



2021 South Dakota Legislature

Senate Bill 46

ENROLLED

AN ACT

ENTITLED An Act to allow for the consideration of certain instruction to count towards the minimum number of hours required in a school term during a declared state of emergency.

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

Section 1. That § 13-26-1 be AMENDED.

13-26-1. School fiscal year--Local board to set length of school term, day and week--Number of hours in school term.

The school fiscal year shall begin July first and end June thirtieth. Each local school board shall set the number of days in a school term, the length of a school day, and the number of school days in a school week. The local school board or governing body shall establish the number of hours in the school term for kindergarten programs, which may not be less than four hundred thirty-seven and one-half hours. The number of hours in the school term for grades one through five may not be less than eight hundred seventy-five hours, exclusive of intermissions. The number of hours in the school term for grades six through twelve may not be less than nine hundred sixty-two and one-half hours, exclusive of intermissions. An intermission is the time when students are at recess or lunch and for grades six through twelve, the passing time between classes.

The minimum number of hours required in this section may be waived by the secretary if the Governor or the President of the United States declares a state of emergency and the affected school is located within the area to which the state of emergency is applicable. The Department of Education shall monitor emergency-related school closures and provide updates to the schools.

During a declared state of emergency, the school district shall forward to the Department of Education, at the time and in the manner requested by the department, a record of the continuous instruction provided to the students. The department shall

consider the nature and scope of the instruction provided to determine whether it will count towards the minimum number of hours required in a school term.

An Act to allow for the consideration of certain instruction to count towards the minimum number of hours required in a school term during a declared state of emergency.

 I certify that the attached Act originated in
 the:
 Senate as Bill No. 46

 Received at this Executive Office
 this _____ day of _____,
 2021 at _____ M.

 Secretary of the Senate

By _____
 for the Governor

 President of the Senate

The attached Act is hereby
 approved this _____ day of
 _____, A.D., 2021

Attest:

 Secretary of the Senate

 Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

 Speaker of the House

Attest:

Filed _____, 2021
 at _____ o'clock ___ M.

 Chief Clerk

 Secretary of State

Senate Bill No. 46
 File No. _____
 Chapter No. _____

By _____
 Asst. Secretary of State