

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

517E0055

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

HB 1004 - 01/24/2001

Introduced by: Representatives McCoy, Monroe, and Slaughter and Senators Ham and Madden at the request of Interim Judiciary Committee

1 FOR AN ACT ENTITLED, An Act to require notice to schools if a student commits certain
2 crimes.

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

4 Section 1. Within ten days after disposition of any judicial proceeding in which a juvenile is
5 adjudicated or convicted of committing, attempting to commit or conspiring to commit murder,
6 manslaughter, rape, aggravated assault, riot, robbery, burglary in the first or second degree,
7 arson, kidnapping, felony sexual contact as defined in § 22-22-7 and § 22-22-19.1, any felony
8 offense pursuant to chapter 22-14 or any felony offense pursuant to chapter 22-14A, the Unified
9 Judicial System shall give notice to the chief administrator of the school in which the juvenile is
10 enrolled. The notice shall include a description of the offense committed and the disposition by
11 the court and may include a description of the acts constituting the offense.

12 Section 2. The information disclosed pursuant to section 1 of this act is governed by the
13 federal Family Educational Rights and Privacy Act (FERPA) as implemented in 34 CFR part 99,
14 as effective on January 1, 2001. The Unified Judicial System shall disclose the information to the

1 chief administrator of a nonpublic school only upon request and upon the execution of an
2 agreement to follow the provisions of the federal Family Educational Rights and Privacy Act
3 (FERPA) with regard to the information.