



2026 South Dakota Legislature  
**House Bill 1017**  
**ENROLLED**

AN ACT

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

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

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

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

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

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

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

- (1) Anonymized; and
- (2) Aggregated with the data reported by all other school districts.

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

\_\_\_\_\_  
I certify that the attached Act originated in  
the:  
House as Bill No. 1017

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_,  
2026 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk of the House  
\_\_\_\_\_

By \_\_\_\_\_  
for the Governor  
\_\_\_\_\_

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby  
approved this \_\_\_\_ day of  
\_\_\_\_\_, A.D., 2026

Attest:

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Governor  
\_\_\_\_\_

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2026  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1017  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State