



2021 South Dakota Legislature

House Bill 1158

Introduced by: **Representative Phil Jensen**

1 **An Act to prohibit the use of curricular materials that promote racial divisiveness**
 2 **and displace historical understanding with ideology.**

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

4 **Section 1.** That § 13-1-12.1 be AMENDED.

5 **13-1-12.1. Promulgation of rules on classification and accreditation of**
 6 **schools, preparation of certified personnel, eligibility for state aid, career and**
 7 **technical education, and curriculum requirements.**

8 The South Dakota Board of Education Standards shall promulgate rules, pursuant
 9 to chapter 1-26, to establish:

10 (1) Establish standards for the classification and accreditation of schools ~~within this~~
 11 ~~state, to establish;~~

12 (2) Establish standards for the preparation of certified personnel, ~~to set forth;~~

13 (3) Establish procedures for determining the eligibility of school districts to receive
 14 state aid to education funding, ~~to adopt;~~

15 (4) Adopt policies and rules necessary to establish standards and procedures for career
 16 and technical education, ~~and to establish~~

17 (5) Establish curriculum requirements for a recommended high school program for all
 18 public and nonpublic schools within the state.

19 The recommended high school program shall include a rigorous high school
 20 curriculum in both academic and career and technical courses. The requirements of the
 21 recommended program ~~shall~~ must be aligned to the academic content standards
 22 developed pursuant to § 13-3-48, must abide by the restrictions and limitations set forth
 23 in § 13-33-1, and ~~shall~~ must, at a minimum, include the content standards tested pursuant
 24 to § 13-3-55.

25 Nothing in this section authorizes the board to require the use of a specifically
 26 designated curriculum or methods of instruction.

1 **Section 2.** That a NEW SECTION be added:

2 **13-1-12.2. Development of curriculum requirements--Restrictions.**

3 In developing the curriculum requirements, as provided for in § 13-1-12.1, the
4 South Dakota Board of Education Standards shall ensure that the standards do not
5 encourage the use of materials or the provision of instruction in a manner contrary to §
6 13-33-1.

7 **Section 3.** That § 13-33-1 be AMENDED.

8 **13-33-1. Conformity to standards adopted by state board--Restrictions.**

9 All the public schools in the state shall provide instruction in substantial conformity
10 to the accreditation standards adopted by the South Dakota Board of Education Standards.
11 The instruction provided in the public schools may not include any materials or encourage
12 any activities that are associated with efforts to reframe this country's history in a way
13 that promotes racial divisiveness and displaces historical understanding with ideology. For
14 purposes of this section, such efforts include the 1619 project.

15 If a person notifies the board of a school district that a violation of this section may
16 have occurred, the board shall provide an opportunity for the person to offer testimony
17 and evidence at the next meeting of the board, and shall either dismiss the matter or take
18 appropriate action to address the matter.