

# State of South Dakota

EIGHTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2010

400R0250

## HOUSE BILL NO. 1023

Introduced by: The Committee on Education at the request of the Department of Education

1 FOR AN ACT ENTITLED, An Act to revise certain requirements regarding make up time for  
2 school districts.

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

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

5 13-26-2. The school board or governing body shall operate kindergarten through grade  
6 twelve in its schools. The school board shall operate grades one through twelve for at least a  
7 nine-month regular term in any one school year, and the number of hours in a school term for  
8 kindergarten shall be set pursuant to § 13-26-1. The regular school term may be conducted on  
9 a year-round basis and shall begin on a date established by the school board. The Board of  
10 Education shall promulgate rules pursuant to chapter 1-26 governing the operation and  
11 scheduling of year-round schools. Any school board or governing body may release graduating  
12 high school seniors from school before the end of the regular term. ~~Make up time for school~~  
13 ~~closing because of weather, disease, or emergency need not exceed ten school days. A school~~  
14 is not required to make up time for school closing because of weather, disease, or emergency  
15 once it has reached the minimum number of hours in the school term as required by state law.



1 Graduating seniors are excused from make up time if the make up time occurs after the students  
2 have graduated or after graduation exercises have been held. If classes have been convened and  
3 then are dismissed, or if classes convene at a time later in the day than normal, because of  
4 inclement weather, that day constitutes a school day in session equal to the number of hours  
5 planned for that day as established in the local school district calendar for the year.

6 School boards are encouraged to provide time within the regular school term for curriculum  
7 and staff development which shall be in addition to the time required in this section. Each  
8 school board shall determine the appropriate amount of time for this activity and how best to  
9 use the time based on local needs for program development, increased parent participation,  
10 student contact, teachers' preparation, or other needs of the schools in the district. School is in  
11 session only when classes are held and as provided in §§ 13-26-4 and 13-26-4.1. A school board  
12 may operate a special term during the summer months.