



## 2026 South Dakota Legislature

# Senate Bill 187

Introduced by: **Senator Nelson**

1 **An Act to define nonpublic school.**

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

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

4 For purposes of this title, "nonpublic school" means an institution or entity, under  
 5 the supervision and control of a governing body other than a publicly-elected board, as  
 6 defined in § 13-8-1, which is created and operated by an individual, organization, or group  
 7 of individuals, for the purposes of instructing children who are of compulsory school age,  
 8 as defined in § 13-27-1, in at least the fundamentals of mathematics and the English  
 9 language. Any instruction in the English language offered by the nonpublic school must  
 10 be provided in a way that leads to a mastery of the English language.

11 A nonpublic school may:

12 (1) Limit enrollment to the school;

13 (2) Charge tuition;

14 (3) Receive federal or state revenues in the form of a grant, subsidy, or a special  
 15 appropriation; and

16 (4) Receive services from a school district.

17 A nonpublic school is not assigned a geographic territory from which it may receive  
 18 publicly collected tax revenue. A nonpublic school is not eligible to receive state aid to  
 19 education distributed under chapter 13-13.

20 A nonpublic school may be accredited by the Department of Education or another  
 21 institutional accrediting agency recognized by the United States Department of Education  
 22 but is not required to be so. Any teacher employed by a nonaccredited nonpublic school  
 23 is not required to be certified pursuant to chapter 13-42.