



2024 South Dakota Legislature
House Bill 1220
ENROLLED

AN ACT

ENTITLED An Act to allow an appeal of a decision of the Department of Education regarding special education or related services by a civil action against the department.

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

Section 1. That a NEW SECTION be added to chapter 13-37:

Any party aggrieved by a decision of the Department of Education under this chapter may bring a civil action with respect to a due process complaint notice requesting a due process hearing under the Individuals with Disabilities Education Act, 20 U.S.C. § 1415(i)(2) (January 1, 2024). A civil action may be filed in either state or federal court without regard to the amount in controversy. The party bringing the action has thirty days from the date of the decision to file a civil action.

An Act to allow an appeal of a decision of the Department of Education regarding special education or related services by a civil action against the department.

I certify that the attached Act originated in
the:
House as Bill No. 1220

Received at this Executive Office
this ____ day of _____,
2024 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this _____ day of
_____, A.D., 2024

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2024
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1220
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State