



2026 South Dakota Legislature

House Bill 1017

HOUSE ENGROSSED

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: The Chair of the Committee on Education at the request of the Department of Education

1 **An Act to permit the board of a school district to require that certain students**
 2 **receive instruction in alternative settings.**

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

4 **Section 1. That a NEW SECTION be added to chapter 13-28:**

5 A school board may assign a student to receive instruction in an alternative setting
 6 for aggressive or violent behaviors that disrupt the school or that affect a health or safety
 7 factor of the school or its program. Nothing herein may be construed to limit enrollment
 8 options provided in § 13-28-40 or conflict with provisions of the Individuals with
 9 Disabilities Education Act, 20 U.S.C. § 1400, et seq., or Section 504 of the Rehabilitation
 10 Act of 1973, 29 U.S.C. § 794.

11 **Section 2. That a NEW SECTION be added to chapter 13-28:**

12 On or before the second Friday of June of each year, the board of a school district
 13 shall report to the Department of Education, on the form prescribed by the department,
 14 the students who were assigned to receive instruction in an alternative setting during the
 15 school year.

16 The department may disclose information contained in the report only if the data
 17 has been:

18 (1) Anonymized; and

19 (2) Aggregated with the data reported by all other school districts.