

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

659R0302

HOUSE EDUCATION ENGROSSED NO. **HB 1190** 2/3/2010

Introduced by: Representatives Frerichs, Brunner, Faehn, Fargen, Krebs, Lucas, Rave, Sorenson, and Wink and Senators Olson (Russell), Abdallah, Bradford, Brown, Garnos, Jerstad, Nelson, Nesselhuf, Peterson, and Rhoden

1 FOR AN ACT ENTITLED, An Act to revise the high school course requirements and the
2 requirements necessary to maintain eligibility for the South Dakota opportunity scholarship
3 program.

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

5 Section 1. That ARSD 24:43:11:05 be repealed.

6 ~~— 24:43:11:05. The units of credit required for high school graduation must include the~~
7 ~~following 19.5 units for the distinguished high school program:~~

8 ~~— (1) Four units of English/language arts which include a minimum of the following:~~

9 ~~— (a) One and one-half units of writing;~~

10 ~~— (b) One unit of literature;~~

11 ~~— (c) One-half unit of American literature; and~~

12 ~~— (d) One-half unit of speech;~~

13 ~~— (2) Three units of social studies which include a minimum of the following:~~

14 ~~— (a) One unit of U.S. history;~~



- 1 ~~—— (b) One-half unit of U.S. government;~~
- 2 ~~—— (c) One-half unit of geography; and~~
- 3 ~~—— (d) One-half unit of world history;~~
- 4 ~~—— (3) Four units of mathematics which must include a minimum of one unit of algebra I, one~~
- 5 ~~unit of algebra II, and one unit of geometry;~~
- 6 ~~—— (4) Four units of science which must include a minimum of biology and chemistry, or~~
- 7 ~~physics (three units must be in laboratory science);~~
- 8 ~~—— (5) One unit of fine arts;~~
- 9 ~~—— (6) One-half unit of physical education or health;~~
- 10 ~~—— (7) One-half unit of economics or personal finance;~~
- 11 ~~—— (8) One-half unit of computer studies;~~
- 12 ~~—— (9) Two units of world languages (two years of the same language).~~

13 Section 2. That § 13-55-31 be amended to read as follows:

14 13-55-31. Eligibility requirements for opportunity scholarship. In order to be eligible for a
15 South Dakota opportunity scholarship award, a student shall:

- 16 (1) Be a resident of South Dakota at the time of graduation from high school;
- 17 (2) Have a composite score of 24, or higher, on the test administered by the American
18 College Testing Program or an equivalent score as determined by the Board of
19 Regents on the Scholastic Assessment Test. The student shall take the ACT or SAT
20 test before beginning postsecondary education;
- 21 (3) Meet the high school course requirements for graduation ~~from the distinguished high~~
22 ~~school program as provided in section 24:43:11:05 of the Administrative Rules of~~
23 ~~South Dakota as in effect on January 1, 2008~~ as provided in section 3 of this Act;
- 24 (4) Attend a university, college, or technical school that is accredited by the North

1 Central Association of Colleges and Schools and that provides instruction from a
2 campus located in South Dakota; and

3 (5) Enter into the program within five years of graduation from high school or within one
4 year of the student's release from active duty with an active component of the armed
5 forces if the release is within five years of the student's graduation from high school.
6 If a student attends full-time a regionally accredited university, college, or technical
7 school located outside South Dakota and within two years following high school
8 graduation or within two years following release from active military service returns
9 to the state to attend full-time a regionally accredited university, college, or technical
10 school, the student is eligible to receive a partial award.

11 A student is eligible to participate in the South Dakota opportunity scholarship program for
12 the equivalent of four academic years (eight consecutive spring and fall terms) or until the
13 attainment of a baccalaureate degree, whichever comes first. However, the executive director
14 of the Board of Regents may grant exceptions to the continuous enrollment requirements for
15 good cause shown.

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

23 Section 3. That chapter 13-55 be amended by adding thereto a NEW SECTION to read as
24 follows:

1 To be eligible for an opportunity scholarship, a student who entered the ninth grade prior
2 to the 2010-2011 school year shall complete the following high school course requirements:

3 (1) Four or more units of language arts that include a minimum of the following:

4 (a) One and one-half units of writing;

5 (b) One and one-half units of literature that must include one-half unit of
6 American Literature;

7 (c) One-half unit of speech or debate; and

8 (d) One-half unit of a language arts elective;

9 (2) Three or more units of social studies that include the following:

10 (a) One unit of U.S. History;

11 (b) One-half unit of U.S. government;

12 (c) One-half unit of geography;

13 (d) One-half unit of world history; and

14 (e) One-half unit of a social studies elective;

15 (3) Four units of mathematics that must include the following:

16 (a) One unit of algebra I;

17 (b) One unit of geometry;

18 (c) One unit of algebra II; and

19 (d) One unit of advanced math;

20 (4) Four units of science, including at least three units in laboratory science, that must
21 include the following:

22 (a) One unit of biology;

23 (b) One unit of any physical science;

24 (c) One unit of chemistry or physics; and

- 1 (d) One unit of science electives;
- 2 (5) Two units of world languages (two years of the same language);
- 3 (6) One-half unit of computer studies;
- 4 (7) One unit of fine arts;
- 5 (8) One-half unit of personal finance or economics; and
- 6 (9) One-half unit of physical education or health.

7 A student may earn academic core content credit by completing an approved career and
8 technical education course. Approval to offer credit for a career and technical education course
9 must be obtained through an application process with the Department of Education. The
10 Department of Education shall meet with the Board of Regents to determine final course
11 approval. The application must include:

- 12 (1) Course syllabus;
- 13 (2) Standards-based curriculum;
- 14 (3) Teacher certification; and
- 15 (4) Assessment of standards by methods including end-of-course exams, authentic
16 assessment, project-based learning or rubrics.

17 To be eligible for an opportunity scholarship, a student who enters the ninth grade in the
18 2010-2011 school year or thereafter shall complete the following high school course
19 requirements:

- 20 (1) Four or more units of language arts that include a minimum of the following:
 - 21 (a) One and one-half units of writing;
 - 22 (b) One and one-half units of literature that must include one-half unit of
23 American literature;
 - 24 (c) One-half unit of speech or debate; and

- 1 (d) One-half unit of a language arts elective;
 - 2 (2) Three units or more of social studies that include the following:
 - 3 (a) One unit of U.S. history;
 - 4 (b) One-half unit of U.S. government;
 - 5 (c) One-half unit of geography;
 - 6 (d) One-half unit of world history; and
 - 7 (e) One-half unit of a social studies elective;
 - 8 (3) Four units of mathematics that must include the following:
 - 9 (a) One unit of algebra I;
 - 10 (b) One unit of geometry;
 - 11 (c) One unit of algebra II; and
 - 12 (d) One unit of advanced math;
 - 13 (4) Four units of science, including at least three units in laboratory science, that must
14 include the following:
 - 15 (a) One unit of biology;
 - 16 (b) One unit of any physical science;
 - 17 (c) One unit of chemistry or physics; and
 - 18 (d) One unit of science electives;
 - 19 (5) Two units of either of the following or a combination of the two:
 - 20 (a) Approved career and technical education courses; and
 - 21 (b) World languages;
- 22 Approval for a career and technical education course must be obtained through an
23 application process with the Department of Education. The department shall meet
24 with the Board of Regents to determine final course approval;

- 1 (6) One-half unit of personal finance or economics;
- 2 (7) One unit of fine arts;
- 3 (8) One-half unit of physical education; and
- 4 (9) For students entering the ninth grade in the 2013-2014 school year and thereafter,
- 5 one-half unit of health or health integration.

6 A student may be granted up to one unit of credit in fine arts for participation in
7 extracurricular activities. A maximum of one-fourth unit of credit may be granted for each
8 extracurricular activity in which a student participates during each school year. In order to grant
9 credit for an extracurricular activity, a school district must document the alignment of the
10 activity with fine arts content standards approved by the South Dakota Board of Education.

11 Students entering the ninth grade in the 2013-2014 school year and thereafter are required
12 to take one-half unit of health at anytime during grades six through twelve. A school district
13 may choose to integrate health across the curriculum at the middle or high school level in lieu
14 of a stand-alone course.

15 A student may earn academic core content credit by completing an approved career and
16 technical education course. Approval to offer credit for a career and technical education course
17 must be obtained through an application process with the Department of Education. The
18 Department of Education shall meet with the Board of Regents to determine final course
19 approval. The application must include:

- 20 (1) Course syllabus;
- 21 (2) Standards-based curriculum;
- 22 (3) Teacher certification; and
- 23 (4) Assessment of standards by methods including end-of-course exams, authentic
24 assessment, project-based learning or rubrics.

1 Section 4. That § 13-55-34 be amended to read as follows:

2 13-55-34. In order to maintain eligibility, a student shall:

3 (1) Maintain a cumulative 3.0 grade point average on a 4.0 scale. Cumulative grade point
4 average shall be calculated after the second semester and every semester thereafter.

5 The student shall complete consecutive spring and fall terms in order to remain
6 eligible for continuation of the scholarship program from term to term. A student
7 whose cumulative grade point average falls below 3.0 on a 4.0 scale shall forfeit the
8 scholarship for the subsequent semester and for subsequent semesters until the
9 student has reestablished eligibility. To reestablish eligibility, the student shall
10 comply with all course load, enrollment, and proficiency examination requirements
11 for continued eligibility stated in §§ 13-55-30 to 13-55-35, inclusive, and the student
12 shall achieve a cumulative grade point average of 3.0, or greater, on a 4.0 scale. The
13 scholarship shall be reinstated beginning the semester following that in which the
14 student achieves a cumulative grade point average of 3.0, or greater, on a 4.0 scale.
15 Reinstatement of a scholarship does not extend the time allowed under the
16 scholarship program; any scholarship award forfeited cannot be reclaimed after a
17 student has regained eligibility. A student whose cumulative grade point average falls
18 below 3.0 on a 4.0 scale a second time forfeits the scholarship for all subsequent
19 semesters;

20 (2) ~~Complete fifteen credit hours of instruction per semester. The student shall enroll~~

21 (a) Enroll in and complete at least fifteen credit hours of instruction in each
22 consecutive spring and fall term if the student completed ninth grade prior to
23 the 2010-2011 school year; or

24 (b) Enroll in and complete at least thirty credit hours of instruction in each

1 academic year if the student completed ninth grade in the 2010-2011 school
2 year or thereafter. For purposes of this subdivision, an academic year consists
3 of consecutive fall and spring terms.

4 If the executive director of the Board of Regents determines that a student's failure
5 to enroll or to maintain continued enrollment occurred as a direct result of legitimate
6 factors outside the student's control, or has resulted from the student's participation
7 in an activity that in the executive director's judgment provides knowledge or
8 experience that will enhance the student's academic pursuits, the executive director
9 may extend the student's eligibility to participate in the program for up to two
10 additional years, if the student does not enroll in a noneligible institution; and

11 (3) Sit for and pass all sections of a college proficiency exam as required by Board of
12 Regents Policy Number 2.28 as in effect on January 1, 2003, at the end of the
13 sophomore year. The Board of regents may review and adjust the proficiency
14 examinations administered in keeping with sound academic practice. If such changes
15 are made, the Board of Regents shall notify all eligible institutions of new testing
16 standards or requirements. If the student fails to pass the proficiency examinations
17 the first time, eligibility is forfeited for continuation in the scholarship program.