

AN ACT

ENTITLED, An Act to require all children to attend kindergarten and to establish a minimum length of time for kindergarten programs.

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

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

13-27-1. Every person having control of a child, who is not younger than five or older than six years old by the first day of September and who has not exceeded the age of sixteen, shall cause the child to regularly attend some public or nonpublic school for the entire term during which the public school in the district in which the person resides, or the school to which the child is assigned to attend, is in session, until the child reaches the age of sixteen years, unless excused as provided in this chapter. All children shall attend kindergarten prior to age seven. Any child who transfers from another state may proceed in a continuous educational program without interruption if the child has not previously attended kindergarten.

Section 2. That § 13-26-1 be amended to read as follows:

13-26-1. The school fiscal year shall begin July first and end June thirtieth. Each local school board shall set the number of days in a school term, the length of a school day, and the number of school days in a school week. The local school board or governing body shall establish the number of hours in the school term for kindergarten programs, which may not be less than four hundred thirty-seven and one-half hours. The Board of Education shall promulgate rules pursuant to chapter 1-26 setting the minimum number of hours in the school term for grades one through three. The number of hours in the school term for grades four through twelve may not be less than nine hundred sixty-two and one-half hours, exclusive of intermissions. An intermission is the time when pupils are at recess or lunch.

Section 3. That § 13-28-2 be amended to read as follows:

13-28-2. Any child who is five years old on the first day of September is eligible for enrollment in kindergarten during that school year. Any child in a kindergarten or prekindergarten program who was in compliance with the statutory eligibility dates in effect at the time of his enrollment may proceed in a continuous educational program without interruption. Any child who transfers from another state may proceed in a continuous educational program without interruption.

Any child under the age of five is eligible for admittance to a nursery school.

Section 4. This Act is effective on July 1, 2010.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1175

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1175
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State