

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

848Q0218

HOUSE EDUCATION ENGROSSED NO. **HB 1149** 2/18/2009

Introduced by: Representatives Brunner, Bolin, Feickert, Jensen, Juhnke, Kirkeby, Moser, Novstrup (David), Olson (Betty), Rausch, Rave, Russell, and Verchio and Senators Howie, Abdallah, Bradford, Garnos, Novstrup (Al), Rhoden, and Schmidt

1 FOR AN ACT ENTITLED, An Act to allow a person or entity to offer postsecondary education
2 credit in South Dakota while seeking accreditation from a recognized accrediting agency.

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

4 Section 1. That § 13-49-27.1 be amended to read as follows:

5 13-49-27.1. No person or governmental entity may offer postsecondary education credit or
6 degree in South Dakota, or while organized under the laws of South Dakota, unless currently
7 holding accreditation from ~~a regional~~ an accrediting agency recognized by the United States
8 Department of Education pursuant to 20 U.S.C. § 1099b as amended to January 1, ~~2001~~ 2009,
9 or participating in any federal financial assistance program authorized by Title IV of the Higher
10 Education Act of 1965 as amended to January 1, ~~2001~~ 2009, or unless the person or
11 governmental entity is, for a period of no more than five years, actively seeking accreditation
12 from an accrediting agency recognized by the United States Department of Education and is
13 offering transferable courses and programs under an affiliation agreement with an institution



1 accredited by the same agency. A violation of this section is a Class 1 misdemeanor and subjects
2 the violator to a civil penalty of twenty-five thousand dollars.

3 The provisions of this section do not apply to a religious institution that offers credit or
4 degree solely for the purpose of conferring status or authority within that religion.