

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

400M0681 SENATE EDUCATION COMMITTEE ENGROSSED NO.
HB 1236 - 02/16/2006

Introduced by: The Committee on Education at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to create the South Dakota Virtual High School.

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

3 Section 1. There is created the South Dakota virtual high school. The South Dakota virtual
4 high school shall be under the control of the Department of Education. The South Dakota virtual
5 high school shall provide choice accessibility, flexibility, quality, and equity in curricular
6 offerings for high school-aged students in the state.

7 Section 2. The South Dakota Virtual High School Advisory Council is established. The
8 council shall advise the Department of Education, the South Dakota Board of Education,
9 education-related organizations, and other education groups on issues related to distance
10 learning. The council shall meet quarterly with the Department of Education to discuss, develop,
11 and make recommendations for the promulgation of rules concerning policies that affect
12 distance delivery.

13 Section 3. The council shall consist of seven members appointed by the secretary of
14 education with broadly based representation from entities involved in virtual education efforts
15 statewide.



1 Section 4. Members of the council shall be appointed for two-year terms, except that four
2 of the members of the initial council shall be appointed to two-year terms, and three of the
3 members of the initial council shall be appointed for one year. All subsequent appointments
4 shall be for terms of two years. Any vacancy on the council that occurs before the incumbent's
5 term has expired shall be filled by appointment to serve the remainder of the unexpired term.
6 The number of terms that a council member may serve is not limited.

7 Section 5. The Department of Education may promulgate rules pursuant to chapter 1-26 to
8 coordinate course offerings by the South Dakota virtual high school, to award course credits
9 earned by students taking classes from the South Dakota virtual high school, to establish fees
10 or rates for school districts participating in the South Dakota virtual high school, and to establish
11 criteria for school districts to participate in the South Dakota virtual high school. The fees or
12 rates for participation in the virtual high school shall be reasonable and necessary to meet the
13 budgetary needs of the virtual high school advisory council for such things as: review of course
14 credits and offerings; network access; payment for course materials and instructors; testing; and
15 the fee or rate for an individual course or offering may not exceed the cost of providing the
16 course or offering.