



2024 South Dakota Legislature

House Bill 1220

Introduced by: **Representative Reisch**

1 **An Act to allow an appeal of a decision of the Department of Education regarding**
2 **special education or related services by a civil action against the department.**

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

4 **Section 1. That a NEW SECTION be added to chapter 13-37:**

5 Any party aggrieved by a decision of the Department of Education under this
6 chapter may bring a civil action with respect to a due process complaint notice requesting
7 a due process hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §
8 1415(i)(2) (January 1, 2024) A civil action may be filed in either state or federal court
9 without regard to the amount in controversy. The party bringing the action has thirty days
10 from the date of the decision to file a civil action.