

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

921E0463

## HOUSE EDUCATION COMMITTEE ENGROSSED NO. **HB 1181** - 02/09/2001

Introduced by: Representatives Hennies (Thomas), Garnos, and Kooistra and Senator Ham

1 FOR AN ACT ENTITLED, An Act to place certain restrictions on the excusing of students  
2 from school attendance to receive alternative instruction.

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

4 Section 1. That § 13-27-2 be amended to read as follows:

5 13-27-2. Upon receipt of an application from the parent or guardian of the child for the  
6 reasons set forth in § 13-27-3, school boards of all school districts shall excuse a child from  
7 school attendance in executive session using a case number. The application for excuse shall be  
8 filed no later than thirty days before the alternative instruction is to begin. The time restriction  
9 does not apply in the case of students who begin residence in the school district less than thirty  
10 days before the alternative instruction is to begin. A parent or guardian may appeal to the school  
11 board for a waiver of the thirty-day requirement if the situation warrants it. Until the processing  
12 of the application for excuse or the waiver of the thirty-day requirement is complete, the child  
13 is not truant, and the parent or guardian of the child is not in violation of § 13-27-11. School  
14 boards of all school districts may excuse a child from public school attendance for the reasons  
15 set forth in §§ 13-27-6 and 13-27-6.1.

1 Section 2. That § 13-32-4.3 be amended to read as follows:

2 13-32-4.3. If any student is under suspension or expulsion in a school district, the student  
3 may not enroll in any school district or be excused from school attendance pursuant to § 13-27-3  
4 until the suspension or expulsion has expired. The superintendent or school administrator of any  
5 school district may prohibit a student from enrolling in that school district if the student is under  
6 suspension or expulsion in a school in another state or in a nonpublic school in this state. Upon  
7 receiving a request for a student's permanent school records from the receiving district, the  
8 sending school shall provide the receiving district with written notice of any suspension or  
9 expulsion.