

# State of South Dakota

EIGHTIETH SESSION  
LEGISLATIVE ASSEMBLY, 2005

668L0723

## HOUSE ENGROSSED NO. **HB 1170** - 02/17/2005

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Representative Heineman

1 FOR AN ACT ENTITLED, An Act to provide for the endorsement of distance learning  
2 instructors and to authorize the Board of Education to promulgate rules relating to distance  
3 learning courses.

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

5 Section 1. For purposes of this Act, distance learning is the technology and educational  
6 process used to provide instruction when the student and primary instructor are not physically  
7 present at the same time or place.

8 Section 2. No distance learning instructor may provide courses through distance learning to  
9 any student in an accredited elementary or secondary school in this state unless the distance  
10 learning instructor has an endorsement issued by the secretary of the Department of Education  
11 authorizing the distance learning instructor to provide the courses.

12 Section 3. The South Dakota Board of Education shall promulgate rules pursuant to chapter  
13 1-26 establishing the requirements and criteria that an applying instructor must meet in order  
14 to be issued a distance learning endorsement by the secretary of the Department of Education  
15 authorizing the instructor to provide courses through distance learning. The rules shall specify



1 the duration and the method of renewal, the amount of the fee, not to exceed one hundred  
2 dollars, for issuing the endorsement, the application procedures for the endorsement, the  
3 requirements for endorsement, and other procedures necessary for the administration of the  
4 distance learning endorsement program.

5 Section 4. The board shall also promulgate rules pursuant to chapter 1-26 establishing  
6 priorities and eligibility for distance learning courses.