

ARTICLE 24:10

CAREER AND TECHNICAL EDUCATION

Chapter

24:10:01 Repealed.

24:10:02 Repealed.

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- 24:10:28 Repealed.
- 24:10:29 Repealed.
- 24:10:30 General provisions, Transferred.
- 24:10:31 Approval of new programs and program expansions, Transferred.
- 24:10:32 Renewal of continuing programs, Transferred.
- 24:10:33 Multidistrict center operation, Transferred.
- 24:10:34 Postsecondary operation, Transferred.
- 24:10:35 Fund allocation, Transferred.
- 24:10:36 Work study, Repealed.
- 24:10:37 Vocational teacher certification, Transferred.
- 24:10:38 Associate of applied science degree, Transferred.
- 24:10:39 General provisions, Repealed.
- 24:10:40 Multidistrict center operation, Repealed.
- 24:10:41 Secondary programs, Repealed.
- 24:10:42 Postsecondary programs, Repealed.
- 24:10:43 Associate of applied science degree, Repealed.

- 24:10:44 Vocational or technical teacher certification, Repealed.
- 24:10:45 Postsecondary technical institute credential, Repealed.
- 24:10:46 Lease purchase agreements, Repealed.
- 24:10:47 Workforce education grants.
- 24:10:48 Definitions.
- 24:10:49 Postsecondary technical institute instructor salary support, Repealed.

CHAPTER 24:10:42

POSTSECONDARY PROGRAMS

(Repealed)

~~Section~~

~~24:10:42:01 — Repealed.~~

~~24:10:42:02 — Transferred.~~

~~24:10:42:03 — Repealed.~~

~~24:10:42:04 — Repealed.~~

~~24:10:42:05 — Repealed.~~

~~24:10:42:06 — Repealed.~~

~~24:10:42:07 — Repealed.~~

~~24:10:42:08 — Repealed.~~

~~24:10:42:09 — Transferred.~~

~~24:10:42:10 — Repealed.~~

~~24:10:42:11 — Repealed.~~

~~24:10:42:12 — Repealed.~~

~~24:10:42:13 — Repealed.~~

~~24:10:42:14 — Repealed.~~

~~24:10:42:15 — Repealed.~~

~~24:10:42:16 — Repealed.~~

~~24:10:42:17 — Repealed.~~

~~24:10:42:18 — Repealed.~~

~~24:10:42:19 — Repealed.~~

~~24:10:42:20 — Repealed.~~

~~24:10:42:21 — Repealed.~~

~~24:10:42:22 — Contents of applications for new postsecondary programs, program expansions, and continuing programs.~~

~~24:10:42:23 — Application for new or expanded programs.~~

~~24:10:42:24 — Application for continuing programs.~~

~~24:10:42:25 — Approval criteria for new or expanded programs.~~

~~24:10:42:26 — Tuition.~~

~~24:10:42:27 — Set asides.~~

~~24:10:42:28 — Formula for funding.~~

~~24:10:42:29 — Yearly revision of formula for funding.~~

~~—— **24:10:42:22. Contents of applications for new postsecondary programs, program expansions, and continuing programs.** All applications must be certified by the director of the Office of Career and Technical Education as being complete. Applications must include the following data:~~

~~—— (1) Program title, program description, program objectives and the methods to obtain the objectives, statement of nonduplication, staff certification, program enrollment, and budget for three years;~~

~~—— (2) Potential labor market openings including information provided by the South Dakota Department of Labor;~~

~~—— (3) Average hourly wage, including employer paid benefits and length of program;~~

~~—— (4) Entry and exit points identified to show articulation, if applicable, from secondary to postsecondary institute, postsecondary institute to postsecondary institute, postsecondary institute to college, and postsecondary institute to apprenticeship; and~~

~~—— (5) A career ladder with related workforce needs.~~

Source: 23 SDR 139, effective March 10, 1997; 32 SDR 117, effective January 5, 2006.

~~—— **General Authority:** SDCL 13-39-37.~~

~~—— **Law Implemented:** SDCL 13-39-9, 13-39-17, 13-39-37.~~

~~—— **24:10:42:23. Application for new or expanded programs.** An application for a new or expanded postsecondary program must be submitted to the director of the Office of Career and Technical Education. The director of the Office of Career and Technical Education shall convene a meeting of the technical institute directors and presidents and an Office of Economic Development staff member. Technical institutes with new or expanded program proposals shall present their rationale for implementation. The director of the Office of Career and Technical Education shall review the rationale presented and make a recommendation to the South Dakota Board of Education as to which programs should be considered for approval or disapproval. All~~

proposals for new or expanded programs must go through this process before they can be considered by the South Dakota Board of Education at its next regularly scheduled meeting.

Source: 23 SDR 139, effective March 10, 1997; 30 SDR 121, effective February 12, 2004; 31 SDR 90, effective December 29, 2004; 34 SDR 199, effective January 28, 2008.

— ~~**General Authority:** SDCL 13-39-37.~~

— ~~**Law Implemented:** SDCL 13-39-9, 13-39-18, 13-39-64.~~

— ~~**Cross-References:** Definition of articulation, subdivision 24:10:43:01(4); Council of Technical Institutes created, Executive Order 96-04.~~

— ~~**24:10:42:24. Application of continuing programs.** An application for a continuing postsecondary program must be submitted to the director of the Office of Career and Technical Education for approval whenever a program's risk profile warrants such review. A program's risk is compiled by analysis of the program's enrollment, retention, and placement over a period of at least three years. A local program advisory board or council endorsement is required on programs not holding national, state, regional, or industry accreditation or certification specific to the degree being awarded. The director shall place high risk programs on a plan of correction for a minimum of one year and shall review the program before approving funding each year until the program is discontinued or deemed of acceptable risk.~~

Source: 23 SDR 139, effective March 10, 1997; 32 SDR 117, effective January 5, 2006; 35 SDR 48, effective September 10, 2008.

— ~~**General Authority:** SDCL 13-39-37.~~

— ~~**Law Implemented:** SDCL 13-39-9, 13-39-18, 13-39-64.~~

~~24:10:42:25. Approval criteria for new or expanded programs.~~ The South Dakota Board of Education shall consider the following information in determining approval of new or expanded programs in postsecondary technical institutes:

- ~~(1) Identification and description of the program;~~
- ~~(2) Objectives and purpose of the program;~~
- ~~(3) Methods of attaining the objectives of the program;~~
- ~~(4) Description of labor market demands of the United States, the state of South Dakota, student needs, and industry support;~~
- ~~(5) Population to be served by the program;~~
- ~~(6) Projected three-year budget;~~
- ~~(7) Program competencies and entry and exit points of suboccupations;~~
- ~~(8) Statement of nonduplication;~~
- ~~(9) Curriculum design and research; and~~
- ~~(10) Wage factor.~~

~~To receive approval for state funding, new or expanded programs in postsecondary technical institutes must meet minimum targets for wages commensurate with the program length as specified in subdivision 24:10:42:28(2).~~

~~New programs and program expansions of postsecondary technical institutes must receive approval from the South Dakota Board of Education before students are enrolled.~~

Source: 8 SDR 150, effective May 16, 1982; 11 SDR 96, 11 SDR 112, effective July 1, 1985; 11 SDR 168, effective July 2, 1985; 12 SDR 198, effective June 15, 1986; 14 SDR 86, effective December 24, 1987; 15 SDR 118, effective February 14, 1989; transferred from § 24:10:31:03, 20 SDR 223, effective July 7, 1994; repealed, SL 1995, ch 86, § 6, effective July

1, 1995; readopted, 22 SDR 13, effective August 9, 1995; transferred from § 24:10:42:02, 23 SDR 139, effective March 10, 1997.

—— ~~**General Authority:** SDCL 13-39-37.~~

—— ~~**Law Implemented:** SDCL 13-39-9, 13-39-17, 13-39-18, 13-39-37, 13-39-64.~~

—— ~~**24:10:42:26. Tuition.** The South Dakota Board of Education shall determine the rate of tuition and state fees charged to students at postsecondary technical institutes annually, and the rate is effective for the fiscal year beginning July 1.~~

Source: 8 SDR 150, effective May 16, 1982; 11 SDR 96, 11 SDR 112, effective July 1, 1985; transferred from § 24:10:34:02, 20 SDR 223, effective July 7, 1994; repealed, SL 1995, ch 86, § 6, effective July 1, 1995; readopted, 22 SDR 13, effective August 9, 1995; transferred from § 24:10:42:09, 23 SDR 139, effective March 10, 1997; 35 SDR 306, effective July 1, 2009; 40 SDR 40, effective September 11, 2013; 40 SDR 229, effective July 1, 2014.

—— ~~**General Authority:** SDCL 1-16A-94, 13-39-37(2), 13-39-38.~~

—— ~~**Law Implemented:** SDCL 1-16A-43, 13-39-39, 13-39-39.1.~~

—— ~~**24:10:42:27. Set-asides.** The Division of Career and Technical Education shall set aside facility funds and National Guard Tuition Benefit funds from the total appropriated to the postsecondary technical institutes under "Postsecondary Vocational Education."~~

—— ~~In fiscal year 2018, the facility fund set aside shall be \$2,328,546, an amount equal to twenty-seven percent of the current year lease purchase agreement payments.~~

—— ~~The amount set aside for National Guard Tuition Benefit in fiscal year 2018 shall be \$214,190. The National Guard Tuition Benefit funds shall be distributed each academic term to~~

~~the postsecondary technical institutes based on the actual state tuition benefits applied for qualifying National Guard members after federal tuition benefits are applied.~~

~~**Source:** 23 SDR 139, effective March 10, 1997; 32 SDR 117, effective January 5, 2006; 35 SDR 306, effective July 1, 2009; 40 SDR 40, effective September 11, 2013; 43 SDR 9, effective August 4, 2016; 43 SDR 176, effective July 3, 2017.~~

~~—— **General Authority:** SDCL 1-16A-94, 13-39-13, 13-39-19, 13-39-37(3).~~

~~—— **Law Implemented:** SDCL 1-16A-43, 1-16A-96, 13-39-19, 13-39-37 to 13-39-39, 33-6-6.~~

~~—— **24:10:42:28. Formula for funding.** The postsecondary technical institutes shall receive state funding, from the amount appropriated by the Legislature less funds reserved in § 24:10:42:27, under a formula that distributes these funds based on full-time equivalent students as follows:~~

~~—— (1) Subtract the total set-asides reserved in § 24:10:42:27 from the total amount appropriated by the Legislature within the general appropriations act;~~

~~—— (2) Determine the number of full-time equivalent students at each institution for the preceding fiscal year using the following calculation:~~

~~—— (a) One "full-time equivalent student" equals 30 credit hours of instruction;~~

~~—— (b) The number of full-time equivalent students for an institution is calculated by dividing tuition collected for the preceding fiscal year by program as per chart of accounts prescribed within the South Dakota School District Accounting Manual by the tuition fee per credit and the quotient is divided by 30 credit hours;~~

~~—— (3) Multiply the number of full-time equivalent students at each institution by the per student allocation to determine the total allocation for the distribution formula. The distribution formula is as follows:~~

~~—— (a) "Per student allocation," for school fiscal year 2018 is \$3,487.39;~~

~~—— (b) Twenty-five percent (25%) of the total allocation will be distributed equally among the four institutions as a baseline for common operations at each technical institute. The funds shall be divided by four (4);~~

~~—— (c) Seventy-five percent (75%) of the total allocation will be distributed within three program categories: high cost low density programs, high cost programs, and standard cost programs. The funds shall be distributed by determining each program's full-time equivalent students, multiplied by the weighted program factor multiplied by the weighted per student value;~~

~~—— (d) The Director will identify the weighted program factor of each program documented on the South Dakota School District Accounting Manual;~~

~~—— (e) The weighted per student value is determined by the allocation divided by adding the total high cost low density program's full-time equivalent students multiplied by a weighted program factor, plus the total high cost program's full-time equivalent students multiplied by a weighted program factor, plus the total standard cost program's full-time equivalent students by a weighted program factor.~~

Source: 23 SDR 139, effective March 10, 1997; 25 SDR 150, effective June 6, 1999; 28 SDR 169, effective June 17, 2002; 32 SDR 117, effective January 5, 2006; 35 SDR 306, effective July 1, 2009; 36 SDR 169, adopted April 21, 2010, effective July 1, 2010; 40 SDR 229, effective July 1, 2014; 42 SDR 35, effective September 14, 2015; 43 SDR 9, effective August 4, 2016; 43 SDR 176, effective July 3, 2017.

~~General Authority: SDCL 13-39-37.~~

~~Law Implemented: SDCL 13-39-37 to 13-39-39.~~

~~24:10:42:29. Yearly revision of formula for funding.~~ The Office of Career and Technical Education shall revise the funding formula each year using tuition data.

Source: 23 SDR 139, effective March 10, 1997; 25 SDR 150, effective June 6, 1999; 32 SDR 117, effective January 5, 2006.

~~General Authority: SDCL 13-39-13, 13-39-19, 13-39-37.~~

~~Law Implemented: SDCL 13-39-19, 13-39-37 to 13-39-39.~~

CHAPTER 24:10:43

ASSOCIATE OF APPLIED SCIENCE DEGREE

(Repealed)

Section

~~24:10:43:01 Minimum standards for program approval.~~

~~24:10:43:02 Associate of applied science degree requirements.~~

~~24:10:43:03 Application requirements for program approval.~~

~~24:10:43:01. Minimum standards for program approval.~~ The following are the minimum standards for approval of programs leading to an associate of applied science degree granted by a postsecondary technical institute:

~~(1) The curriculum must be not less than 60 semester credit hours;~~

~~—— (2) The curriculum must provide not less than 15 semester credits in general education and not less than 50 percent of the credit hours in technical education;~~

~~—— (3) Associate of applied science degree courses with like competencies must be transferable among the state postsecondary technical institutes;~~

~~—— (4) Articulation must be addressed at secondary, postsecondary, and higher education levels. Articulation is the coordination of adult, vocational, and technical education programs so that students can progress without duplication of time, effort, or expense.~~

Source: 15 SDR 64, effective November 2, 1988; transferred from § 24:10:38:01, 20 SDR 223, effective July 7, 1994; repealed, SL 1995, ch 86, § 6, effective July 1, 1995; readopted, 22 SDR 13, effective August 9, 1995; 37 SDR 131, effective January 11, 2011.

~~—— **General Authority:** SDCL 13-39-37.~~

~~—— **Law Implemented:** SDCL 13-39-72.~~

~~—— **24:10:43:02. Associate of applied science degree requirements.** The associate of applied science degree is conferred upon the completion of all of the following requirements for graduation from an approved associate of applied science program:~~

~~—— (1) A student must complete a minimum of 60 semester credit hours in a course of study prescribed for the program with a cumulative grade point average of 2.0 or better using a four point system;~~

~~—— (2) Students completing an associate of applied science degree curriculum must possess a high school diploma or general educational development certificate.~~

Source: 15 SDR 64, effective November 2, 1988; transferred from § 24:10:38:02, 20 SDR 223, effective July 7, 1994; repealed, SL 1995, ch 86, § 6, effective July 1, 1995; readopted, 22 SDR 13, effective August 9, 1995.

— ~~**General Authority:** SDCL 13-39-37.~~

— ~~**Law Implemented:** SDCL 13-39-72.~~

— ~~**24:10:43:03. Application requirements for program approval.** A postsecondary technical institute seeking authority to grant the associate of applied science degree must apply on forms provided by the state director. The application must include documentation of admission requirements, required hours, curriculum components, instructor credentials, and graduation requirements.~~

— ~~Each associate of applied science degree program must include one or more general education courses in each of the following areas:~~

— ~~(1) Communications;~~

— ~~(2) Behavioral sciences;~~

— ~~(3) Social sciences;~~

— ~~(4) Mathematics; and~~

— ~~(5) Computer literacy.~~

Source: 15 SDR 64, effective November 2, 1988; transferred from § 24:10:38:03, 20 SDR 223, effective July 7, 1994; repealed, SL 1995, ch 86, § 6, effective July 1, 1995; readopted, 22 SDR 13, effective August 9, 1995.

— ~~**General Authority:** SDCL 13-39-37.~~

— ~~**Law Implemented:** SDCL 13-39-72.~~

CHAPTER 24:10:45

POSTSECONDARY TECHNICAL INSTITUTE CREDENTIAL

(Repealed)

Section

~~24:10:45:01 — Repealed.~~

~~24:10:45:02 — Repealed.~~

~~24:10:45:03 — Repealed.~~

~~24:10:45:04 — Repealed.~~

~~24:10:45:05 — Repealed.~~

~~24:10:45:06 — Repealed.~~

~~24:10:45:07 — Repealed.~~

~~24:10:45:08 — Repealed.~~

~~24:10:45:09 — Repealed.~~

~~24:10:45:10 — Repealed.~~

~~24:10:45:11 — Repealed.~~

~~24:10:45:12 — Repealed.~~

~~24:10:45:13 — Valid dates of credential.~~

~~24:10:45:14 — Repealed.~~

~~24:10:45:15 — Repealed.~~

~~24:10:45:16 — Repealed.~~

~~24:10:45:17 — Repealed.~~

~~24:10:45:13. Valid dates of credential. Effective July 1, 2016, the postsecondary technical institutes shall issue and renew all postsecondary credentials pursuant to policies and processes adopted by the local credentialing committee. A postsecondary credential issued or renewed by the department pursuant to an application submitted prior to July 1, 2016, shall be recognized by the postsecondary technical institute for the period of validity and for the subject or areas which the applicant is qualified to instruct, as noted on the certificate. Nothing in this section limits the ability of the postsecondary technical institute to terminate the employment of an instructor or to revoke, suspend, or refuse to issue a credential to an instructor based on an independent review of the character and fitness of the instructor.~~

Source: 24 SDR 16, effective August 10, 1997; 43 SDR 9, effective August 4, 2016.

~~**General Authority:** SDCL 13-1-12.1, 13-39-37, 13-42-3.~~

~~**Law Implemented:** SDCL 13-39-37, 13-42-1 to 13-42-4.~~

CHAPTER 24:10:46

LEASE PURCHASE AGREEMENTS

(Repealed)

Section

~~24:10:46:01 Application for new bonds for lease purchase agreements.~~

~~24:10:46:02 Approval of new bonds for lease purchase agreements.~~

~~24:10:46:03 Bond amount limited by pledged revenues.~~

~~24:10:46:04 Projection of contribution from state fees charged to students.~~

~~24:10:46:05 Maturity term of bonds issued.~~

~~—— **24:10:46:01. Application for new bonds for lease purchase agreements.** An application for a new bond for lease purchase agreement for the postsecondary technical institutes must be submitted to the director of the Office of Career and Technical Education. The director of the Office of Career and Technical Education shall convene a meeting of designated representatives of the technical institutes and a representative of the Department of Executive Management referenced in SDCL Chapter 1-33. Technical institutes with new bonds for lease purchase agreement proposals shall present their rationale for issuance. The director of the Office of Career and Technical Education shall review the rationale presented and make a recommendation to the South Dakota Board of Education on all applications which were submitted as to which projects should be considered for approval or disapproval. All proposals for projects must go through this process before they may be considered by the South Dakota Board of Education at its next regularly scheduled meeting.~~

Source: 40 SDR 40, effective September 11, 2013.

~~—— **General Authority:** SDCL 1-16A-94, 13-39-37(7).~~

~~—— **Law Implemented:** SDCL 1-16A-93, 13-39-9, 13-39-37.~~

~~—— **24:10:46:02. Approval of new bonds for lease purchase agreements.** The South Dakota Board of Education shall propose the adoption of a resolution for new facility bonds for lease purchase agreements if it considers it necessary and feasible based upon need and capacity for additional bonding. Items that the Board may consider in its deliberations are:~~

~~—— (1) Identification and description of the purpose of the proposed bonds;~~

~~—— (2) Availability of local, regional, and other outside support of the project;~~

~~—— (3) Industry support for the postsecondary technical institute and the program or programs it is expanding as part of the project;~~

~~—— (4) Projected five-year enrollment growth at the postsecondary technical institute due to the project;~~

~~—— (5) The estimated increase in state fees charged to students needed for debt coverage;~~

~~—— (6) Ratio of state fees charged to students for bonding projects to total tuition and fees;~~

~~—— (7) Physical capacity constraints of current facilities;~~

~~—— (8) Historical enrollment growth of postsecondary technical institute, particularly as it relates to past expansions;~~

~~—— (9) Anticipated demand for new and expanded curriculum;~~

~~—— (10) Information on how South Dakota postsecondary technical institutes total tuition and fees, state appropriation, and local taxing authority appropriation compare to those of other regional two-year colleges and technical institutes;~~

~~—— (11) Graduate placement rates of the postsecondary technical institute considering construction;~~

~~—— (12) Debt term length and payment structure of all existing bonds and new bonds being considered;~~

~~—— (13) Debt coverage ratio of all existing bonds and new bonds being considered;~~

~~—— (14) The term of bond compared to the average useful life of the asset or assets; and~~

~~—— (15) Capital expenditures of each postsecondary technical institute over the past ten years.~~

~~—— New bonds for lease purchase agreements for postsecondary technical institutes must receive approval by adoption of a resolution from the Board and must be approved by the Legislature before being issued.~~

Source: 40 SDR 40, effective September 11, 2013.

~~General Authority:~~ SDCL 1-16A-94, 13-39-37(7).

~~Law Implemented:~~ SDCL 1-16A-93, 1-16A-95, 13-39-9, 13-39-21, 13-39-37.

~~24:10:46:03. Bond amount limited by pledged revenues.~~ The Board of Education may not approve any revenue bonds for new projects that, when combined with the debt service on outstanding bonds, provide for a coverage ratio less than one hundred and three percent (103%). The goal of the Board of Education is to maintain a one hundred and five percent (105%) coverage for the estimated receipts, rentals, and other payments, including appropriations by the Legislature, student fee payments, or other balances or revenues pledged under the applicable bond indenture.

Source: 40 SDR 40, effective September 11, 2013.

~~General Authority:~~ SDCL 13-39-37.

~~Law Implemented:~~ SDCL 1-16A-43, 13-39-9, 13-39-37.

~~24:10:46:04. Projection of contribution from state fees charged to students.~~ For purposes of forecasting anticipated contributions from student tuition and state fees charged to students for bonding projects, the following calculations shall be used:

~~(1) Calculate the estimated amount of revenue needed to be raised from state fees charged to students for debt service for the next five fiscal years;~~

~~(2) Estimate the number of full-time equivalent students for the current fiscal year and the subsequent five fiscal years;~~

~~(3) Determine the estimated contributions from student tuition and fees for the next five fiscal years as follows:~~

- ~~———— (a) For each fiscal year, multiply the results of subdivision (2) above by 30 credit hours;~~
- ~~———— (b) Divide the result of subdivision (1) by the result of subdivision (3)(a) and round up to the nearest whole dollar to calculate the estimated state fees charged to students per credit hour needed for debt service coverage; and~~
- ~~———— (c) Multiply the results of subsections (a) and (b) above for each fiscal year to calculate the estimated amount of state fees charged to students pledged for each fiscal year.~~

Source: 40 SDR 40, effective September 11, 2013.

~~———— **General Authority:** SDCL 1-16A-94, 13-39-37(7).~~

~~———— **Law Implemented:** SDCL 1-16A-43, 1-16A-93, 13-39-9, 13-39-37.~~

~~———— **24:10:46:05. Maturity term of bonds issued.** When considering approval of new bonds for lease purchase agreement, the Board of Education may set a target maturity term between thirty and forty years. However, the amortization cannot exceed one hundred and twenty percent (120%) of the weighted average useful life of the asset.~~

Source: 40 SDR 40, effective September 11, 2013.

~~———— **General Authority:** SDCL 1-16A-94, 13-39-37(7).~~

~~———— **Law Implemented:** SDCL 1-16A-39, 1-16A-43, 1-16A-93, 13-39-9, 13-39-37.~~

CHAPTER 24:10:49

POSTSECONDARY TECHNICAL INSTITUTE INSTRUCTOR SALARY REPORT

(Repealed)

Section

~~24:10:49:01 — Purpose of salary support funds.~~

~~24:10:49:02 — Market value determination.~~

~~24:10:49:03 — Information to be provided.~~

~~24:10:49:04 — Calculation of need.~~

~~24:10:49:05 — Distribution of funds.~~

~~24:10:49:06 — Instructor salary adjustments.~~

~~24:10:49:07 — Reporting.~~

~~— **24:10:49:01. Purpose of salary support funds.** Salary support funds shall be used to increase instructor salaries to levels competitive with supervisory level salaries in applicable industries on a per day basis. Funds will be distributed to achieve equitable market values among the postsecondary technical institutes based on market analysis.~~

~~Source: 43 SDR 9, effective August 4, 2016; 43 SDR 176, effective July 3, 2017.~~

~~— **General Authority:** SDCL 13-39-37, 13-39-75.~~

~~— **Law Implemented:** SDCL 13-1-65, 13-39-8, 13-39-9, 13-39-37, 13-39-75.~~

~~— **24:10:49:02. Market value determination.** The department shall set a wage range and market value for each instructor position every three years. The department may consult the Department of Labor and Regulation or the Bureau of Human Resources to set the market value.~~

~~Source: 43 SDR 9, effective August 4, 2016; 43 SDR 176, effective July 3, 2017.~~

~~— **General Authority:** SDCL 13-39-37, 13-39-75.~~

~~— **Law Implemented:** SDCL 13-1-65, 13-39-8, 13-39-9, 13-39-37, 13-39-75.~~

~~24:10:49:03. Information to be provided.~~ By March fifteenth of each year, each postsecondary technical institute shall provide the following information for each program in the following academic year:

~~(1) Average salary per instructor;~~

~~(2) Average number of contract days;~~

~~(3) Number of instructors; and~~

~~(4) Justification for increase of contract days for the next academic year of instructors, with detail regarding how the increased contract days will be sustained.~~

Source: 43 SDR 9, effective August 4, 2016; 43 SDR 176, effective July 3, 2017.

~~**General Authority:** SDCL 13-39-37, 13-39-75.~~

~~**Law Implemented:** SDCL 13-1-65, 13-39-8, 13-39-9, 13-39-37, 13-39-75.~~

~~24:10:49:04. Calculation of need.~~ In the first year, market values are determined as provided in § 24:10:49:02. The department shall calculate, for each postsecondary technical institute, the actual average daily rate per program based upon the information provided in § 24:10:49:03. The department shall then calculate need for technical instructors and general education instructors separately within each program as follows:

~~(1) For each program, subtract the actual average daily rate per program from the target average daily rate per program to determine the average daily program gap;~~

~~(2) If the calculation in subsection (1) results in a positive number, then multiply the average daily program gap by the average instructor contract days per year for the program and the total number of program instructors to determine the total program salary gap;~~

~~—— (3) Add 14.06 percent to the total program salary gap to account for increased benefits to arrive at the total program need; and~~

~~—— (4) Add all of the total program needs to determine the total need for each postsecondary technical institute.~~

~~—— In the two years following the determination of market values as provided in § 24:10:49:02, the department shall base need calculations on the prior year's actual compensation reported in § 24:10:49:07, taking into account changes to teaching experience, academic degrees, industry credentials, performance, number of instructors, or number of contract days.~~

Source: 43 SDR 9, effective August 4, 2016; 43 SDR 176, effective July 3, 2017.

~~—— **General Authority:** SDCL 13-39-37, 13-39-75.~~

~~—— **Law Implemented:** SDCL 13-1-65, 13-39-8, 13-39-9, 13-39-37, 13-39-75.~~

~~—— **24:10:49:05. Distribution of funds.** The funds identified for each postsecondary technical institute in § 24:10:49:04 shall be distributed quarterly in equal payments for the year in which the funds were appropriated. These payments may be adjusted if reports received pursuant to § 24:10:49:07 indicate that funding has exceeded need. If the total need exceeds available funds, the funds will be pro-rated for distribution among all the postsecondary technical institutes. The need for technical instructors calculated in § 24:10:49:04 for all postsecondary technical institutes shall receive priority for funding over the need for general education instructors.~~

Source: 43 SDR 9, effective August 4, 2016.

~~—— **General Authority:** SDCL 13-39-37, 13-39-75.~~

~~—— **Law Implemented:** SDCL 13-1-65, 13-39-8, 13-39-9, 13-39-37, 13-39-75.~~

~~—— **24:10:49:06. Instructor salary adjustments.** From the funds distributed to each postsecondary technical institute, the president shall determine compensation for individual instructors in programs with identified need as determined in § 24:10:49:04(1). Compensation shall be based on factors including industry experience, teaching experience, academic degrees, industry credentials, and performance. All postsecondary technical institute presidents shall use a common rubric and methodology to determine instructors' compensation.~~

Source: 43 SDR 9, effective August 4, 2016; 43 SDR 176, effective July 3, 2017.

~~—— **General Authority:** SDCL 13-39-37, 13-39-75.~~

~~—— **Law Implemented:** SDCL 13-1-65, 13-39-8, 13-39-9, 13-39-37, 13-39-75.~~

~~—— **24:10:49:07. Reporting.** Each postsecondary technical institute shall provide a report to the department by July fifteenth of each year detailing how the salary support funds were applied to instructors' salaries and the resulting instructor compensation. In addition, the postsecondary technical institute is responsible for reporting quarterly any difference between need calculated pursuant to § 24:10:49:04 and funding applied pursuant to § 24:10:49:06. The department shall annually provide a report to the Board of Education and the Legislature.~~

Source: 43 SDR 9, effective August 4, 2016; 43 SDR 176, effective July 3, 2017.

~~—— **General Authority:** SDCL 13-39-37, 13-39-75.~~

~~—— **Law Implemented:** SDCL 13-1-65, 13-39-8, 13-39-9, 13-39-37, 13-39-75.~~

CHAPTER 24:28:09

EDUCATOR PERMIT REQUIREMENTS

Section

- 24:28:09:01 Permit for assignment required.
- 24:28:09:02 Permit restrictions.
- 24:28:09:03 Application process for an educator permit.
- 24:28:09:04 Types of educator permits.
- 24:28:09:05 Native American Lakota, Dakota, Nakota language and culture permit.
- 24:28:09:06 Native American Lakota, Dakota, Nakota language and culture permit eligibility requirements.
- 24:28:09:07 Eminent scholar Lakota, Dakota, Nakota language and culture permit.
- 24:28:09:08 Eminent scholar Lakota, Dakota, Nakota language and culture permit eligibility requirements.
- 24:28:09:09 Performing artist permit.
- 24:28:09:10 Performing artist permit eligibility requirements.
- 24:28:09:11 Performing artist permit employer requirements.
- 24:28:09:12 Junior reserve officers' training corps permit.
- 24:28:09:13 JROTC permit eligibility requirements.
- 24:28:09:14 Expert lecturer permit.
- 24:28:09:15 Expert lecturer permit eligibility requirements.
- 24:28:09:16 Expert lecturer permit employer requirements.
- 24:28:09:17 Athletic coaching permit.
- 24:28:09:18 Athletic coaching permit eligibility requirements.
- 24:28:09:19 International exchange teacher permit.
- 24:28:09:20 International exchange teacher permit eligibility requirements.

- 24:28:09:21 Drivers education permit.
- 24:28:09:22 Drivers education permit eligibility requirements.
- 24:28:09:23 Effective date of drivers education permit eligibility requirements.
- 24:28:09:24 American Sign Language permit.
- 24:28:09:25 American Sign Language permit eligibility requirements.
- 24:28:09:26 Braille education permit.
- 24:28:09:27 Braille education permit eligibility requirements.
- 24:28:09:28 Paraprofessional permit.
- 24:28:09:29 Standard paraprofessional permit eligibility requirements.
- 24:28:09:30 Advanced paraprofessional permit eligibility requirements.
- 24:28:09:31 Job responsibilities of a standard and advanced paraprofessional permit.
- 24:28:09:32 Limitations on a paraprofessional permit.
- 24:28:09:33 School business official permit.
- 24:28:09:34 School business official permit eligibility requirements.
- 24:28:09:35 CEO permit.
- 24:28:09:36 CEO permit eligibility requirements.
- 24:28:09:37 Limitations of a CEO permit.
- 24:28:09:38 CTE instructor permit.
- 24:28:09:39 CTE instructor permit eligibility requirements.
- 24:28:09:40 CTE instructor permit employer requirements.
- 24:28:09:41 Limitations of a CTE instructor permit.

24:28:09:39. CTE instructor permit eligibility requirements. The CTE instructor

permit is issued to an applicant who:

(1) Holds a minimum of a high school diploma or its equivalent;

(2) Has an associate of applied science (A.A.S.) degree or higher in a related CTE field, has 4,000 hours of work experience in a related CTE field, or holds a national certification in a related CTE field; and

(3) Completes a minimum of six transcribed credit hours from a regionally-accredited institution of higher education with a grade of C or higher. The credits must include a four-credit mentored internship experience ~~completed in the first year of employment~~ and two credits in methods of CTE completed in the first three years of employment.

Source: 43 SDR 175, effective July 3, 2017.

General Authority: SDCL 13-1-12.1, 13-42-3.

Law Implemented: SDCL 13-1-12.1, 13-42-1 to 13-42-4, inclusive, 13-43-5, 13-43-5.1.

CHAPTER 24:28:12

CAREER AND TECHNICAL EDUCATION ALTERNATIVE CERTIFICATION

Section

- 24:28:12:01 Career and technical education (CTE) alternative certification.
- 24:28:12:02 General requirements.
- 24:28:12:03 Application process for CTE alternative teaching certificate.
- 24:28:12:04 Scope of certificate.
- 24:28:12:05 Duration.
- 24:28:12:06 Maximum length of the CTE alternative teaching certificate.
- 24:28:12:07 Employer school district requirements.
- 24:28:12:08 Employer requirements effective July 1, 2019.
- 24:28:12:09 CTE alternative certification endorsement limitations.
- 24:28:12:10 Requirements to complete CTE alternative teaching certificate.
- 24:28:12:11 Requirements to complete CTE alternative certificate effective July 1, 2019.
- 24:28:12:12 Requirements to obtain a professional teaching certificate.

24:28:12:10. Requirements to complete CTE alternative teaching certificate. The applicant for CTE alternative certificate shall:

(1) Complete a minimum of 12 transcribed credit hours from a regionally-accredited institution of higher education with a grade of C or higher in the following: a two-credit in methods of career and technical education; a four-credit mentored internship ~~completed in the first year of employment~~; three credits of South Dakota Indian studies; and three credits in human relations, adolescent psychology, classroom management, student assessment, or differentiated instruction;

(2) Pass the state-designated pedagogy test;

(3) Adhere to the South Dakota Code of Professional Ethics for Teachers pursuant to chapter 24:08:03; and

(4) Receive signoff from the applicant's employing public or department-accredited school.

These requirements are in effect until June 30, 2019.

Source: 43 SDR 175, effective July 3, 2017.

General Authority: SDCL 13-1-12.1, 13-42-3.

Law Implemented: SDCL 13-1-12.1, 13-1-48, 13-42-1 to 13-42-4, inclusive, 13-43-5, 13-43-5.1.

CHAPTER 24:28:19

ENDORSEMENTS FOR EARLY CHILDHOOD PREPARATION

Section

- 24:28:19:01 Early childhood birth through grade three endorsement.
- 24:28:19:02 Early childhood special education (SPED) birth through grade three endorsement.
- 24:28:19:03 Kindergarten through grade 12 special education (SPED) endorsement.
- 24:28:19:04 Kindergarten through grade 12 adaptive physical education endorsement.
- 24:28:19:05 Endorsements requiring pedagogy test and content test.
- 24:28:19:06 Endorsements requiring pedagogy test and coursework.
- 24:28:19:07 Endorsements requiring pedagogy test, and content test or major.
- 24:28:19:08 Endorsements requiring pedagogy test, and content major or coursework.
- 24:28:19:09 Endorsements requiring pedagogy test, and content test, content major, or coursework.
- 24:28:19:10 Early childhood development career pathway endorsement.
- 24:28:19:11 Curriculum for agriculture science education pathway endorsement.
- 24:28:19:12 Health science career cluster endorsement.
- 24:28:19:13 Law, public safety, security and corrections career cluster endorsement.
- 24:28:19:14 Manufacturing career cluster endorsement.
- 24:28:19:15 Natural resources and environmental services career pathway endorsement.
- 24:28:19:16 Therapeutic and support services career pathway endorsement.
- 24:28:19:17 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and content test or coursework.

- 24:28:19:18 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and content test, coursework, or work experience.
- 24:28:19:19 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and Department-approved certification training.
- 24:28:19:20 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and coursework, certification, or work experience.
- 24:28:19:21 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and coursework, degree, or work experience.
- 24:28:19:22 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and content test, coursework, degree, or work experience.

24:28:19:18. Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and content test, coursework, or work experience. For an individual who has completed an early childhood preparation program, each of the endorsements listed in this section requires completion of a two-credit CTE methods course. Each endorsement also requires one of the following: passage of the state-designated content test, completion of state-designated coursework, or 4,000 hours of validated work experience in a related field within the previous five years. The endorsements are:

- (1) Education and training career cluster;
- (2) Food products and processing career pathway;
- (3) Plant systems career pathway;
- (4) Animal systems career pathway;
- (5) Power structural and technical systems career pathway;

- (6) Agribusiness career pathway;
- (7) Business marketing and management career pathway;
- (8) Sales, merchandising, and marketing research support career pathway;
- (9) Welding and precision machining career pathway;
- (10) Accounting career pathway;
- (11) Banking services and business finance career pathway;
- (12) Insurance, securities, and investments career pathway;
- (13) Restaurant and food service management career pathway;
- (14) Travel and tourism career pathway;
- (15) Consumer services career pathway;
- (16) Programming and software development career pathway;
- (17) Web and digital communications career pathway;
- (18) Networking systems and information support career pathway;
- (19) Design and pre-construction career pathway; ~~and~~
- (20) Construction career pathway; and
- (21) Government and Public Administration.

Effective July 1, 2019, passage of the state-designated pedagogy test is also required.

Source: 43 SDR 175, effective July 3, 2017.

General Authority: SDCL 13-1-12.1, 13-42-3.

Law Implemented: SDCL 13-1-12.1, 13-42-1 to 13-42-4, inclusive, 13-43-5, 13-43-5.1.

CHAPTER 24:28:20

ENDORSEMENTS FOR ELEMENTARY PREPARATION

Section

- 24:28:20:01 Early childhood birth through grade three endorsement.
- 24:28:20:02 Early childhood special education (SPED) birth through grade three endorsement.
- 24:28:20:03 Kindergarten through grade 12 special education (SPED) endorsement.
- 24:28:20:04 Kindergarten through grade 12 adaptive physical education endorsement.
- 24:28:20:05 Endorsements requiring completion of a content test.
- 24:28:20:06 Endorsements requiring pedagogy test and coursework.
- 24:28:20:07 Endorsements requiring pedagogy test, and content test or major.
- 24:28:20:08 Endorsements requiring pedagogy test, and content major or coursework.
- 24:28:20:09 Endorsements requiring pedagogy test, and content test, content major, or coursework.
- 24:28:20:10 Endorsements requiring coursework.
- 24:28:20:11 Endorsements requiring content test or content major.
- 24:28:20:12 Endorsements requiring content test, content major, or coursework.
- 24:28:20:13 Endorsements requiring content major or coursework.
- 24:28:20:14 Curriculum for agriculture science education pathway endorsement.
- 24:28:20:15 Health science career cluster endorsement.
- 24:28:20:16 Law, public safety, security and corrections career cluster endorsement.
- 24:28:20:17 Manufacturing career cluster endorsement.

- 24:28:20:18 Natural resources and environmental services career pathway endorsement.
- 24:28:20:19 Therapeutic and support services career pathway endorsement.
- 24:28:20:20 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and content test or coursework.
- 24:28:20:21 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and content test, coursework, or work experience.
- 24:28:20:22 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and Department-approved certification training.
- 24:28:20:23 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and coursework, certification, or work experience.
- 24:28:20:24 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and coursework, degree, or work experience.
- 24:28:20:25 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and content test, coursework, degree, or work experience.

24:28:20:21. Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and content test, coursework, or work experience. For an individual who has completed an elementary preparation program, each of the endorsements listed in this section requires completion of a two-credit CTE methods course. Each endorsement also requires one of the following: passage of the state-designated content test, completion of state-designated coursework, or 4,000 hours of validated work experience in a related field within the previous five years. The endorsements are:

- (1) Education and training career cluster;

- (2) Food products and processing career pathway;
- (3) Plant systems career pathway;
- (4) Animal systems career pathway;
- (5) Power structural and technical systems career pathway;
- (6) Agribusiness career pathway;
- (7) Business marketing and management career pathway;
- (8) Sales, merchandising, and marketing research support career pathway;
- (9) Welding and precision machining career pathway;
- (10) Accounting career pathway;
- (11) Banking services and business finance career pathway;
- (12) Insurance, securities, and investments career pathway;
- (13) Restaurant and food service management career pathway;
- (14) Travel and tourism career pathway;
- (15) Early childhood development career pathway;
- (16) Consumer services career pathway;
- (17) Programming and software development career pathway;
- (18) Web and digital communications career pathway;
- (19) Networking systems and information support career pathway;
- (20) Design and pre-construction career pathway; ~~and~~
- (21) Construction career pathway; and
- (22) Government and Public Administration.

Effective July 1, 2019, passage of the state-designated pedagogy test is also required.

Source: 43 SDR 175, effective July 3, 2017.

General Authority: SDCL 13-1-12.1, 13-42-3.

Law Implemented: SDCL 13-1-12.1, 13-42-1 to 13-42-4, inclusive, 13-43-5, 13-43-5.1.

CHAPTER 24:28:21

ENDORSEMENTS FOR SECONDARY PREPARATION

Section

- 24:28:21:01 Early childhood birth through grade three endorsement.
- 24:28:21:02 Early childhood special education (SPED) birth through grade three endorsement.
- 24:28:21:03 Kindergarten through grade twelve special education (SPED) endorsement.
- 24:28:21:04 Endorsements requiring completion of elementary preparation.
- 24:28:21:05 Kindergarten through grade twelve adaptive physical education endorsement.
- 24:28:21:06 Self-contained grades five through eight endorsement.
- 24:28:21:07 Endorsements requiring pedagogy test and coursework.
- 24:28:21:08 Endorsements requiring pedagogy test, and content test or major.
- 24:28:21:09 Endorsements requiring pedagogy test, and content major or coursework.
- 24:28:21:10 Endorsements requiring pedagogy test, and content test, content major, or coursework.
- 24:28:21:11 Endorsements requiring coursework.
- 24:28:21:12 Endorsements requiring content test or content major.
- 24:28:21:13 Endorsements requiring content major or coursework.
- 24:28:21:14 Endorsements requiring content test, content major, or coursework.
- 24:28:21:15 Curriculum for agriculture science education pathway endorsement.
- 24:28:21:16 Health science career cluster endorsement.
- 24:28:21:17 Law, public safety, security, and corrections career cluster endorsement.

- 24:28:21:18 Manufacturing career cluster endorsement.
- 24:28:21:19 Natural resources and environmental services career pathway endorsement.
- 24:28:21:20 Therapeutic and support services career pathway endorsement.
- 24:28:21:21 Endorsements requiring career and technical education (CTE) methods course, and content test or coursework.
- 24:28:21:22 Endorsements requiring career and technical education (CTE) methods course, and content test, coursework, or work experience.
- 24:28:21:23 Endorsements requiring career and technical education (CTE) methods course and Department-approved certification training.
- 24:28:21:24 Endorsements requiring career and technical education (CTE) methods course, and coursework, certification, or work experience.
- 24:28:21:25 Endorsements requiring career and technical education (CTE) methods course, and coursework, degree, or work experience.
- 24:28:21:26 Endorsements requiring career and technical education (CTE) methods course, and content test, coursework, degree, or work experience.

24:28:21:22. Endorsements requiring career and technical education (CTE) methods course, and content test, coursework, or work experience. For an individual who has completed a secondary preparation program, each of the endorsements listed in this section requires completion of a two-credit CTE methods course. Each endorsement also requires one of the following: passage of the state-designated content test, completion of state-designated coursework, or 4,000 hours of validated work experience in a related field within the previous five years. The endorsements are:

- (1) Education and training career cluster;
- (2) Food products and processing career pathway;
- (3) Plant systems career pathway;
- (4) Animal systems career pathway;
- (5) Power structural and technical systems career pathway;
- (6) Agribusiness career pathway;
- (7) Business marketing and management career pathway;
- (8) Sales, merchandising, and marketing research support career pathway;
- (9) Welding and precision machining career pathway;
- (10) Accounting career pathway;
- (11) Banking services and business finance career pathway;
- (12) Insurance, securities, and investments career pathway;
- (13) Restaurant and food service management career pathway;
- (14) Travel and tourism career pathway;
- (15) Early childhood development career pathway;
- (16) Consumer services career pathway;
- (17) Programming and software development career pathway;
- (18) Web and digital communications career pathway;
- (19) Networking systems and information support career pathway;
- (20) Design and pre-construction career pathway; ~~and~~
- (21) Construction career pathway; and
- (22) Government and Public Administration.

Source: 43 SDR 175, effective July 3, 2017.

General Authority: SDCL 13-1-12.1, 13-42-3.

Law Implemented: SDCL 13-1-12.1, 13-42-1 to 13-42-4, inclusive, 13-43-5, 13-43-5.1.

CHAPTER 24:28:22

ENDORSEMENTS FOR CAREER AND TECHNICAL EDUCATION PREPARATION

Section

- 24:28:22:01 Early childhood birth through grade three endorsement.
- 24:28:22:02 Early childhood special education (SPED) birth through grade three endorsement.
- 24:28:22:03 Kindergarten through grade 12 special education (SPED) endorsement.
- 24:28:22:04 Endorsements requiring completion of elementary preparation.
- 24:28:22:05 Kindergarten through grade 12 adaptive physical education endorsement.
- 24:28:22:06 Self-contained grades five through eight endorsement.
- 24:28:22:07 Endorsements requiring pedagogy test and coursework.
- 24:28:22:08 Endorsements requiring pedagogy test, and content test or major.
- 24:28:22:09 Endorsements requiring pedagogy test, and content major or coursework.
- 24:28:22:10. Endorsements requiring pedagogy test, and content test, content major, or coursework.
- 24:28:22:11 Endorsements requiring coursework.
- 24:28:22:12 Endorsements requiring content test or content major.
- 24:28:22:13 Endorsements requiring content major or coursework.
- 24:28:22:14 Endorsements requiring content test, content major, or coursework.
- 24:28:22:15 Curriculum for agriculture science education pathway endorsement.
- 24:28:22:16 Health science career cluster endorsement.
- 24:28:22:17 Law, public safety, security, and corrections career cluster endorsement.
- 24:28:22:18 Manufacturing career cluster endorsement.

- 24:28:22:19 Natural resources and environmental services career pathway endorsement.
- 24:28:22:20 Therapeutic and support services career pathway endorsement.
- 24:28:22:21 Endorsements requiring content test or coursework.
- 24:28:22:22 Endorsements requiring content test, coursework, or work experience.
- 24:28:22:23 Endorsements requiring department-approved certification training.
- 24:28:22:24 Endorsements requiring coursework, or certification, or work experience.
- 24:28:22:25 Endorsements requiring coursework, or degree, or work experience.
- 24:28:22:26 Endorsements requiring content test, coursework, degree, or work experience.

24:28:22:22. Endorsements requiring content test, coursework, or work experience

For an individual who has completed a CTE preparation program or CTE instructor permit, each of the endorsements listed in this section requires one of the following: passage of the state-designated content test, completion of state-designated coursework, or 4,000 hours of validated work experience in a related field within the previous five years. The endorsements are:

- (1) Education and training career cluster;
- (2) Food products and processing career pathway;
- (3) Plant systems career pathway;
- (4) Animal systems career pathway;
- (5) Power structural and technical systems career pathway;
- (6) Agribusiness career pathway;
- (7) Business marketing and management career pathway;
- (8) Sales, merchandising, and marketing research support career pathway;
- (9) Welding and precision machining career pathway;

- (10) Accounting career pathway;
- (11) Banking services and business finance career pathway;
- (12) Insurance, securities, and investments career pathway;
- (13) Restaurant and food service management career pathway;
- (14) Travel and tourism career pathway;
- (15) Early childhood development career pathway;
- (16) Consumer services career pathway;
- (17) Programming and software development career pathway;
- (18) Web and digital communications career pathway;
- (19) Networking systems and information support career pathway;
- (20) Design and pre-construction career pathway; ~~and~~
- (21) Construction career pathway; and
- (22) Government and Public Administration.

Source: 43 SDR 175, effective July 3, 2017.

General Authority: SDCL 13-1-12.1, 13-42-3.

Law Implemented: SDCL 13-1-12.1, 13-42-1 to 13-42-4, inclusive, 13-43-5, 13-43-5.1.

CHAPTER 24:28:23

ENDORSEMENTS FOR KINDERGARTEN THROUGH GRADE TWELVE (K-12)

PREPARATION

Section

- 24:28:23:01 Early childhood birth through grade three endorsement.
- 24:28:23:02 Kindergarten through grade four endorsements.
- 24:28:23:03 Early childhood special education (SPED) birth through grade three endorsement.
- 24:28:23:04 Kindergarten through grade 12 special education (SPED) endorsement.
- 24:28:23:05 Kindergarten through grade 12 adaptive physical education endorsement.
- 24:28:23:06 Self-contained grades five through eight.
- 24:28:23:07 Endorsements requiring coursework.
- 24:28:23:08 Endorsements requiring content test or major.
- 24:28:23:09 Endorsements requiring content major or coursework.
- 24:28:23:10 Endorsements requiring content test, content major, or coursework.
- 24:28:23:11 Curriculum for agriculture science education pathway endorsement.
- 24:28:23:12 Health science career cluster endorsement.
- 24:28:23:13 Law, public safety, security, and corrections career cluster endorsement.
- 24:28:23:14 Manufacturing career cluster endorsement.
- 24:28:23:15 Natural resources and environmental services career pathway endorsement.
- 24:28:23:16 Therapeutic and support services career pathway endorsement.
- 24:28:23:17 Endorsements requiring career and technical education (CTE) methods course, and content test or coursework.

- 24:28:23:18 Endorsements requiring career and technical education (CTE) methods course, and content test, coursework, or work experience.
- 24:28:23:19 Endorsements requiring career and technical education (CTE) methods course and department-approved certification training.
- 24:28:23:20 Endorsements requiring career and technical education (CTE) methods course, and coursework, certification, or work experience.
- 24:28:23:21 Endorsements requiring career and technical education (CTE) methods course, and coursework, degree, or work experience.
- 24:28:23:22 Endorsements requiring career and technical education (CTE) methods course, and content test, coursework, degree, or work experience.

24:28:23:18. Endorsements requiring career and technical education (CTE) methods course, and content test, coursework, or work experience. For an individual who has completed a K-12 preparation program, each of the endorsements listed in this section requires completion of a two-credit CTE methods course. Each endorsement also requires one of the following: passage of the state-designated content test, completion of state-designated coursework, or 4,000 hours of validated work experience in a related field within the previous five years. The endorsements are:

- (1) Education and training career cluster;
- (2) Food products and processing career pathway;
- (3) Plant systems career pathway;
- (4) Animal systems career pathway;
- (5) Power structural and technical systems career pathway;
- (6) Agribusiness career pathway;

- (7) Business marketing and management career pathway;
- (8) Sales, merchandising, and marketing research support career pathway;
- (9) Welding and precision machining career pathway;
- (10) Accounting career pathway;
- (11) Banking services and business finance career pathway;
- (12) Insurance, securities, and investments career pathway;
- (13) Restaurant and food service management career pathway;
- (14) Travel and tourism career pathway;
- (15) Early childhood development career pathway;
- (16) Consumer services career pathway;
- (17) Programming and software development career pathway;
- (18) Web and digital communications career pathway;
- (19) Networking systems and information support career pathway;
- (20) Design and pre-construction career pathway; ~~and~~
- (21) Construction career pathway; and
- (22) Government and Public Administration.

Source: 43 SDR 175, effective July 3, 2017.

General Authority: SDCL 13-1-12.1, 13-42-3.

Law Implemented: SDCL 13-1-12.1, 13-42-1 to 13-42-4, inclusive, 13-43-5, 13-43-5.1.

CHAPTER 24:28:24

ENDORSEMENTS FOR SPECIAL EDUCATION - EARLY CHILDHOOD

PREPARATION

Section

- 24:28:24:01 Early childhood birth through grade three endorsement.
- 24:28:24:02 Early childhood special education (SPED) birth through grade three endorsement.
- 24:28:24:03 Kindergarten through grade 12 special education (SPED) endorsement.
- 24:28:24:04 Kindergarten through grade 12 adaptive physical education endorsement.
- 24:28:24:05 Endorsements requiring pedagogy test and content test.
- 24:28:24:06 Endorsements requiring pedagogy test and coursework.
- 24:28:24:07 Endorsements requiring pedagogy test, and content test or major.
- 24:28:24:08 Endorsements requiring pedagogy test, and content major or coursework.
- 24:28:24:09 Endorsements requiring pedagogy test, and content test, content major, or coursework.
- 24:28:24:10 Early childhood development career pathway endorsement.
- 24:28:24:11 Curriculum for agriculture science education pathway endorsement.
- 24:28:24:12 Health science career cluster endorsement.
- 24:28:24:13 Law, public safety, security, and corrections career cluster endorsement.
- 24:28:24:14 Manufacturing career cluster endorsement.
- 24:28:24:15 Natural resources and environmental services career pathway endorsement.
- 24:28:24:16 Therapeutic and support services career pathway endorsement.

- 24:28:24:17 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and content test or coursework.
- 24:28:24:18 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and content test, coursework, or work experience.
- 24:28:24:19 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and department-approved certification training.
- 24:28:24:20 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and coursework, certification, or work experience.
- 24:28:24:21 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and coursework, degree, or work experience.
- 24:28:24:22 Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and content test, coursework, degree, or work experience.

24:28:24:18. Endorsements requiring pedagogy test, career and technical education (CTE) methods course, and content test, coursework, or work experience. For an individual who has completed an early childhood SPED preparation program, each of the endorsements listed in this section requires completion of a two-credit CTE methods course. Each endorsement also requires one of the following: passage of the state-designated content test, completion of state-designated coursework, or 4,000 hours of validated work experience in a related field within the previous five years. The endorsements are:

- (1) Education and training career cluster;
- (2) Food products and processing career pathway;
- (3) Plant systems career pathway;

- (4) Animal systems career pathway;
- (5) Power structural and technical systems career pathway;
- (6) Agribusiness career pathway;
- (7) Business marketing and management career pathway;
- (8) Sales, merchandising, and marketing research support career pathway;
- (9) Welding and precision machining career pathway;
- (10) Accounting career pathway;
- (11) Banking services and business finance career pathway;
- (12) Insurance, securities, and investments career pathway;
- (13) Restaurant and food service management career pathway;
- (14) Travel and tourism career pathway;
- (15) Consumer services career pathway;
- (16) Programming and software development career pathway;
- (17) Web and digital communications career pathway;
- (18) Networking systems and information support career pathway;
- (19) Design and pre-construction career pathway; ~~and~~
- (21) Construction career pathway; and
- (22) Government and Public Administration.

Effective July 1, 2019, passage of the state-designated pedagogy test is also required.

Source: 43 SDR 175, effective July 3, 2017.

General Authority: SDCL 13-1-12.1, 13-42-3.

Law Implemented: SDCL 13-1-12.1, 13-42-1 to 13-42-4, inclusive, 13-43-5, 13-43-5.1.

CHAPTER 24:28:25

ENDORSEMENTS FOR SPECIAL EDUCATION - KINDERGARTEN

THROUGH GRADE TWELVE (K-12) PREPARATION

Section

- 24:28:25:01 Early childhood birth through grade three endorsement.
- 24:28:25:02 Kindergarten through grade four endorsements.
- 24:28:25:03 Early childhood special education (SPED) birth through grade three endorsement.
- 24:28:25:04 Kindergarten through grade 12 special education (SPED) endorsement.
- 24:28:25:05 Kindergarten through grade 12 adaptive physical education endorsement.
- 24:28:25:06 Self-contained grades five through eight.
- 24:28:25:07 Endorsements requiring coursework.
- 24:28:25:08 Endorsements requiring content test or major.
- 24:28:25:09 Endorsements requiring content major or coursework.
- 24:28:25:10 Endorsements requiring content test, content major, or coursework.
- 24:28:25:11 Curriculum for agriculture science education pathway endorsement.
- 24:28:25:12 Health science career cluster endorsement.
- 24:28:25:13 Law, public safety, security and corrections career cluster endorsement.
- 24:28:25:14 Manufacturing career cluster endorsement.
- 24:28:25:15 Natural resources and environmental services career pathway endorsement.
- 24:28:25:16 Therapeutic and support services career pathway endorsement.
- 24:28:25:17 Endorsements requiring career and technical education (CTE) methods course, and content test or coursework.

- 24:28:25:18 Endorsements requiring career and technical education (CTE) methods course, and content test, coursework, or work experience.
- 24:28:25:19 Endorsements requiring career and technical education (CTE) methods course and Department-approved certification training.
- 24:28:25:20 Endorsements requiring career and technical education (CTE) methods course, and coursework, certification, or work experience.
- 24:28:25:21 Endorsements requiring career and technical education (CTE) methods course, and coursework, degree, or work experience.
- 24:28:25:22 Endorsements requiring career and technical education (CTE) methods course, and content test, coursework, degree, or work experience.

24:28:25:18. Endorsements requiring career and technical education (CTE) methods course, and content test, coursework, or work experience. For an individual who has completed a K-12 SPED preparation program, each of the endorsements listed in this section requires completion of a two-credit CTE methods course. Each endorsement also requires one of the following: passage of the state-designated content test, completion of state-designated coursework, or 4,000 hours of validated work experience in a related field within the previous five years. The endorsements are:

- (1) Education and training career cluster;
- (2) Food products and processing career pathway;
- (3) Plant systems career pathway;
- (4) Animal systems career pathway;
- (5) Power structural and technical systems career pathway;

- (6) Agribusiness career pathway;
- (7) Business marketing and management career pathway;
- (8) Sales, merchandising, and marketing research support career pathway;
- (9) Welding and precision machining career pathway;
- (10) Accounting career pathway;
- (11) Banking services and business finance career pathway;
- (12) Insurance, securities, and investments career pathway;
- (13) Restaurant and food service management career pathway;
- (14) Travel and tourism career pathway;
- (15) Early childhood development career pathway;
- (16) Consumer services career pathway;
- (17) Programming and software development career pathway;
- (18) Web and digital communications career pathway;
- (19) Networking systems and information support career pathway;
- (20) Design and pre-construction career pathway; ~~and~~
- (21) Construction career pathway; and
- (22) Government and Public Administration.

Source: 43 SDR 175, effective July 3, 2017.

General Authority: SDCL 13-1-12.1, 13-42-3.

Law Implemented: SDCL 13-1-12.1, 13-42-1 to 13-42-4, inclusive, 13-43-5, 13-43

CHAPTER 24:05:27

INDIVIDUAL EDUCATION PROGRAM

Section

- 24:05:27:01 Repealed.
- 24:05:27:01.01 IEP team.
- 24:05:27:01.02 Development, review, and revision of individualized education program.
- 24:05:27:01.03 Content of individualized education program.
- 24:05:27:01.04 Access to IEP.
- 24:05:27:01.05 IEP team attendance.
- 24:05:27:01.06 Initial IEP team meeting for infants and toddlers.
- 24:05:27:02 IEP team meeting date.
- 24:05:27:03 IEP team to determine related services.
- 24:05:27:04 Determination of related services.
 - 24:05:27:04.01 Parental consent for services.
 - 24:05:27:04.02 Parental refusal to consent -- School district obligations.
 - 24:05:27:04.03 Parental withdrawal of consent for services.
- 24:05:27:05 Hearing aid.
 - 24:05:27:05.01 External components of surgically implanted medical devices.
- 24:05:27:06 Medical services.
- 24:05:27:07 Transportation.
- 24:05:27:08 Yearly review and revision of individual educational programs.
 - 24:05:27:08.01 Agreement to change IEP.
 - 24:05:27:08.02 Amendments to IEP.

- 24:05:27:08.03 Consolidation of IEP team meetings.
- 24:05:27:08.04 Alternative means of meeting participation.
- 24:05:27:09 Repealed.
- 24:05:27:10 Individual educational programs for students placed in private schools.
- 24:05:27:11 Repealed.
- 24:05:27:12 Graduation requirements.
- 24:05:27:12.01 Modification of graduation requirements.
- 24:05:27:13 Repealed.
- 24:05:27:13.01 Agency responsibilities for transition services.
- 24:05:27:13.02 Transition services.
- 24:05:27:14 Repealed.
- 24:05:27:15 Repealed.
- 24:05:27:15.01 IEPs for student transfers within state.
- 24:05:27:15.02 IEPs for student transfers from another state.
- 24:05:27:15.03 Transmittal of records for student transfers.
- 24:05:27:16 Related services provided at no cost.
- 24:05:27:16.01 Rehabilitation counseling services.
- 24:05:27:16.02 Services applicable to surgically implanted device.
- 24:05:27:17 Employment of Braille teacher.
- 24:05:27:18 Assistive technology device.
- 24:05:27:19 Assistive technology service.
- 24:05:27:19.01 Universal design.
- 24:05:27:20 Availability of assistive technology.

- 24:05:27:21 Transition to preschool program.
- 24:05:27:22 Occupational therapy defined.
- 24:05:27:23 Criteria for occupational therapy.
- 24:05:27:24 Physical therapy defined.
- 24:05:27:25 Criteria for physical therapy.
- 24:05:27:26 Incarcerated students in adult prisons.
- 24:05:27:27 Modifications to IEPs for students in adult prisons.

24:05:27:12. Graduation requirements. Completion of an approved secondary special education program with a regular high school diploma signifies that the student no longer requires special education services. A regular high school diploma does not include an alternative degree that is not fully aligned with the state's academic standards, such as a certificate or a general educational development credential (GED). Graduation from high school with a regular high school diploma constitutes a change in placement requiring written prior notice in accordance with this article.

The instructional program shall be specified on the individual educational program. The individual educational program shall state specifically how the student in need of special education or special education and related services will satisfy the graduation requirements of § 24:43:11:02 or the district's graduation requirements if the district imposes requirements in addition to those in § 24:43:11:02. ~~The IEP team may modify the specific units of credit described in § 24:43:11:02.~~ Parents must be informed through the individual educational program process at least one year in advance of the intent to graduate their child upon completion of the individual educational program and to terminate services by graduation.

For a student whose eligibility terminates under the above graduation provisions, or due to exceeding the age eligibility for a free appropriate public education, a school district shall provide the student with a summary of the student's academic achievement and functional performance, which shall include recommendations on how to assist the student in meeting the student's postsecondary goals.

Source: 16 SDR 41, effective September 7, 1989; 23 SDR 31, effective September 8, 1996; 26 SDR 150, effective May 22, 2000; 32 SDR 41, effective September 11, 2005; 33 SDR 236, effective July 5, 2007; 36 SDR 96, effective December 8, 2009.

General Authority: SDCL 13-37-1.1.

Law Implemented: SDCL 13-37-1.1.

Cross-Reference: Child identification, ch 24:05:22.

24:05:27:12.01. Modification of graduation requirements. The specific units of credit described in § 24:43:11:02 may be modified if the student's IEP included the modification during or before the 2017-2018 school year. Beginning in the 2018-2019 school year, an IEP team may not modify the specific units of credit described in § 24:43:11:02.

Source:

General Authority: SDCL 13-37-1.1.

Law Implemented: SDCL 13-37-1.1.

CHAPTER 24:43:01

DEFINITION OF TERMS

Section

24:43:01:01 Definitions.

24:43:01:01. Definitions. Terms used in this article mean:

(1) "Accreditation, state," certification by the secretary that a school system meets the adopted standards of the state board for a specified school fiscal year;

(2) "ADM," average daily membership;

(3) "Advanced Computer Science," in graduation requirements, any state-approved course that may be used in lieu of science to meet a science graduation requirement, for the purpose of developing students' abilities in science and engineering practices while promoting workforce readiness in the computer science field. Any course on the state-approved list must incorporate science and engineering practices and a majority of cross-cutting concepts. No course on the state-approved list may incorporate a laboratory science component;

(4) "Advanced Endorsements," in graduation requirements, specific coursework outlined within the high school diploma requirements to denote particular emphases. Advanced endorsements include:

(a) "Advanced Endorsement," indicates a student has pursued coursework consistent with entrance requirements for postsecondary education at a university;

(b) "Advanced Career Endorsement," indicates a student has career experience in a concentrated area, based on academic and workplace experience and a related credential;

and

(c) "Advanced Honors Endorsement," indicates a student has pursued advanced rigorous, academic coursework consistent with SDCL 13-55-31.1;

~~(3)~~ (5) "Approved Career and Technical Education Course," a career and technical education course within an approved career cluster program of study approved by the department and taught by a certified teacher or instructor;

~~(4)~~ (6) "Assignment," a classification of activities performed by a staff member which can be identified and described by a single record entry;

~~(5)~~ (7) "Attendance, day of," a day in which an enrolled person is present under the guidance and direction of a teacher for the minimum length of time that school is in session;

~~(6)~~ (8) "Capstone experience," a culminating high school experience designed to integrate knowledge, skills, and concepts gained from a student's program of study. Capstone experiences include:

(a) Senior experience that requires students to complete a research project, design and develop a product, assemble a portfolio, and complete an oral presentation before a panel;

(b) Entrepreneurship experience that requires students to research a new business opportunity, develop a business plan, assemble a portfolio, and complete an oral presentation before a panel;

(c) Youth internship that allows students to gain hands-on experience at a business, develop employability skills, learn technical skills, and complete a portfolio; ~~and~~

(d) ~~Preapprenticeship~~ Youth apprenticeship, a contractual partnership between an employer and a student, that allows students to gain initial training in a particular industry and formal classroom-related instruction; and

(e) Service learning, a meaningful and relevant activity that addresses needs important to the community being served in which students explore the context of societal issues relevant to the service;

~~(7)~~ (9) "Computer studies," a laboratory course offering instruction in computer applications, one or more computer languages, computer science, and societal impact;

~~(8)~~ (10) "Course equivalency exam," a state-approved exam used by an accredited school district to allow students to record high school course credit without attending the actual course;

~~(9)~~ (11) "Credential," "certificate," or "permit," the document issued by the state authorizing the holder to perform services for the school system;

~~(10)~~ (12) "Division," the Division of Education Services and Support;

~~(11) "Distinguished high school program," the course of study a student may choose in order to meet the eligibility requirements of the South Dakota Opportunity Scholarship;~~

~~(12)~~ (13) "Dual enrollment," the enrollment of a pupil in elementary or secondary educational programs in two or more school systems at the same time;

~~(13)~~ (14) "Elementary," an educational program for any person classified below the ninth grade or for anyone under the age of 14 before the date established by SDCL 13-28-2 who is enrolled in an unclassified nongraded school program;

~~(14)~~ (15) "Endorsement," authorization to perform in a specific capacity in a school;

~~(15)~~ (16) "Language arts courses," instruction in literature, speaking, writing, grammar, and research;

~~(16)~~ (17) "Enrollment," the total number of original entries in a given school unit in the state, the total number of original entries in public schools plus the total number of original entries in nonpublic schools;

~~(17)~~ (18) "Experimental program," an educational program for which applicable state board rules must be waived if the program is to be implemented;

~~(18)~~ (19) "Facility," a building site, a building, or a part of a building;

~~(19)~~ (20) "Fine arts courses," instruction in drama, instrumental and vocal music, and the visual, graphic, and performing arts;

~~(20)~~ (21) "FTE time," a measure of time for performing a staff assignment calculated as a fraction of a full-time assignment;

~~(21)~~ (22) "Full-time equivalency," "FTE," the amount of employed time that is normally required of a staff member to perform a full-time assignment;

~~(22)~~ (23) "Grade," that portion of a school program that represents the work of one regular school term, identified by a designation such as kindergarten, grade one, or grade ten;

~~(23)~~ (24) "Graduate," an individual who has received formal recognition for the successful completion of a prescribed program of studies;

~~(24)~~ (25) "Health integration," the process of incorporating standards relative to maintaining and improving health, preventing disease, and avoiding or reducing health-related risk behaviors into the required units of credit described in § 24:43:11:02 as appropriate to the course;

~~(25)~~ (26) "In-service education or training," a program of systematized activities approved by the school system that contributes to the professional or occupational growth and competence of staff members during the time of their service to the school system;

~~(26)~~ (27) "Junior high school," a school consisting of a combination of two or more consecutive grades that must include grades seven and eight and may include grade nine;

~~(27)~~ (28) "Laboratory class," a course providing opportunities for students to interact directly with the material world, or with data drawn from the material world, using tools that are not found in a library, media center, study hall, or classroom, and in which students use safe and appropriate laboratory techniques, as well as implement data collection techniques, models, and theories of science;

~~(28)~~ (29) "Mathematics courses," instruction in general mathematics, algebra, geometry, consumer mathematics, probability and statistics, calculus, trigonometry, and similar courses in advanced topics;

~~(29)~~ (30) "Middle school," a school consisting of any combination of two or more consecutive grades, five through eight;

~~(30)~~ (31) "Norming period," the period of time during which tests were standardized;

~~(31)~~ (32) "Original entry," the initial enrollment of a pupil for any school term at any public or nonpublic elementary or secondary school in this state;

~~(32)~~ (33) "Personal learning plan," a plan based on a student's skills and interests that identifies the specific coursework a student needs to reach the student's academic and career goals;

~~(33)~~ (34) "Plan of Intent," a written document stating how a school district intends to ensure that all teachers and administrators are serving on valid certificates in their certified areas;

~~(34)~~ (35) "Program director," "coordinator," or "supervisor," a person who serves as the identified head of an organized educational program or administrative unit within a school system or other educational entity;

~~(35)~~ (36) "Pupil" or "student," an individual for whom instruction is provided in an educational program under the jurisdiction of a school or school system;

~~(36)~~ (37) "Pupil, full-time," a pupil who is carrying a full course load as determined by the local school system;

~~(37)~~ (38) "Pupil, high school," anyone, regardless of age, who is enrolled in grades nine through twelve and who has not graduated from high school. The term includes any person who was 14 years of age before the date established by SDCL 13-28-2 who is enrolled in a nongraded or unclassified school program and who has not graduated from high school;

~~(38)~~ (39) "School," a public or nonpublic organization or entity which is approved or accredited by the secretary for the purpose of instructing children of compulsory school age as provided in SDCL 13-27-1 or for children attending school as provided in SDCL 13-13-1, or both;

~~(39)~~ (40) "School, elementary," a school consisting of any combination of grades from kindergarten through eighth grade;

~~(40)~~ (41) "School, nonpublic," a school operated by an organization other than a school district;

~~(41)~~ (42) "School, public," a school operated by a school district;

~~(42)~~ (43) "School, secondary," a school consisting of any combination of three or more consecutive grades, including ninth grade through twelfth grade;

~~(43)~~ (44) "School system," all of the schools and supporting services operated by a governmental agency or by any private organization;

~~(44)~~ (45) "Science courses," instruction in physical, earth-space, and biological sciences;

~~(45)~~ (46) "Secretary," the secretary of the Department of Education;

~~(46) "Service learning," service learning is a meaningful and relevant activity that addresses needs important to the community being served. Students explore the context of societal issues relevant to the service;~~

(47) "Social studies courses," instruction in history, government, geography, anthropology, psychology, sociology, and economics;

(48) "Staff member," a person in a school system who meets all of the following criteria:

(a) The person serves under the rules of the governing authority of the school system;

(b) The person's assigned activities are under the direction and control of the governing authority of the school system;

(c) The person is assigned to perform activities which provide a service for the school system or for a program operated by the school system; and

(d) The person is an employee of the school system covered by or subject to workers' compensation, the Federal Insurance Contributions Act (FICA), and income tax withholding;

(49) "State board," the South Dakota Board of Education Standards;

(50) "State education agency," the Division of Education Services and Support, created by SDCL 1-45-4;

(51) "Teacher, certified," the holder of a valid South Dakota teacher certificate who is assigned to those responsibilities authorized by the certificate;

(52) "Teacher, full-time," a staff member who is employed to teach for a minimum school day for the entire regular school term;

(53) "Unit of credit," the demonstration of student learning for course work. A unit of credit may be granted verifying competency of content through an end-of-course exam, alternative

assessments demonstrating content knowledge, or 146 hours of class time. Fractional units of credit may be granted based upon proportionate time spent in class; and

(54) "World Languages," the study of languages other than English which may include Native American and American Sign languages.

Source: SL 1975, ch 16, § 1; 3 SDR 23, effective September 29, 1976; 3 SDR 69, effective July 1, 1977; 5 SDR 110, effective July 5, 1979; 7 SDR 6, effective August 6, 1980; 7 SDR 120, effective July 1, 1981; 9 SDR 154, effective July 1, 1983; 10 SDR 111, effective April 24, 1984; 11 SDR 96, 11 SDR 112, effective July 1, 1985; 11 SDR 177, effective July 3, 1985; 12 SDR 22, effective August 21, 1985; 16 SDR 214, effective June 12, 1990; repealed, SL 1995, ch 86, § 2, effective July 1, 1995; readopted, 22 SDR 12, effective August 9, 1995; 23 SDR 31, effective September 8, 1996; 31 SDR 129, effective March 22, 2005; transferred from § 24:03:01:01, 31 SDR 178, adopted May 4, 2005, effective July 1, 2005; 33 SDR 55, effective October 2, 2006; 33 SDR 188, effective May 15, 2007; 33 SDR 236, effective July 5, 2007; 34 SDR 127, effective November 14, 2007; 35 SDR 82, effective October 22, 2008; 36 SDR 96, effective December 8, 2009.

General Authority: SDCL 13-1-12.1, 13-3-47.

Law Implemented: SDCL 13-1-12.1, 13-3-47.

CHAPTER 24:43:11

CURRICULUM

Section

- 24:43:11:01 Number of required credits for graduation from high school – Personal learning plan required.
- 24:43:11:02 ~~Specific units of credit required~~ General requirements for high school graduation.
- 24:43:11:02.01 Specific units of credit required for high school graduation advanced endorsement.
- 24:43:11:02.02 Specific units of credit required for high school graduation advanced career endorsement.
- 24:43:11:01.03 Specific units of credit required for high school graduation advanced honors endorsement.
- 24:43:11:04. ~~Specific units of credit required for high school graduation – Standard high school program~~Repealed.
- 24:43:11:10. ~~Students may complete standards high school program or change to recommended high school program~~Repealed.

24:43:11:01. Number of required credits for graduation from high school -- Personal learning plan required. Required units of credit for high school graduation must be earned in grades 9 through 12, and students must earn a minimum of 22 units of credit.

Local school boards or governing bodies may set requirements of credit beyond the minimum. Transfer students unable to meet graduation requirements set by a local school board or governing body because of time and scheduling constraints, but not due to course failure, may graduate on the basis of meeting state minimum requirements for graduation.

The local school board or governing body may waive one or more graduation requirements for senior students who transfer from another state, who have met the standards in that state, and who are unable to meet the graduation requirements set by the state board because of time and scheduling constraints but not due to course failure.

~~A student identified as limited English proficient an English learner as defined in § 24:55:01:01(12) may be excused from taking required units of credit if the student's parent or legal guardian and school counselor or administrator agree and the excuse is documented.~~

~~A student may be excused from taking the required units of Algebra II, geometry, chemistry, or physics to align with a student's personal learning plan if the student's parent or legal guardian and school counselor or administrator agree and the excuse is documented. A student may be excused from Algebra II or geometry but not from both requirements. The student must still complete three units of mathematics and three units of laboratory science.~~

A student must earn a high school diploma as outlined in §24:43:11:02 in which coursework aligns with the student's personal learning plan. All students in grades 9 through 12 must have a personal learning plan. The personal learning plan must document a minimum of 22 units of credit.

Effective July 1, 2020, any advanced endorsement earned must be listed on the high school transcript.

Source: SL 1975, ch 16, § 1; 3 SDR 23, effective September 29, 1976; 5 SDR 110, effective July 5, 1979; 9 SDR 154, effective July 1, 1983; 10 SDR 111, effective April 24, 1984; 11 SDR 96, 11 SDR 112, effective July 1, 1985; 16 SDR 214, effective June 12, 1990; repealed, SL 1995, ch 86, § 2, effective July 1, 1995; readopted, 22 SDR 12, effective August 9, 1995; 23 SDR 31, effective September 8, 1996; 27 SDR 75, effective February 6, 2001; transferred from § 24:03:06:05, 31 SDR 178, adopted May 4, 2005, effective July 1, 2005; 36 SDR 96, effective December 8, 2009.

General Authority: SDCL 13-1-12.1, 13-3-47, 13-33-19.

Law Implemented: SDCL 13-3-1.4, 13-3-48, 13-33-1.

24:43:11:02. ~~Specific units of credit required~~ General requirements for high school graduation. The units of credit required for high school graduation must include the following:

(1) Four units or more of language arts that must include ~~a minimum of~~ the following:

~~(a) One and one-half units of writing;~~

~~(b) One and one-half units of literature that must include one-half unit of American literature;~~

~~(c) One-half unit of speech or debate; and~~

~~(d) One-half unit of a language arts elective;~~

(a) One unit of writing;

(b) One-half unit of speech or debate; and

- (c) One unit of literature that must include one-half unit of American literature;
- (2) Three units or more of social studies that must include ~~a minimum of~~ the following:
- (a) One unit of U.S. history; and
 - (b) One-half unit of U.S. government;
 - ~~(c) One half unit of geography; and~~
 - ~~(d) One half unit of world history;~~
- (3) Three units or more of mathematics that must include ~~a minimum of the following~~ one unit of algebra I;
- ~~(a) One unit of algebra I;~~
 - ~~(b) One unit of geometry; and~~
 - ~~(c) One unit of algebra II;~~
- (4) Three units or more of ~~laboratory~~ science that must include ~~a minimum of the following~~ one unit of biology;
- ~~(a) One unit of biology;~~
 - ~~(b) One unit of any physical science; and~~
 - ~~(c) One unit of chemistry or physics;~~
- ~~(5) Effective September 1, 2013, one~~ One unit or more in any combination of the following:
- (a) Approved career and technical education courses;
 - (b) A capstone experience ~~or service learning;~~ and
 - (c) World languages;
- (6) One-half unit of personal finance or economics;
- (7) One unit of fine arts;
- (8) One-half unit of physical education; ~~and~~

~~(9) Effective September 1, 2013, one~~One-half unit of health or health integration; and

(10) Five and one-half units of electives.

A state-approved advanced computer science course may be substituted for one unit of science, but may not be substituted for biology.

Within the coursework outlined above, a student may earn one or more advanced endorsement, but is not required to do so. A student may earn one or more of the following advanced endorsements: advanced, advanced career, and advanced honors. Substitutions for laboratory science, using a state-approved computer science course, do not apply to the advanced and advanced honors endorsements.

Students may be granted up to one credit in fine arts for participation in extracurricular activities. A maximum of one-fourth credit may be granted for each extracurricular activity each school year. In order to grant credit, a district must document the alignment of the activity with fine arts content standards as approved by the South Dakota Board of Education Standards.

Academic core content credit may be earned by completing an approved career and technical education course. Approval to offer credit must be obtained through an application process with the Department of Education. The application must include:

- (1) Course syllabus;
- (2) Standards based curriculum;
- (3) Teacher certification;
- (4) Assessment of standards by methods including end-of-course exams, authentic assessment, project-based learning or rubrics.

Source: 10 SDR 111, effective April 24, 1984; 11 SDR 96, 11 SDR 112, effective July 1, 1985; 16 SDR 214, effective June 12, 1990; 23 SDR 31, effective September 8, 1996; 27 SDR 75, adopted January 17, 2001; 29 SDR 140, adopted April 1, 2003; 31 SDR 129, adopted March 2, 2005, effective July 1, 2009; transferred from § 24:03:06:06.01, 31 SDR 178, adopted May 4, 2005, effective July 1, 2005; 33 SDR 55, adopted September 11, 2006, effective September 1, 2007; 33 SDR 55, adopted September 11, 2006, effective September 1, 2009; 36 SDR 96, effective December 8, 2009.

General Authority: SDCL 13-1-12.1, 13-3-47.

Law Implemented: SDCL 13-3-1.4, 13-33-1, 13-33-19.

24:43:11:02.01. Specific units of credit required for high school graduation advanced endorsement. The units of credit required for the high school graduation advanced endorsement must include the following 22 units:

(1) Four units or more of language arts that must include:

- (a) One unit of writing;
- (b) One-half unit of speech or debate; and
- (c) One unit of literature that must include one-half unit of American literature;

(2) Three units or more of social studies that must include the following:

- (a) One unit of U.S. history; and
- (b) One-half unit of U.S. government;

(3) Three units or more of mathematics that must include the following:

- (a) One unit of algebra I;

- (b) One unit of geometry; and
- (c) One unit of algebra II;
- (4) Three units or more of science that must include the following:
 - (a) One unit of biology; and
 - (b) Two units of laboratory sciences;
- (5) One unit or more in any combination of the following:
 - (a) Approved career and technical education courses;
 - (b) A capstone experience; and
 - (c) World languages;
- (6) One-half unit of personal finance or economics;
- (7) One unit of fine arts;
- (8) One-half unit of physical education;
- (9) One-half unit of health or health integration; and
- (10) Five and one-half units of electives.

24:43:11:02.02. Specific units of credit required for high school graduation advanced career

endorsement. The units of credit required for the high school graduation advanced career

endorsement must include the following 22 units:

- (1) Four units or more of language arts that must include:
 - (a) One unit of writing;
 - (b) One-half unit of speech or debate; and
 - (c) One unit of literature that must include one-half unit of American literature;

- (2) Three units or more of social studies that must include the following:
 - (a) One unit of U.S. history; and
 - (b) One-half unit of U.S. government;
- (3) Three units or more of mathematics that must include one unit of algebra I;
- (4) Three units or more of science that must include one unit of biology;
- (5) Two units or more in any combination of the following:
 - (a) Approved career and technical education courses from the same career cluster; or
 - (b) Capstone experience courses;
- (6) Attainment of an industry-recognized credential or National Career Readiness Certificate of Silver or higher;
- (7) One-half unit of personal finance or economics;
- (8) One unit of fine arts;
- (9) One-half unit of physical education;
- (10) One-half unit of health or health integration; and
- (11) Four and one-half units of electives.

24:43:11:02.03. Specific units of credit required for high school graduation advanced honors endorsement. The units of credit required for the high school graduation advanced honors endorsement must include the following 22 units:

- (1) Four units or more of language arts coursework that include a minimum of the following:
 - (a) One and one-half units of writing;

- (b) One and one-half units of literature that must include one-half unit of American literature;
- (c) One-half unit of speech or debate; and
- (d) One-half unit of language arts elective;

(2) Three units or more of social studies coursework that include a minimum of the following:

- (a) One unit of U.S. history;
- (b) One-half unit of U.S. government;
- (c) One-half unit of geography;
- (d) One-half unit of world history; and
- (e) One-half unit of a social studies elective;

(3) Four units or more of mathematics coursework that include a minimum of the following:

- (a) One unit of algebra I;
- (b) One unit of geometry;
- (c) One unit of algebra II; and
- (d) One unit of an advanced mathematics course;

(4) Four units or more of science, including three units of laboratory science coursework that include a minimum of the following:

- (a) One unit of biology;
- (b) One unit of any physical science;
- (c) One unit of chemistry or physics; and
- (d) One unit of a science elective;

(5) Two units or more of either of the following or a combination of the two:

- (a) Approved career and technical education courses; and
- (b) Modern or classical language, including American Sign Language, in
which the units must be in the same language;

(6) One-half unit of personal finance or economics;

(7) One unit of fine arts;

(8) One-half unit of physical education;

(9) One-half unit of health or health integration; and

(10) Two and one-half units of electives.

All high school coursework must be completed with a “C” or higher.

~~**24:43:11:04. Specific units of credit required for high school graduation -- Standard high school program.** The units of credit required for high school graduation must include the following 16 units for the standard high school program:~~

~~(1) Four units of English/language arts which include a minimum of the following:~~

- ~~(a) One and one-half units of writing;~~
- ~~(b) One unit of literature;~~
- ~~(c) One-half unit of American literature; and~~
- ~~(d) One-half unit of speech;~~

~~(2) Three units of social studies which include a minimum of the following:~~

- ~~(a) One unit of U.S. history;~~
- ~~(b) One-half unit of U.S. government;~~
- ~~(c) One-half unit of geography; and~~

~~(d) One half unit of world history;~~

~~(3) Three units of mathematics which must include a minimum of one unit of algebra I or higher;~~

~~(4) Two units of laboratory science;~~

~~(5) One unit of fine arts;~~

~~(6) One half unit of physical education or health;~~

~~(7) One half unit of economics or personal finance;~~

~~(8) Two units of any combination of required offerings:~~

~~(a) World languages; or~~

~~(b) Computer studies; or~~

~~(c) Approved career and technical education courses; or~~

~~(d) Mathematics courses in addition to meeting the math requirements of subdivision 24:43:11:02(3); or~~

~~(e) Science courses in addition to meeting the science requirements of subdivision 24:43:11:02(4).~~

~~Credit for certain career and technical education courses may be used to partially satisfy required course credit in English, mathematics, social science, and science. Up to one unit of credit from career and technical education courses may be substituted for required course credit in each of these academic areas. Required course credit earned in this manner shall be accounted for on the student transcript, identifying the career and technical education courses approved and applied toward the credit.~~Repealed.

Source: 31 SDR 129, adopted March 2, 2005, effective July 1, 2009; transferred from § 24:03:06:06.06, 31 SDR 178, adopted May 4, 2005, effective July 1, 2005; 33 SDR 55, adopted September 11, 2006, effective September 1, 2009.

— **General Authority:** ~~SDCL 13-1-12.1, 13-3-47.~~

— **Law Implemented:** ~~SDCL 13-3-1.4, 13-33-1.~~

~~**24:43:11:10. Students may complete standard high school program or change to recommended high school program.** Students entering the ninth grade in the 2006-2007, 2007-2008, 2008-2009, or 2009-2010 school years who opted for the standard high school program described in § 24:43:11:04 may complete that program or opt to complete the recommended high school program described in § 24:43:11:02. Repealed.~~

Source: 36 SDR 96, effective December 8, 2009.

— **General Authority:** ~~13-1-12.1, 13-3-47.~~

— **Law Implemented:** ~~13-3-1.4, 13-33-1, 13-33-19.~~