

# State of South Dakota

NINETY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2019

945B0748

## HOUSE BILL NO. 1232

Introduced by: Representatives Greenfield (Lana), Brunner, Dennert, Glanzer, Marty, and  
Wiese and Senators Greenfield (Brock), Cronin, Langer, Maher, and Stalzer

1 FOR AN ACT ENTITLED, An Act to lower the compulsory age for school attendance.

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

3 Section 1. That § 13-27-1 be amended to read:

4 13-27-1. Any person having control of a child, who is not younger than five or older than  
5 six years old by the first day of September, or any child who, by the first day of September, is  
6 at least six years old, but who has not exceeded the age of ~~eighteen~~ sixteen, shall cause the child  
7 to regularly attend some public or nonpublic school for the entire term during which the public  
8 school in the district in which the person resides, or the school to which the child is assigned  
9 to attend, is in session, until the child reaches the age of ~~eighteen~~ sixteen years, unless the child  
10 has graduated or is excused as provided in this chapter. ~~However, the requirements of this~~  
11 ~~section are met if a child who is at least sixteen years of age enrolls in a high school equivalency~~  
12 ~~test preparation program that is school-based or for which a school contracts and the child~~  
13 ~~successfully completes the test or reaches the age of eighteen years.~~

14 ~~—A child is eligible to enroll in a school-based or school-contracted high school equivalency~~  
15 ~~test preparation program or take the high school equivalency test if the child is sixteen or~~



1 ~~seventeen years of age, and the child presents written permission from the child's parent or~~  
2 ~~guardian and one of the following:~~

3 ~~—(1)—Verification from a school administrator that the child will not graduate with the~~  
4 ~~child's cohort class because of credit deficiency;~~

5 ~~—(2)—Authorization from a court services officer;~~

6 ~~—(3)—A court order requiring the child to enter the program;~~

7 ~~—(4)—Verification that the child is under the direction of the Department of Corrections;~~

8 ~~or~~

9 ~~—(5)—Verification that the child is enrolled in Job Corps as authorized by Title I-C of the~~  
10 ~~Workforce Investment Act of 1998, as amended to January 1, 2009.~~

11 ~~Any child who is sixteen or seventeen years of age and who completes the high school~~  
12 ~~equivalency test preparation program may take a high school equivalency test immediately~~  
13 ~~following release from the school program or when ordered to take the test by a court. Any such~~  
14 ~~child who fails to successfully complete the test shall re-enroll in the school district and may~~  
15 ~~continue the high school equivalency preparation program or other suitable program as~~  
16 ~~determined by the school district.~~

17 All children shall attend kindergarten prior to age seven. Any child who transfers from  
18 another state may proceed in a continuous educational program without interruption if the child  
19 has not previously attended kindergarten.