

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

426R0734

SENATE BILL NO. 194

Introduced by: Senator Hanson (Gary) and Representative Gibson

1 FOR AN ACT ENTITLED, An Act to revise provisions related to school district tuition for
2 children placed in certain state institutions.

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

4 Section 1. That § 13-28-11 be amended to read as follows:

5 13-28-11. If a child is residing in a state institution, approved group home, or private
6 child-care center which provides care and custody for children who are not living with their
7 parents or guardian, the school residence of the child is the school district where the parents or
8 guardian reside, subject to the provisions of § 13-28-9.

9 The school district where a group home or private child-care center is located is responsible
10 for providing an educational program for the children who reside in the group home or private
11 child-care center. Tuition is the responsibility of the school district where the child has school
12 residence, ~~only if assignment to the agency is made with the knowledge of the school district~~
13 ~~where the child has school residence~~ only if the child was placed at the group home or private
14 child-care center by the school district where the child has school residence. If the child was
15 placed at the group home or private child-care center by the parent or guardian, the school



1 district where the child has school residence shall pay tuition to the school district where the
2 group home or private child-care center is located only if the placement of the child to the group
3 home or private child-care center was made with the prior knowledge of and written notice to
4 the school district where the child has school residence. Tuition is the amount equal to the daily
5 amount of state aid attributable to the child that is received by the school district where the
6 student has school residence.