

CHAPTER 24:05:27

INDIVIDUAL EDUCATION PROGRAM

Section

24:05:27:12 Graduation requirements.

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 district's graduation requirements. ~~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.

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, state-approved courses that may be used in lieu of science to meet a science graduation requirement, with the purpose to develop students’ abilities in science and engineering practices while promoting workforce readiness in the computer science field. Courses on the state-approved list must incorporate science and engineering practices and a majority of cross-cutting concepts. Courses on the state-approved list may not 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/or workplace experience and a related credential;

(c) "Advanced Honors Endorsement," indicates a student has pursued advanced rigorous, academic coursework consistent with §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," service learning is 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 or 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, advanced endorsement(s) 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 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 in lieu 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. Students 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 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 the 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;

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

(13) One unit of fine arts;

(14) One-half unit of physical education;

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

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

All high school coursework 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.~~