



2025 South Dakota Legislature

House Bill 1004

Introduced by: The Chair of the Committee on Education at the request of the Department of Education

1 **An Act to provide tuition for a student who is placed in a residential treatment center**
 2 **that provides educational programming.**

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

4 **Section 1. That § 13-28-11 be AMENDED:**

5 **13-28-11.** If a child is residing in a residential treatment center or an intensive
 6 residential treatment center that provides an educational program through a school
 7 district, the school district in which the residential treatment center or intensive residential
 8 treatment center is located is responsible for providing an educational program for the
 9 child.

10 Tuition for a child who is entitled to free public school, pursuant to § 13-28-5, and
 11 is not placed by an individualized education program team ~~but is, at the time of placement~~
 12 ~~, enrolled in a school district or state operated school~~ must be paid as provided in § 13-
 13 13-87.

14 The provisions of this section and § 13-13-87 do not apply to any placement by
 15 the Department of Corrections or the Department of Social Services.

16 ~~For purposes of this section, the term, school district, means a political subdivision~~
 17 ~~of this state created in accordance with chapter 13-5.~~

18 ~~For purposes of this section, the term, state operated school, means the South~~
 19 ~~Dakota Human Services Center academic program, the South Dakota School for the Blind~~
 20 ~~and Visually Impaired, or any school so designated by the South Dakota Board of~~
 21 ~~Education Standards.~~