

**TITLE 13. EDUCATION**  
**CHAPTER 13-28. SCHOOL ATTENDANCE PRIVILEGES AND TUITION**

**S.D. Codified Laws § 13-28-7.1 (2007)**

**§ 13-28-7.1. Tests and immunizations for communicable diseases required for admission to school or early childhood program -- Exceptions -- Rules**

Any pupil entering school or an early childhood program in this state, shall, prior to admission, be required to present to the appropriate school authorities certification from a licensed physician that the child has received or is in the process of receiving adequate immunization against poliomyelitis, diphtheria, pertussis, rubeola, rubella, mumps, tetanus, and varicella, according to recommendations provided by the Department of Health. The Department of Health may modify or delete any of the required immunizations. As an alternative to the requirement for a physician's certification, the pupil may present:

- (1) Certification from a licensed physician stating the physical condition of the child would be such that an immunization would endanger the child's life or health; or
- (2) A written statement signed by one parent or guardian that the child is an adherent to a religious doctrine whose teachings are opposed to such immunization; or
- (3) A written statement signed by one parent or guardian requesting that the local health department give the immunization because the parents or guardians lack the means to pay for such immunization.

The Department of Health may promulgate reasonable rules, in accordance with chapter 1-26, to require compliance and documentation of adequate immunization, to define appropriate certification, and to specify standard procedure.

**OPINIONS OF ATTORNEY GENERAL.**

Children not immunized as required by this section may be excluded from public school attendance, Opinion No. 77-75. Student who has physician's certificate that immunizations are in progress may not initially be refused admission, but school board may, in absence of adoption of rules by department of health, establish a reasonable period for completion of immunizations, Opinion No. 80-25.

**TITLE 13. EDUCATION**  
**CHAPTER 13-53. ADMINISTRATION OF STATE INSTITUTIONS**

**S.D. Codified Laws § 13-53-47 (2007)**

**13-53-47. Immunizations required for students entering public or private postsecondary educational institutions--Alternatives.**

Any student entering a public or private postsecondary education institution in this state for the first time after July 1, 2008, shall, within forty-five days after the start of classes, present to the appropriate institution certification from a licensed physician that the student has received or is in the process of receiving the required two doses of immunization against measles, rubella, and mumps. As an alternative to the requirement for a physician's certification, the student may present:

- (1) Certification from a licensed physician stating the physical condition of the student would be such that immunization would endanger the student's life or health;
- (2) Certification from a licensed physician stating the student has experienced the natural disease against which the immunization protects;
- (3) Confirmation from a laboratory of the presence of adequate immunity; or
- (4) A written statement signed by the student that the student is an adherent to a religious doctrine whose teachings are opposed to such immunizations. If the student is under the age of eighteen, the written statement shall be signed by one parent or guardian.