

COMPULSORY ATTENDANCE AGES

Under South Dakota law, a child who is at least six (6) years old by September 1st, but who has not exceeded the age of eighteen (18) must regularly attend a public or non-public school or receive alternative instruction as set forth in state law, unless excused. It is the responsibility of every person having under their control a child between those ages to see to the child's attendance at school, either public or non-public, or alternative instruction, until the child has reached the age of eighteen (18), unless excused.

All children shall attend kindergarten prior to age seven (7). Any child who transfers from another state may proceed in a continuous educational program without interruption if the child has not previously attended kindergarten.

Any person who does not see to the school attendance or alternate instruction of a child in their care may be guilty of a misdemeanor and if convicted, may be subject to a fine as established by law.

No student will be denied the right of attending school without due process of law.

School-Based GED Program

Students enrolled in high school may be eligible for a school-based GED preparatory program if they meet the following criteria:

1. Sixteen or seventeen years of age, and
2. The student must present written permission from the student's parent or guardian and one of the following:
 - Verification from a school administrator that the child will not graduate with the child's cohort class because of credit deficiency;
 - Authorization from a court services officer;
 - A court order requiring the child to enter the program;
 - Verification that the child is under the direction of the Department of Corrections; or

- Verification that the child is enrolled in Job Corps as authorized by Title I-C of the Workforce Investment Act of 1998, as amended to January 1, 2009.

LEGAL REFS.: SDCL 13-27-1; 13-27-2; 13-27-11; 13-27-12; 13-27-16; 13-32-4.1

[August 1992] {Reviewed June 2004} [July 2009] [March 2014]
[October 2021] [February 2023] {Reviewed March 2024}