

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

400T0293

HOUSE EDUCATION ENGROSSED NO. **HB 1005** 1/25/2012

Introduced by: The Committee on Education at the request of the Department of Education

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the excuse from
2 attendance of children receiving alternative instruction.

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

4 Section 1. That § 13-27-7 be amended to read as follows:

5 13-27-7. All applications for excuse from school attendance for the reasons provided in
6 § 13-27-3 shall be on a standard form acknowledged before a notary or two witnesses. The form
7 shall be provided by the secretary of the Department of Education. ~~If the application is granted,~~
8 ~~a~~ A certificate of excuse ~~also provided by the secretary of the Department of Education~~ shall be
9 ~~issued by the president of the school board having jurisdiction over the district in which the~~
10 ~~child has school residence~~ included as part of the application and is effective upon the filing of
11 the application with a school official, without the necessity of school board action, subject to
12 revocation thereafter as provided in this chapter. The certificate of excuse shall be for a period
13 not to exceed one year and shall state the reason for the excuse is that the child will receive
14 alternative instruction. Upon a showing by the secretary of the Department of Education that a
15 child excused from school attendance pursuant to § 13-27-3 is not being instructed in



1 compliance with § 13-27-3, the school board may immediately revoke the child's certificate of
2 excuse.

3 All test scores required by § 13-27-3 shall be kept on file in the public school of the district
4 where the child has school residence as defined in § 13-28-9. If subsequent achievement test
5 results reveal less than satisfactory academic progress in the child's level of achievement, the
6 school board may refuse to renew the child's certificate of excuse.

7 Section 2. That § 13-27-9 be amended to read as follows:

8 13-27-9. A permanent record of all certificates of excuse shall be kept in some safe place
9 as determined by the school board. Any certificate of excuse of a pupil receiving alternative
10 instruction pursuant to § 13-27-3 ~~shall be kept is confidential after approval of the school board~~
11 ~~pursuant to § 13-27-2~~. Copies of any certificate of excuse shall be forwarded to the secretary of
12 the Department of Education. Copies of any certificates of excuse shall also be forwarded to the
13 place where the child is instructed. The copies shall be forwarded within thirty days of issuance.