

AN ACT

ENTITLED, An Act to revise certain provisions regarding high school equivalency testing.

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

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

13-27-1. Any person having control of a child, who is not younger than five or older than six years old by the first day of September, or any child who, by the first day of September, is at least six years old, but who has not exceeded the age of eighteen, shall cause the child to regularly attend some public or nonpublic school for the entire term during which the public school in the district in which the person resides, or the school to which the child is assigned to attend, is in session, until the child reaches the age of eighteen years, unless the child has graduated or is excused as provided in this chapter. However, the requirements of this section are met if a child who is at least sixteen years of age enrolls in a high school equivalency test preparation program that is school-based or for which a school contracts and the child successfully completes the test or reaches the age of eighteen years.

A child is eligible to enroll in a school-based or school-contracted high school equivalency test preparation program or take the high school equivalency test if the child is sixteen or seventeen years of age, and the child presents written permission from the child's parent or guardian and one of the following:

- (1) Verification from a school administrator that the child will not graduate with the child's cohort class because of credit deficiency;
- (2) Authorization from a court services officer;
- (3) A court order requiring the child to enter the program;
- (4) Verification that the child is under the direction of the Department of Corrections; or
- (5) Verification that the child is enrolled in Job Corps as authorized by Title I-C of the

Workforce Investment Act of 1998, as amended to January 1, 2009.

Any child who is sixteen or seventeen years of age and who completes the high school equivalency test preparation program may take a high school equivalency test immediately following release from the school program or when ordered to take the test by a court. Any such child who fails to successfully complete the test shall re-enroll in the school district and may continue the high school equivalency preparation program or other suitable program as determined by the school district.

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

Section 2. That § 13-27-1.2 be amended to read:

13-27-1.2. The Department of Education may promulgate rules, pursuant to chapter 1-26, to establish high school equivalency testing procedures for children who take the test pursuant to § 13-27-1.

Section 3. Pursuant to § 2-16-9, the Code Commission and Code Counsel of the Legislative Research Council are requested to amend Appendix B to chapter 26-8E by deleting, GED testing, and inserting, high school equivalency testing.

An Act to revise certain provisions regarding high school equivalency testing.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 30

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 30

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State