

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

372E0533

## SENATE BILL NO. 117

Introduced by: Senators Sutton (Dan), Ham, McIntyre, and Olson (Ed) and  
Representatives Garnos, Gillespie, Kooistra, Olson (Mel), and Slaughter

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to background checks  
2 for substitute teachers.

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

4 Section 1. That chapter 13-10 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Any substitute teacher who was employed as a substitute teacher by a school district during  
7 or prior to the 2000-2001 school year is not required to obtain a background investigation under  
8 § 13-10-12 if the person is subsequently employed as a substitute teacher in the same school  
9 district. Any substitute teacher who is first employed as a substitute teacher in a school district  
10 after the effective date of this Act shall obtain an initial background investigation, but is not  
11 required to obtain an additional background investigation if the person is subsequently employed  
12 as a substitute teacher by the same school district. Any substitute teacher who is employed by  
13 more than one school district is only required to obtain one criminal background investigation,  
14 if the background investigation was conducted no more than five years before the person is first  
15 employed by the additional school district. The results of the background investigation shall be

1 transferred to the additional school district by the first school district if the additional school  
2 district requests in writing to the first school district that the results be transferred and the  
3 substitute teacher signs a written release authorizing the transfer.