

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

288B0042

HOUSE BILL NO. 1113

Introduced by: Representatives Weis, Brunner, Dennert, Frye-Mueller, Goodwin, Howard, Livermont, Mulally, Peterson (Sue), Pischke, Randolph, and St John and Senators Jensen (Phil), Monroe, Nelson, Russell, and Stalzer

1 FOR AN ACT ENTITLED, An Act to establish certain provisions regarding ethics and
2 responsibility for public elementary and secondary school teachers.

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

4 Section 1. That chapter 13-8 be amended by adding a NEW SECTION to read:

5 Each local school board shall establish a code of ethics and professional responsibility for
6 teachers that provides that no public elementary or secondary school teacher, regardless of
7 continuing contract status, is permitted during class time or while otherwise operating within
8 the scope of employment as a teacher to perform any of the following actions:

- 9 (1) Endorse, support, or oppose any candidate or nominee for public office or any local,
10 state, or federal official, regardless of whether the official is elected or appointed;
- 11 (2) Endorse, support, or oppose any local, state, or federal legislation or regulation,
12 regardless of whether the legislation or regulation is pending, proposed, or enacted;
- 13 (3) Endorse, support, or oppose any local, state, or federal court case or judicial action,
14 regardless of whether the court case or judicial action is pending, proposed, or



1 decided;

2 (4) Endorse, support, or oppose any pending, proposed, or final executive action by any
3 local, state, or federal executive branch agency;

4 (5) Introduce into any class any controversial subject matter that is not germane to the
5 topic of the course being taught;

6 (6) Endorse, support, or engage in any activities that hamper or impede the lawful access
7 of military recruiters to school property;

8 (7) Endorse, support, or engage in any activities that hamper or impede the actions of a
9 local, state, or federal law enforcement agency; or

10 (8) Advocate for any issue that is part of a political party platform at the national, state,
11 or local level.

12 Section 2. That chapter 13-8 be amended by adding a NEW SECTION to read:

13 Each code of ethics and professional responsibility for teachers that is established pursuant
14 to this Act shall contain provisions for enforcement of and penalties for violations of the
15 prohibitions the code, including termination of employment.

16 Section 3. That chapter 13-8 be amended by adding a NEW SECTION to read:

17 Each local school board shall provide the following:

18 (1) Written notification of the code of ethics and professional responsibility for teachers
19 that is established pursuant to this Act to each public elementary and secondary
20 school teacher, each enrolled student, and the parents of each enrolled student; and

21 (2) At least three hours of annual continuing teacher education instruction regarding
22 teacher responsibility pursuant to this Act.