**24:43:05:01.  Specialized nonpublic education programs may seek annual state approval.** An education program operating within the borders of South Dakota and open only to a specified cohort of K-12 students may apply for state approval on an annual basis. The initial application may be submitted July 1 following the program's first term operation of at least six months in length. Specialized programs eligible for state approval include: individualized education programs for school-age residents in residential settings and school-age juveniles in correctional facilities, including programs that educate school-age children on a short-term basis. Contents, format, and timelines of the request for state approval shall be established and made known by the Department of Education in accordance with state law and administrative rule. The requirements include governance, teacher certification, curriculum, assessment practices, length of school term and day, and health and safety. State approval is granted for one school fiscal year, from July 1 through the following June 30. Renewal of the approval is granted based upon the specialized program's compliance with established requirements during the prior school fiscal year.

 **Source:** 31 SDR 178, adopted May 4, 2005, effective July 1, 2005.

 **General Authority:** SDCL 13-1-12.1, 13-3-1.4, 13-3-47.

 **Law Implemented:** SDCL 13-1-12.1, 13-3-47.