

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

965R0488

HOUSE BILL NO. 1168

Introduced by: Representatives Noem, Bolin, Cronin, Faehn, Frerichs, Greenfield, Jensen, Killer, Kirkeby, Kirschman, Kopp, Lederman, Olson (Betty), Rausch, Rave, Romkema, Russell, Schrempp, Solum, Turbiville, Vanneman, and Verchio and Senators Howie, Peterson, Rhoden, and Schmidt

1 FOR AN ACT ENTITLED, An Act to require children to attend school until age sixteen rather
2 than age eighteen.

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

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

5 13-27-1. (Text of section effective July 1, 2010) Any person having control of a child, who
6 is not younger than five or older than six years old by the first day of September, or any child
7 who, by the first day of September, is at least six years old, but who has not exceeded the age
8 of ~~eighteen~~ sixteen, shall cause the child to regularly attend some public or nonpublic school for
9 the entire term during which the public school in the district in which the person resides, or the
10 school to which the child is assigned to attend, is in session, until the child reaches the age of
11 ~~eighteen~~ sixteen years, unless the child has graduated or is excused as provided in this chapter.
12 ~~However, the requirements of this section are met if a child who is at least sixteen years of age~~
13 ~~enrolls in a general education development test preparation program that is school-based or for~~
14 ~~which a school contracts and the child successfully completes the test or reaches the age of~~



1 ~~eighteen years:~~

2 ~~— A child is eligible to enroll in a school-based or school-contracted general education~~
3 ~~development test preparation program or take the general education development test if the child~~
4 ~~is sixteen or seventeen years of age, and the child presents written permission from the child's~~
5 ~~parent or guardian and one of the following:~~

6 ~~— (1) — Verification from a school administrator that the child will not graduate with the~~
7 ~~child's cohort class because of credit deficiency;~~

8 ~~— (2) — Authorization from a court services officer;~~

9 ~~— (3) — A court order requiring the child to enter the program;~~

10 ~~— (4) — Verification that the child is under the direction of the Department of Corrections;~~

11 ~~or~~

12 ~~— (5) — Verification that the child is enrolled in Job Corps as authorized by Title I-C of the~~
13 ~~Workforce Investment Act of 1998, as amended to January 1, 2009.~~

14 ~~— Any child who is sixteen or seventeen years of age and who completes the general education~~
15 ~~development test preparation program may take the general education development test~~
16 ~~immediately following release from the school program or when ordered to take the test by a~~
17 ~~court. Any such child who fails to successfully complete the test shall re-enroll in the school~~
18 ~~district and may continue the general education development preparation program or other~~
19 ~~suitable program as determined by the school district.~~

20 All children shall attend kindergarten prior to age seven. Any child who transfers from
21 another state may proceed in a continuous educational program without interruption if the child
22 has not previously attended kindergarten.