2022 South Dakota Legislature

Senate Bill 167

AMENDMENT 167D FOR THE SENATE EDUCATION ENGROSSED BILL

An Act to clarify the certification process for teachers and school administrators.

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

Section 1. That § 13-42-9 be AMENDED:

13-42-9. The secretary may refuse to issue or renew, or may revoke~~,~~ or suspend, any certificate for:

(1) Incompetency;

(2) ~~Violation of the code of ethics, established pursuant to § 13-43-25 or 13-43-45, as determined~~ A determination by the Professional Teachers Practices and Standards Commission or the Professional Administrators Practices and Standards Commission that a violation of the code of ethics established pursuant to § 13-43-25 or 13-43-45 exists;

(3) Flagrant neglect of duty;

(4) Failure to fulfill any requirement for certification imposed pursuant to this chapter or chapter 13-43 and rules promulgated thereto;

(5) Moral turpitude, as defined in § 22-1-2; or

(6) Any other cause specifically allowed by law.

Section 2. That § 13-42-67 be AMENDED:

13-42-67. Unless there is cause to refuse to issue the certificate pursuant to §§ ~~13-42-7~~13-42-9 to 13-42-10, inclusive, the secretary shall, within thirty days of receiving a completed application, issue a teaching certificate to an applicant whose application has been deemed completed by the Department of Education and:

(1) Who holds in good standing a valid certificate issued by another state or the District of Columbia;

(2) Who is an active duty member of the armed forces of the United States or the spouse of an active duty member of the armed forces of the United States; and

(3) Who is the subject of a military transfer to South Dakota.

An application is considered complete once the department has received all required documentation necessary to process the application. No applicant for a certificate issued pursuant to this section is required to pay an application fee or any other fee payable to the department.

If the secretary denies the issuance of a certificate to an applicant pursuant to this section, the secretary shall report the denial and the reasons for the denial to the Department of Labor and Regulation.

Section 3. That § 13-42-7 be REPEALED:

~~The secretary may refuse to issue or renew a certificate at any time for any of the reasons referenced in § 13-42-9 or 13-42-10.~~

AMENDMENT