

# State of South Dakota

NINETY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2019

947B0382

## HOUSE BILL NO. 1058

Introduced by: Representatives Howard, Brunner, Dennert, Deutsch, Duba, Frye-Mueller, Goodwin, Hammock, Jensen (Kevin), Johnson (Chris), Marty, Mills, Perry, Peterson (Sue), Pischke, Randolph, Rounds, and Steele and Senators Monroe, DiSanto, Greenfield (Brock), Jensen (Phil), Kolbeck, Nelson, and Stalzer

1 FOR AN ACT ENTITLED, An Act to require the provision of certain services regarding special  
2 education to students receiving alternative instruction.

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

4 Section 1. That chapter 13-37 be amended by adding a NEW SECTION to read:

5 For the sole purpose of establishing eligibility for related services under 20 USC 1412, as  
6 amended to January 1, 2019, an alternative instruction program as provided for in § 13-27-3 is  
7 defined as a private school. Any student receiving alternative instruction is eligible for related  
8 services as defined in 20 USC 1401, as amended to January 1, 2019, to the same extent and on  
9 the same basis as any student enrolled in a nonpublic school that is accredited pursuant to § 13-  
10 3-47.

