cutler, Elliott, Glenski, Haverly, Heineman, Hennies, Juhnke, Lange, McCoy, Olson (Mel), Schafer, Smidt, Teupel, Thompson, and Weems and Senators Moore, Diedrich (Larry), Ham, Jaspers, Kleven, Koetzle, Olson (Ed), Reedy, Schoenbeck, and Sutton (Dan)

1 FOR AN ACT ENTITLED, An Act to provide for a refund of tuition for certain teachers.

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

3 Section 1. Terms used in this Act mean:

4 (1) "Eligible teacher," a teacher who teaches in a public or nonpublic school and in a  
5 subject area of critical need as determined by the Department of Education and

6 Cultural Affairs, and whose first year of teaching is after the 2002-2003 school year;

7 (2) "Postsecondary tuition," the lesser of five thousand dollars or actual qualified higher  
8 education expenses as defined in subdivision 13-63-1(13) paid by the eligible teacher;

9 (3) "Secretary," the secretary of the Department of Education and Cultural Affairs.

10 Section 2. There is hereby created in the state treasury the South Dakota teacher tuition

11 reimbursement fund into which shall be deposited any appropriations, private donations, grants,

12 federal funds, and other funds provided to the Department of Education and Cultural Affairs for

13 tuition reimbursements to teachers. Any interest earned on the money in the fund shall be



1 deposited in the fund.

2 Section 3. Notwithstanding the provisions of § 4-7-39, at the end of each fiscal year, the  
3 secretary shall transfer twenty-five percent of any money, not to exceed one million dollars, that  
4 has been appropriated for state aid to general education or state aid to special education that has  
5 not been spent or legally obligated to the teacher tuition reimbursement fund. No money may be  
6 transferred to the teacher tuition reimbursement fund if the amount in the fund is two million five  
7 hundred thousand dollars or more.

8 Section 4. A school district may solicit and accept funds from private entities or individuals  
9 for the teacher tuition reimbursement fund. Any funds solicited by a particular school district may  
10 only be used to reimburse eligible teachers in the school district.

11 Section 5. An eligible teacher shall receive a reimbursement equal to seventy-five percent of  
12 the teacher's first year's postsecondary tuition if the teacher has taught in South Dakota for three  
13 consecutive years following graduation from an accredited college or university.

14 Section 6. An eligible teacher shall receive a reimbursement equal to seventy-five percent of  
15 the teacher's second year's postsecondary tuition if the teacher has taught in South Dakota for  
16 five consecutive years following graduation from an accredited college or university.

17 Section 7. An eligible teacher shall receive a reimbursement equal to seventy-five percent of  
18 the teacher's third year's postsecondary tuition if the teacher has taught in South Dakota for  
19 seven consecutive years following graduation from an accredited college or university.

20 Section 8. An eligible teacher shall receive a reimbursement equal to seventy-five percent of  
21 the teacher's fourth year's postsecondary tuition if the teacher has taught in South Dakota for  
22 nine consecutive years following graduation from an accredited college or university.

23 Section 9. An eligible teacher shall receive an additional reimbursement equal to the  
24 remaining twenty-five percent of the teacher's first four year's postsecondary tuition if the teacher

1 has taught in South Dakota for ten consecutive years following graduation from an accredited  
2 college or university.

3 Section 10. The Department of Education and Cultural Affairs shall pay eligible teachers their  
4 tuition reimbursement out of any money in the teacher tuition reimbursement fund or a  
5 proportion of those funds available.

6 Section 11. The Department of Education and Cultural Affairs shall promulgate rules  
7 pursuant to chapter 1-26 to identify or to establish criteria for identifying subject areas of critical  
8 need and other eligibility criteria for teachers to receive reimbursement pursuant to this Act. The  
9 rules shall also specify procedures for teachers to apply for tuition reimbursement and procedures  
10 for disbursement of reimbursement funds.