

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

456B0207

HOUSE BILL NO. 1040

Introduced by: Representatives Peterson (Sue), Beal, Bordeaux, Brunner, Chase, Dennert, Deutsch, Diedrich, Duvall, Frye-Mueller, Glanzer, Gosch, Greenfield (Lana), Gross, Hansen, Haugaard, Howard, Jensen (Kevin), Johnson (Chris), Latterell, Livermont, Marty, McCleerey, Mills, Mulally, Pischke, Post, Qualm, Randolph, Rasmussen, Reimer, Rounds, Schoenfish, Smith (Jamie), St John, Steele, Weis, Wiese, Willadsen, and Zikmund and Senators Kolbeck, Blare, Cammack, Curd, DiSanto, Greenfield (Brock), Jensen (Phil), Klumb, Langer, Monroe, Nelson, Novstrup, Otten (Ernie), Partridge, Stalzer, Steinhauer, Sutton, and Youngberg

1 FOR AN ACT ENTITLED, An Act to establish certain provisions regarding the opportunity
2 scholarship program.

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

4 Section 1. That chapter 13-55 be amended by adding a NEW SECTION to read:

5 In order to be eligible for a South Dakota opportunity scholarship pursuant to this section,
6 a student who received alternative instruction pursuant to §§ 13-27-2 to 13-27-9, inclusive,
7 shall:

8 (1) Be a resident of this state;

9 (2) Obtain a composite score of at least twenty-four on the ACT or a comparable score
10 on the Scholastic Aptitude Test as determined by the Board of Regents;

11 (3) Provide a transcript of completed coursework that is issued by the parent or guardian



1 listed on the certificate of excuse and which includes:

2 (a) Four or more units of language arts, including:

3 (i) One and one-half units of writing;

4 (ii) One and one-half units of literature, one-half unit of which must be
5 American literature;

6 (iii) One-half unit of speech or debate; and

7 (iv) One-half unit of a language arts elective;

8 (b) Three or more units of social studies, including:

9 (i) One unit of U.S. history;

10 (ii) One-half unit of U.S. government;

11 (iii) One-half unit of geography;

12 (iv) One-half unit of world history; and

13 (v) One-half unit of a social studies elective;

14 (c) Four units of mathematics, including:

15 (i) One unit of algebra I;

16 (ii) One unit of geometry;

17 (iii) One unit of algebra II; and

18 (iv) One unit of advanced math;

19 (d) Four units of science, at least three of which must be laboratory science,
20 including:

21 (i) One unit of biology;

22 (ii) One unit of any physical science;

23 (iii) One unit of chemistry or physics; and

24 (iv) One unit of science electives;

- 1 (e) Two units of world languages;
- 2 (f) One-half unit of personal finance or economics;
- 3 (g) One unit of fine arts;
- 4 (h) One-half unit of physical education; and
- 5 (i) One-half unit of health or health integration;
- 6 (4) Attend a university, college, or technical school that is accredited by the Higher
- 7 Learning Commission and provides instruction from a campus located in this state;
- 8 and
- 9 (5) Enter into the program:
 - 10 (a) Within five years after the conclusion of the school year in which the student
 - 11 graduated, while being excused from school attendance in accordance with
 - 12 §§ 13-27-2 to 13-27-9, inclusive; or
 - 13 (b) Within one year after the conclusion of the school year in which the student
 - 14 was discharged from active duty with the armed forces, provided the discharge
 - 15 occurred within five years after the conclusion of the school year in which the
 - 16 student graduated, while being excused from school attendance in accordance
 - 17 with §§ 13-27-2 to 13-27-9, inclusive.

18 If a student attends full-time a regionally accredited university, college, or technical school,
19 located outside this state, and within two years from the end of the school year in which the
20 student graduated, while being excused from school attendance in accordance with §§ 13-27-2
21 to 13-27-9, inclusive, or within two years after the conclusion of the school year in which the
22 student was discharged from active duty with the armed forces, as set forth in subsection (b) of
23 subdivision (5), returns to the state to attend full-time a regionally accredited university, college,
24 or technical school, the student is eligible to receive a partial award.

1 A student is eligible to participate in the South Dakota opportunity scholarship program for
2 the equivalent of eight consecutive fall and spring semesters or until the attainment of a
3 baccalaureate degree, whichever comes first. The Board of Regents may grant exceptions to the
4 continuous enrollment requirement upon a showing of good cause.

5 Section 2. That chapter 13-55 be amended by adding a NEW SECTION to read:

6 Except as otherwise provided in this section, if a student who would otherwise have been
7 eligible for a South Dakota opportunity scholarship applies after completing at least one
8 semester of full-time work at a regionally accredited university, college, or technical school, the
9 student shall demonstrate compliance with the same credit hour requirements that apply to
10 program participants. A scholarship provided under these circumstances is not retroactive and
11 a student's eligibility is reduced by one semester for each semester of work that the student had
12 completed.

13 Any student who would have qualified to receive a scholarship during the 2018-2019
14 academic year under provisions set forth in this Act, and who did not receive a scholarship
15 under §§ 13-55-31 to 13-55-35, inclusive, may in addition to any other application for a
16 scholarship, submit an application for a retroactive 2018-2019 scholarship. A retroactive
17 2018-2019 scholarship awarded under this section shall be applied toward any expenses for
18 which a scholarship awarded under §§ 13-55-31 to 13-55-35, inclusive, may be used.

19 Section 3. That chapter 13-55 be amended by adding a NEW SECTION to read:

20 The Board of Regents shall promulgate rules under chapter 1-26 to:

- 21 (1) Establish the minimum credit hours required for full-time enrollment;
- 22 (2) Establish the time and manner in which a student may request an exception to the
23 continuous semester enrollment requirement;
- 24 (3) Establish the manner in which academic course and grade equivalents are determined

1 in the case of transfer students;

2 (4) Establish the time and manner in which applications for scholarships must be
3 submitted and reviewed;

4 (5) Establish the time and manner in which students are to be notified of decisions
5 pertaining to the award of an opportunity scholarship; and

6 (6) Establish the time and manner in which students may contest any decision regarding
7 the award or continuance of a scholarship.

8 No rule promulgated in accordance with this section may impose greater requirements or
9 consequences than those imposed on students who are awarded a scholarship under §§ 13-55-31
10 to 13-55-35, inclusive.