

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

569H0287

## HOUSE BILL NO. 1072

Introduced by: Representatives McCaulley, Begalka, Eccarius, Glenski, Lange, McCoy, Rhoden, and Wick and Senator Staggers

1 FOR AN ACT ENTITLED, An Act to authorize certain students in alternative instruction to  
2 participate in public school cocurricular activities.

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

4 Section 1. That chapter 13-27 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Any student excused from school attendance pursuant to §§ 13-27-2 and 13-27-3 may  
7 participate in public school cocurricular activities if:

8 (1) The parents or guardians of a student in alternative instruction who seeks to be  
9 qualified to participate in public school cocurricular activities provide a written notice  
10 to the school board of the school district where the child resides. The notice shall  
11 identify the activity or activities in which the student seeks to participate; and

12 (2) The parents or guardians provide a notarized affidavit stating that the student is  
13 exhibiting satisfactory academic progress in the basic skills of language arts and  
14 mathematics, and has maintained a satisfactory attendance record to date. The  
15 affidavit shall further state that, if the student's academic progress or attendance



1 record becomes unsatisfactory during the course of the school year, the parents or  
2 guardians shall provide written notice to the school board of the student's failure to  
3 remain eligible to participate in public school cocurricular activities.

4 No student who begins a particular school year enrolled in a public school and is then  
5 excused from school attendance pursuant to §§ 13-27-2 and 13-27-3 may participate in public  
6 school cocurricular activities as an alternative instruction student during the remainder of that  
7 school year pursuant to this Act.

8 Standards of behavior that disqualify a student from participating in public school  
9 cocurricular activities during a school year are the same for all participating students.