

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

802C0296

## SENATE BILL NO. 193

Introduced by: Senators Hainje and Paisley and Representatives Brown (Richard), Peterson,  
and Richter

1 FOR AN ACT ENTITLED, An Act to revise the school term.

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

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

4 13-26-1. The school fiscal year shall begin July first and end June thirtieth. ~~A school day~~ The  
5 length of days shall be ~~at least five and one-half hours, exclusive of intermissions, and at least~~  
6 ~~two and three-fourths hours shall count as a half day~~ set by each local school board. A school  
7 term for grades four through twelve shall consist of a minimum of nine hundred sixty-two and  
8 one-half hours, exclusive of intermission. The time specified as a "school day" shall not apply  
9 below grade four. An "intermission" is the time when pupils are at recess or lunch.

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

11 13-26-2. The school board or governing body shall operate grades one through twelve in its  
12 schools for at least a nine-month regular term in any one school year. The regular school term  
13 may be conducted on a year-round basis, but for grades one through twelve shall consist of  
14 school actually in session for at least one hundred seventy-five days and shall begin on a date  
15 established by the school board. The State Board of Education shall promulgate rules pursuant  
16 to chapter 1-26 governing the operation and scheduling of year-round schools. The rules may

1 allow deviations from the one hundred seventy-five day requirement in this section ~~and from the~~  
2 ~~five and one-half hour per day requirement in § 13-26-1~~ if the total school term hours  
3 requirement in § 13-26-2.1 is met. The local school board or governing body may establish the  
4 school term for kindergarten programs. Any school board or governing body may release  
5 graduating high school seniors from school before the end of the regular term if the release is for  
6 no more than three days. Make up days for school closing because of weather, disease or  
7 emergency need not exceed ten days. Graduating seniors are excused from make up days if the  
8 make up days occur after the students have graduated or after graduation exercises have been  
9 held. If classes have been convened and then are dismissed because of inclement weather, that  
10 day constitutes a day in session equal to the number of hours planned for that day as established  
11 in the local school district calendar for the year.

12 School boards are encouraged to provide days within the regular school term for curriculum  
13 and staff development which shall be in addition to the one hundred seventy-five days required  
14 in this section. Each school board shall determine the appropriate number of days for this activity  
15 and how best to use the time based on local needs for program development, increased parent  
16 participation, student contact, teachers' preparation, or other needs of the schools in the district.  
17 School shall be in session only when classes are held and as provided in §§ 13-26-4 and  
18 13-26-4.1. A school board may operate a special term during the summer months.

19 Section 3. That § 13-26-2.1 be amended to read as follows:

20 13-26-2.1. Notwithstanding § § 13-26-1 and 13-26-2, each local school board may establish  
21 the length of a school day and the number of school days in a school week, ~~provided. However,~~  
22 the number of school hours in a school term for grades four through twelve may not be less than  
23 nine hundred sixty-two and one-half hours, exclusive of intermission. ~~A plan to establish a school~~  
24 ~~term pursuant to this section must first be approved by the South Dakota Board of Education.~~  
25 The state board may adopt rules, pursuant to chapter 1-26, regulating the approval review and

1 revision of local district plans.