

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

634B0634

## SENATE BILL NO. 152

Introduced by: Senator Everist and Representative Brown (Richard)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding school days and  
2 school terms.

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

4 Section 1. That § 13-26-1 be amended to read as follows:

5 13-26-1. The school fiscal year shall begin July first and end June thirtieth. ~~A school day shall~~  
6 ~~be at least five and one-half hours, exclusive of intermissions, and at least two and three-fourths~~  
7 ~~hours shall count as a half day. The time specified as a "school day" shall not apply below grade~~  
8 ~~four. An "intermission" is the time when pupils are at recess or lunch. Each local school board~~  
9 ~~or governing body may set the length of a school day and the number of school days in a school~~  
10 ~~week. However, the number of hours for structured learning time in a school term for grades~~  
11 ~~four through eight may not be less than nine hundred ninety hours and for grades nine through~~  
12 ~~twelve may not be less than one thousand twenty hours. The South Dakota Board of Education~~  
13 ~~shall promulgate rules pursuant to chapter 1-26 defining structured learning time and setting the~~  
14 ~~length of school term for grades one through three. The local school board or governing body~~  
15 ~~may establish the school term for kindergarten programs. A school board may operate a special~~  
16 ~~term during the summer months.~~

1 Section 2. That § 13-26-2 be amended to read as follows:

2 13-26-2. The school board or governing body shall operate grades one through twelve in its  
3 schools for at least a nine-month regular term in any one school year. The regular school term  
4 may be conducted on a year-round basis, ~~but for grades one through twelve shall consist of~~  
5 ~~school actually in session for at least one hundred seventy-five days and shall begin on a date~~  
6 established by the school board. The ~~State~~ South Dakota Board of Education ~~shall~~ may  
7 promulgate rules pursuant to chapter 1-26 governing the operation and scheduling of year-round  
8 schools. ~~The rules may allow deviations from the one hundred seventy-five day requirement in~~  
9 ~~this section and from the five and one-half hour per day requirement in § 13-26-1 if the total~~  
10 ~~school term hours requirement in § 13-26-2.1 is met. The local school board or governing body~~  
11 ~~may establish the school term for kindergarten programs. Any school board or governing body~~  
12 ~~may release graduating high school seniors from school before the end of the regular term if the~~  
13 ~~release is for no more than three days. Make up days for school closing because of weather,~~  
14 ~~disease or emergency need not exceed ten days. Graduating seniors are excused from make up~~  
15 ~~days if the make up days occur after the students have graduated or after graduation exercises~~  
16 ~~have been held. If classes have been convened and then are dismissed because of inclement~~  
17 ~~weather or emergency, that day constitutes a day in session~~ the actual time in session applies to  
18 the hours for a school term required in § 13-26-1.

19 School boards are encouraged to provide days within the regular school term for curriculum  
20 and staff development which shall be in addition to the one hundred seventy-five days required  
21 in this section. Notwithstanding § 13-26-1, school boards may count up to eighteen hours of the  
22 hours required for a school term in § 13-26-1 for conducting teacher-parent conferences or  
23 curriculum and staff development. Each school board shall determine ~~the appropriate number of~~  
24 ~~days for this activity and~~ how best to use the time based on local needs for program  
25 development, increased parent participation, student contact, teachers' preparation, or other

1 needs of the schools in the district. ~~School shall be in session only when classes are held and as~~  
2 ~~provided in §§ 13-26-4 and 13-26-4.1. A school board may operate a special term during the~~  
3 ~~summer months.~~

4 Section 3. That § 13-26-2.1 be repealed.

5 ~~— 13-26-2.1. Notwithstanding §§ 13-26-1 and 13-26-2, each local school board may establish~~  
6 ~~the length of a school day and the number of school days in a school week, provided the number~~  
7 ~~of school hours in a school term for grades four through twelve may not be less than nine~~  
8 ~~hundred sixty-two and one-half hours, exclusive of intermission. A plan to establish a school~~  
9 ~~term pursuant to this section must first be approved by the South Dakota Board of Education.~~  
10 ~~The state board may adopt rules, pursuant to chapter 1-26, regulating the approval of local~~  
11 ~~district plans.~~

12 Section 4. That § 13-26-4 be repealed.

13 ~~— 13-26-4. A school may have teacher-parent conferences during the school year and not more~~  
14 ~~than three such days may be counted as days in session.~~

15 Section 5. That § 13-26-4.1 be repealed.

16 ~~— 13-26-4.1. The school board may designate a maximum of one of the three session days~~  
17 ~~provided for in § 13-26-4 as in-service teacher training days.~~

18 Section 6. That § 13-26-6 be amended to read as follows:

19 13-26-6. The provisions of §§ 13-26-1 and 13-26-2 ~~and 13-26-4~~ shall do not apply to adult  
20 education schools, summer schools, kindergartens, and ~~nursery schools~~ preschools.