



## 2024 South Dakota Legislature

# Senate Bill 101

Introduced by: **Senator Frye-Mueller**

1 **An Act to prohibit the conduct of certain physical examinations or screenings on**  
 2 **students in a school district without parental consent.**

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

4 **Section 1. That a NEW SECTION be added to chapter 13-1:**

5 A nonemergency, invasive physical examination or screening may not be  
 6 conducted on a student in a school district without the prior written consent of the  
 7 student's parent or guardian.

8 A request for parental consent for a nonemergency, invasive physical examination  
 9 or screening may not be included as part of a routine consent form contained in a school  
 10 handbook that is required to be signed annually by a parent or guardian at the beginning  
 11 of a school year. The school district must obtain separate and distinct written consent  
 12 from a parent or guardian for each examination or screening conducted.

13 For the purposes of this section, the term "nonemergency, invasive physical  
 14 examination or screening" means any medical examination that involves the exposure of  
 15 private body parts; any examination that includes incision, insertion, or injection into the  
 16 body; or is:

17 (1) Required as a condition of attendance;

18 (2) Administered by the school district and scheduled in advance by the school district;

19 or

20 (3) Not necessary to protect the immediate health and safety of the student.

21 The term does not include a hearing, dental, vision, or scoliosis screening or  
 22 examination.