



## 2020 South Dakota Legislature

**Senate Bill 167**

SENATE ENGROSSED

Introduced by: **Senator Bolin**

1 **An Act to revise a provision regarding eligibility for the South Dakota opportunity**  
 2 **scholarship.**

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

4 **Section 1.** That § 13-55-31 be AMENDED:

5 **13-55-31. Eligibility requirements for opportunity scholarship.**

6 In order to be eligible for a South Dakota opportunity scholarship award, a student  
 7 shall:

- 8 (1) Be a resident of South Dakota at the time of graduation from high school;  
 9 (2) Have a composite score or superscore of 24, or higher, on the test administered by  
 10 the American College Testing Program or an equivalent score as determined by the  
 11 Board of Regents on the Scholastic Assessment Test. The student shall take the  
 12 ACT or SAT test before beginning postsecondary education;  
 13 (3) Meet the high school course requirements for graduation as provided in § 13-55-  
 14 31.1;  
 15 (4) Attend a university, college, or technical school that is accredited by the North  
 16 Central Association of Colleges and Schools and that provides instruction from a  
 17 campus located in South Dakota; and  
 18 (5) Enter into the program within five years of graduation from high school or within  
 19 one year of the student's release from active duty with an active component of the  
 20 armed forces if the release is within five years of the student's graduation from high  
 21 school. If a student attends full-time a regionally accredited university, college, or  
 22 technical school located outside South Dakota and within two years following high  
 23 school graduation or within two years following release from active military service  
 24 returns to the state to attend full-time a regionally accredited university, college,  
 25 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  
2 for the equivalent of four academic years (eight consecutive spring and fall terms) or until  
3 the attainment of a baccalaureate degree, whichever comes first. However, the executive  
4 director of the Board of Regents may grant exceptions to the continuous enrollment  
5 requirements for good cause shown.

6 A student who would have been eligible for the scholarship, but who applies after  
7 completing one or more semesters of full-time work at an accredited institution, may be  
8 admitted to the program only if the student has complied with the same grade point and  
9 credit hour requirements that would apply to program participants. Admission granted  
10 under these circumstances may not be retroactive, and eligibility for participation in the  
11 program shall be reduced by one semester for each semester of work completed prior to  
12 admission to the program.

13 **Section 2.** That § 13-55-31.2 be AMENDED:

14 **13-55-31.2. Alternative testing requirements for opportunity scholarship**  
15 **eligibility.**

16 Any student who does not meet the high school course requirements as provided  
17 in subdivision 13-55-31(3) is eligible for the opportunity scholarship program if:

- 18 (1) The student takes the test administered by the American College Testing Program  
19 and earns a composite score or superscore of twenty-eight or higher and achieves  
20 ACT college readiness benchmark scores equaling or exceeding eighteen for English,  
21 twenty-one for reading, twenty-two for math, and twenty-four for science; or  
22 (2) The student takes the Scholastic Assessment Test and earns a verbal-mathematics  
23 score of twelve hundred fifty or higher, while also attaining sufficiently high markers  
24 in reading, writing, mathematics, and science as not to require remediation in any  
25 of those areas.

26 ~~This section is effective on July 1, 2013.~~

27 **Section 3.** That § 13-55-31.3 be AMENDED:

28 **13-55-31.3. Opportunity scholarship eligibility requirements for students**  
29 **who received alternative instruction.**

30 In order to be eligible for a South Dakota opportunity scholarship pursuant to this  
31 section, a student who received alternative instruction pursuant to §§ 13-27-2 to 13-27-  
32 9, inclusive, shall:

- 33 (1) Be a resident of this state;

- 1 (2) Obtain a composite score or superscore of at least twenty-four on the ACT or a  
2 comparable score on the Scholastic Aptitude Test as determined by the Board of  
3 Regents;
- 4 (3) Provide a transcript of completed coursework that is issued by the parent or  
5 guardian listed on the certificate of excuse and which includes:
- 6 (a) Four or more units of language arts, including:
- 7 (i) One and one-half units of writing;
- 8 (ii) One and one-half units of literature, one-half unit of which must be  
9 American literature;
- 10 (iii) One-half unit of speech or debate; and
- 11 (iv) One-half unit of a language arts elective;
- 12 (b) Three or more units of social studies, including:
- 13 (i) One unit of U.S. history;
- 14 (ii) One-half unit of U.S. government;
- 15 (iii) One-half unit of geography;
- 16 (iv) One-half unit of world history; and
- 17 (v) One-half unit of a social studies elective;
- 18 (c) Four units of mathematics, including:
- 19 (i) One unit of algebra I;
- 20 (ii) One unit of geometry;
- 21 (iii) One unit of algebra II; and
- 22 (iv) One unit of advanced math;
- 23 (d) Four units of science, at least three of which must be laboratory science,  
24 including:
- 25 (i) One unit of biology;
- 26 (ii) One unit of any physical science;
- 27 (iii) One unit of chemistry or physics; and
- 28 (iv) One unit of science electives;
- 29 (e) Two units of either of the following or a combination of the two:
- 30 (i) Career and technical education; and
- 31 (ii) World languages;
- 32 (f) One-half unit of personal finance or economics;
- 33 (g) One unit of fine arts;
- 34 (h) One-half unit of physical education; and
- 35 (i) One-half unit of health or health integration;

- 1 (4) Attend a university, college, or technical school that is accredited by the Higher  
2 Learning Commission and provides instruction from a campus located in this state;  
3 and
- 4 (5) Enter into the program:
- 5 (a) Within five years after the conclusion of the school year in which the student  
6 graduated, while being excused from school attendance in accordance with  
7 §§ 13-27-2 to 13-27-9, inclusive; or
- 8 (b) Within one year after the conclusion of the school year in which the student  
9 was discharged from active duty with the armed forces, provided the  
10 discharge occurred within five years after the conclusion of the school year in  
11 which the student graduated, while being excused from school attendance in  
12 accordance with §§ 13-27-2 to 13-27-9, inclusive.

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

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