

24:10:42:27. Set-asides. The Office of Career and Technical Education shall set aside facility funds; ~~a minimum of \$1,650,000 before distributing funds through the formula prescribed in § 24:10:42:28.~~ ~~Beginning on July 1, 2014,~~ the set aside shall be an amount that is equal to ~~or greater than fifty~~ twenty-seven percent of the projected state fees charged to students pledged for the payment of lease purchase agreements.

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.

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.

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 ~~2016~~ 2017 is ~~\$3,395.71~~ \$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.

General Authority: SDCL 13-39-37.

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

CHAPTER 24:10:45

POSTSECONDARY TECHNICAL INSTITUTE CREDENTIAL

Section

- 24:10:45:01 Repealed.
- 24:10:45:02 ~~Credential~~ Repealed.
- 24:10:45:03 ~~Level of academic preparation~~ Repealed.
- 24:10:45:04 ~~Technical specialty endorsement~~ Repealed.
- 24:10:45:05 ~~Validity of credential~~ Repealed.
- 24:10:45:06 ~~Application process—Postsecondary credential~~ Repealed.
- 24:10:45:07 ~~Two year postsecondary credential to instruct technical programs~~ Repealed.
- 24:10:45:08 ~~Two year postsecondary credential to instruct general education~~ Repealed.
- 24:10:45:09 ~~Initial five year postsecondary credential to instruct technical programs~~
Repealed.
- 24:10:45:10 ~~Initial five year postsecondary credential to instruct general education~~ Repealed.
- 24:10:45:11 ~~Renewal process~~ Repealed.
- 24:10:45:12 ~~Subjects or areas qualified to instruct~~ Repealed.
- 24:10:45:13 Valid dates of credential.
- 24:10:45:14 ~~Revocation, suspension, or voiding of credential~~ Repealed.
- 24:10:45:15 ~~Fee for postsecondary credential~~ Repealed.
- 24:10:45:16 ~~Updating lapsed credential~~ Repealed.
- 24:10:45:17 ~~One year credential~~ Repealed.

24:10:45:02. Credential. ~~The type of postsecondary credential issued to a qualified individual employed as an instructor in an approved postsecondary career and technical~~

education program is indicated by endorsements on the credential under each of the following categories:

- ~~(1) Level of academic preparation and academic or technical majors;~~
- ~~(2) Validity of credential; and~~
- ~~(3) Subject or technical area qualified to instruct Repealed.~~

Source: 24 SDR 16, effective August 10, 1997; 34 SDR 278, effective May 8, 2008; 41 SDR 97, effective December 8, 2014.

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

Law Implemented: ~~SDCL 13-39-37, 13-42-1 to 13-42-3.~~

24:10:45:03. Level of academic preparation. ~~The postsecondary credential indicates the holder's level of academic preparation and academic majors as documented through official transcripts provided to the department Repealed.~~

Source: 24 SDR 16, effective August 10, 1997.

General Authority: ~~SDCL 13-1-12.1, 13-39-37, 13-42-4.~~

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

24:10:45:04. Technical specialty endorsement. ~~The postsecondary credential indicates the holder's technical specialty as documented on official work experience verification forms provided by the department Repealed.~~

Source: 24 SDR 16, effective August 10, 1997.

General Authority: ~~SDCL 13-1-12.1, 13-39-37, 13-42-4.~~

Law Implemented: ~~SDCL 13-39-37, 13-42-1 to 13-42-3.~~

24:10:45:05. Validity of credential. ~~The postsecondary credential indicates its validity as a five-year credential or a two-year credential Repealed.~~

Source: 24 SDR 16, effective August 10, 1997.

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.~~

24:10:45:06. Application process -- Postsecondary credential. ~~An applicant for a postsecondary credential shall submit to the department in one mailing the following:~~

- ~~(1) A completed application form supplied by the department;~~
- ~~(2) Official transcripts from each accredited college, university, or technical institute attended and/or verification of work experience or proficiencies in the area for which credential is sought;~~
- ~~(3) The applicable fee as set in § 24:10:45:15 Repealed.~~

Source: 24 SDR 16, effective August 10, 1997; 34 SDR 278, effective May 8, 2008.

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.~~

24:10:45:07. Two-year postsecondary credential to instruct technical programs. ~~The department may issue a two-year nonrenewable postsecondary credential to instruct technical programs to an applicant who has completed one of the following:~~

- ~~(1) An approved teacher education program, pursuant to subdivision 24:02:03:01(2) through August 31, 2000, and beginning September 1, 2000, pursuant to subdivision 24:15:01:01(5), from an accredited four-year institution; or~~
- ~~(2) A baccalaureate degree from an accredited four-year institution in the area of instruction; or~~
- ~~(3) Less than a baccalaureate degree with 6,000 hours of verified work experience in the related field of instruction Repealed.~~

Source: 24 SDR 16, effective August 10, 1997; 26 SDR 37, effective September 22, 1999; 34 SDR 278, effective May 8, 2008.

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.~~

24:10:45:08. Two-year postsecondary credential to instruct general education. ~~The department may issue a two-year nonrenewable postsecondary credential to instruct general education to an applicant who has completed one of the following:~~

~~(1) An approved teacher education program, pursuant to subdivision 24:02:03:01(2) through August 31, 2000, and beginning September 1, 2000, pursuant to subdivision 24:15:01:01(5), from an accredited four-year institution; or~~

~~(2) A baccalaureate degree from an accredited four-year institution in the area of instruction~~ Repealed.

Source: 24 SDR 16, effective August 10, 1997; 26 SDR 37, effective September 22, 1999; 34 SDR 278, effective May 8, 2008.

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.~~

24:10:45:09. Initial five-year postsecondary credential to instruct technical programs. ~~The department may issue an initial five-year postsecondary credential to instruct technical programs to an applicant who has completed one of the following:~~

~~(1) An approved teacher education program from an accredited four-year institution in the area of instruction; or~~

~~(2) An applicant who meets the provisions of § 24:10:45:07 and has completed a year-long local mentoring program, and four credits in methodology from an accredited institution or~~

~~qualifies for an initial five-year credential to instruct based on the recommendation of the Career and Technical Education director and Accreditation and Teacher Quality director and is enrolled in the local mentoring program Repealed.~~

Source: 24 SDR 16, effective August 10, 1997; 26 SDR 37, effective September 22, 1999; 34 SDR 278, effective May 8, 2008.

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.~~

24:10:45:10. Initial five-year postsecondary credential to instruct general education.

~~The department may issue a five-year postsecondary credential to instruct general education to an applicant who has completed one of the following:~~

~~(1) An approved teacher education program from an accredited four-year institution in the area of instruction; or~~

~~(2) An applicant who meets the provisions § 24:10:45:08 and has completed a year long local mentoring program, and four credits in methodology from an accredited institution~~

Repealed.

Source: 24 SDR 16, effective August 10, 1997; 26 SDR 37, effective September 22, 1999; 34 SDR 278, effective May 8, 2008.

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.~~

24:10:45:11. Renewal process. ~~The department may renew a South Dakota postsecondary credential for a five-year period upon receipt of a completed renewal application form provided by the department, the required fee, and official documentation verifying~~

~~completion of 150 hours of in-service approved by a local credentialing committee. These hours must be earned during the preceding five years Repealed.~~

Source: 24 SDR 16, effective August 10, 1997.

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.~~

24:10:45:12. Subjects or areas qualified to instruct. ~~A postsecondary credential must indicate the subjects or areas for which the applicant is qualified to instruct based on an official transcript and documentation of work experience, and verification from a teacher education program. The department shall determine subject or area endorsements for which out-of-state applicants are qualified to instruct through analysis of a transcript of coursework.~~

~~—— The department shall determine subject or area endorsements for which graduates from institutions outside the United States are qualified to instruct from analysis of an official interpretation of an applicant's transcript by a credential evaluation service selected by the department or an interpretation from one of the teacher education programs within the state Repealed.~~

Source: 24 SDR 16, effective August 10, 1997.

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.~~

24:10:45:13. Valid dates of credential. Effective July 1, 2016, all postsecondary credentials shall be issued and renewed by the postsecondary technical institutes pursuant to rules and processes established by the local credentialing committee. A postsecondary credential issued or renewed ~~between the dates of January 1 and December 31 of any year is valid from the date of issue to July 1 of the expiration year indicated on the individual's credential~~ by the

department by July 1, 2016, shall be recognized by the postsecondary technical institute for the period of validity noted on the certificate.

Source: 24 SDR 16, effective August 10, 1997.

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.

24:10:45:14. Revocation, suspension, or voiding of credential. ~~The department may not credential an applicant whose authorization to instruct has been revoked or suspended by another state or a commonwealth, territory, or possession of the United States until the revocation or suspension has been vacated. The department may revoke or suspend an existing credential pursuant to SDCL chapter 13-42 and article 24:08. The department may void a credential if a review of documentation indicates an error was made in the original issuance. The department shall give notice of the action to the holder and the employer~~ Repealed.

Source: 24 SDR 16, effective August 10, 1997.

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.~~

24:10:45:15. Fee for postsecondary credential. ~~The following are nonrefundable fees for issuance and renewal of a postsecondary credential:~~

- ~~(1) Two-year validity—\$20;~~
- ~~(2) Five-year validity—\$30; and~~
- ~~(3) Any action requested by the holder which warrants the review of credential records or issuance of a new credential—\$20~~ Repealed.

Source: 24 SDR 16, effective August 10, 1997; 26 SDR 37, adopted September 22, 1999, effective September 1, 2000

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

Law Implemented: ~~SDCL 13-39-17.1, 13-42-1 to 13-42-4.~~

24:10:45:16. Updating lapsed credential. ~~The department may issue a postsecondary credential to an applicant who has allowed a credential to lapse upon receipt of a completed renewal application form provided by the department, the required fee, and official documentation verifying completion of 150 hours of in-service approved by a local credentialing committee. These hours must be earned during the preceding five years~~ Repealed.

Source: 24 SDR 16, effective August 10, 1997; 34 SDR 278, effective May 8, 2008.

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.~~

24:10:45:17. One-year credential. ~~At the request of the director of a postsecondary institute, the department may issue a one-year credential which is valid for one year to a person who cannot meet the requirements necessary for issuance of the two-year or five-year credential~~ Repealed.

Source: 24 SDR 16, effective August 10, 1997; 34 SDR 278, effective May 8, 2008.

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 24:17:03

STUDENT RECORDS

Section

24:17:03:01 Requirement to submit student record form.

24:17:03:02 Student data submission.

24:17:03:03 Extension of deadlines.

24:17:03:04 Department review of student records.

- 24:17:03:05 Exception to nonduplicative dates requirement.
- 24:17:03:06 Mandatory dropping of students.
- 24:17:03:07 Average daily membership weight of students attending short-term group care education program.
- 24:17:03:08 Requirement to submit calendar data.
- 24:17:03:09 Student enrollment dates.
- 24:17:03:10 Requirement to submit educational structure data.

24:17:03:10. Requirement to submit educational structure data. The finalized educational structure for each school district is due by March first for the next school year. The school district shall report the following information:

- (1) New schools;
- (2) Closed schools; and
- (3) Grade span changes.

Source:

General Authority: SDCL 13-3-51, 13-13-37.4.

Law Implemented: SDCL 13-3-51, 13-13-10.1, 13-13-37.4.

ARTICLE 24:56

COOPERATION IN EDUCATION

Chapter

- 24:56:01 School district consortium agreements.
- 24:56:02 Whole grade sharing agreements.
- 24:56:03 Shared services grants.

CHAPTER 24:56:03

SHARED SERVICES GRANTS

Section

24:56:03:01. Purpose. Shared services grants are designed to provide an incentive for school districts to share employees and shall be administered by the South Dakota Department of Education.

Source:

General Authority: SDCL 13-15-1.4.

Law Implemented: SDCL 13-6-97, 13-15-1.1, SDCL 13-15-1.4.

24:56:03:02. Criteria for grant funds. An applicant for a shared services grant must meet the following criteria:

- (1) Be an accredited public school district in South Dakota;
- (2) Demonstrate the need among participating school districts for the shared employee services; and
- (3) Demonstrate sustainability of the plan to provide the shared employee services.

Source:

General Authority: SDCL 13-15-1.4.

Law Implemented: SDCL 13-6-97, 13-15-1.1, 13-15-1.4.

24:56:03:03. Application and award period. The department shall inform all school districts of the application and award period and the amount of grant funds available each year. The department shall also provide school districts with a scoring rubric. An applicant shall apply on a form provided by the department. The department may request additional information as necessary to determine eligibility and to make an award decision, and the application is not complete until all necessary information is submitted.

Source:

General Authority: SDCL 13-15-1.4.

Law Implemented: SDCL 13-6-97, 13-15-1.1, 13-15-1.4.

24:56:03:04. Review process. Grant recipients and award amounts will be determined by the department, utilizing a competitive process and involving a group of reviewers designated by the Secretary. Applications addressing rural or sparsity, increased opportunities or services for students, or increased efficiency will be given priority.

Source:

General Authority: SDCL 13-15-1.4.

Law Implemented: SDCL 13-6-97, 13-15-1.1, 13-15-1.4.

24:56:03:05. Grant Conditions. In addition to complying with all assurances required by the department in the application referenced in § 24:56:03:03, all grantees will be subject to the following conditions:

- (1) The amount of a grant may not exceed the actual cost as proposed in the application;
- (2) Grants may be used for purchased services, salary, benefits, and associated travel expenses;
- (3) Grant funds shall not be used for costs associated with writing the grant proposal, contractual obligations which began before the award date, purchases or services beyond the project outcomes or activities, or capital expenditures;
- (4) Grant funds may be awarded for up to a three year period with a fifty percent reduction in annual funding in year two and seventy-five percent reduction in year three; and
- (5) No more than three different shared service employees will be included in any one award.

Source:

General Authority: SDCL 13-15-1.4.

Law Implemented: SDCL 13-6-97, 13-15-1.1, 13-15-1.4.

24:56:03:06. Distribution of funds: A grant shall be paid on a reimbursement basis to the lead district following the procedures and requirements outlined by the department.

Source:

General Authority: SDCL 13-15-1.4.

Law Implemented: SDCL 13-6-97, 13-15-1.1, 13-15-1.4.

24:56:06:07. Grant reporting and evaluation: Each district utilizing grant funds to share an employee shall report personnel data in the state staffing database. Each grantee shall also submit a mid-year and annual grant report. The deadlines and details required in the report shall be determined at the time of the grant approval.

Source:

General Authority: SDCL 13-15-1.4.

Law Implemented: SDCL 13-6-97, 13-15-1.1, 13-15-1.4.

24:56:03:08 Default: The submission of false or misleading statements, omissions, or information as part of the grant application or the failure to comply with any grant requirement shall be considered a default upon the terms of a grant. In the event of a default, the department may require the grantee to repay the grant to the department within thirty days of a written demand from the department. The department may begin a civil action to recover any grant funds that a grantee is required to repay.

Source:

General Authority: SDCL 13-15-1.4.

Law Implemented: SDCL 13-6-97, 13-15-1.1, 13-15-1.4.