

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

686P0736

HOUSE BILL NO. 1291

Introduced by: Representatives Weems, Bradford, Elliott, Gilson, Hackl, Heineman, Hills, Miles, Novstrup (Al), Novstrup (David), Olson (Ryan), Rausch, Rhoden, Thompson, Tidemann, Van Norman, Wick, and Willadsen and Senators Hansen (Tom), Albers, Greenfield, Heidepriem, Maher, McCracken, McNenny, Schmidt (Dennis), Smidt (Orville), and Turbak Berry

1 FOR AN ACT ENTITLED, An Act to allow students who have dyslexia to receive special
2 education or special education and related services.

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

4 Section 1. That ARSD 24:05:24.01:01 be amended to read as follows:

5 24:05:24.01:01. Students with disabilities are students evaluated in accordance with chapter
6 24:05:25 as having autism, deaf-blindness, deafness, hearing loss, cognitive disability, multiple
7 disabilities, orthopedic impairment, other health impairments, emotional disturbance, specific
8 learning disabilities, dyslexia, speech or language impairments, traumatic brain injury, or vision
9 loss, including blindness, which adversely affects educational performance, and who, because
10 of those disabilities, need special education or special education and related services. If it is
11 determined through an appropriate evaluation, under chapter 24:05:25, that a student has one
12 of the disabilities identified in this chapter, but only needs a related service and not special
13 education, the student is not a student with a disability under this article. If, consistent with this



- 1 chapter, the related service required by the student is considered special education, the student
- 2 is a student with a disability under this article.