2022 South Dakota Legislature

Senate Bill 167

ENROLLED

AN ACT

ENTITLED 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) 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 §§ 13-42-9 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 That § 13-42-7 be REPEALED.

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

I certify that the attached Act originated in the:

Senate as Bill No. 167

_____
Secretary of the Senate

_____
President of the Senate

Attest:

_____
Secretary of the Senate

_____
Speaker of the House

Attest:

_____
Chief Clerk

Received at this Executive Office
this _____ day of _____,

2022 at _____M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 2022

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 2022
at _____ o'clock __M.

_____
Secretary of State

By _____
Asst. Secretary of State

Senate Bill No. 167
File No. _____
Chapter No. _____