

New S.D. Law Friendlier to Home Schooling

On Monday, March 7, South Dakota Governor Daugaard signed HB 1133 into law repealing an archaic South Dakota law that prohibited families from homeschooling their children until the local school board individually approved each family.

Requiring individual family approval wastes resources and creates more opportunities for individual rights to be violated. South Dakota was one of only three states requiring prior approval.

As of July 1, 2011, the effective date of the new law, South Dakota will enter the mainstream. Families will be able to initiate a homeschool program immediately by filing the appropriate paperwork. Other requirements remain in effect.

Under the prior system, school boards did not have the discretion to withhold approval. Despite this, one or two school boards delayed or denied approvals this school year. This created the impetus to remove the approval requirement altogether.

The prior system also created hardship for military and civilian homeschool families moving into the state during the school year. They either had to abruptly halt their homeschool program and temporarily enroll their children in public school until the school board should act, or allow the children to continue as usual in their homeschool program, but risk prosecution.

Representative Lance Russell was the primary sponsor. Senator Elizabeth Kraus sponsored the bill in the senate. South Dakota Christian Home Educators and Home School Legal Defense Association worked with Rep. Russell on the bill.

Studies show that homeschooled students score, on average, 37 percentile points above public school students on standardized tests. The U.S. Department of Education estimated that 1.5 million students were being homeschooled in 2007. In January, 2011, the National Home Education Research Institute estimated that there were million homeschool students in the United States.