

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

400N0219

## HOUSE BILL NO. 1033

Introduced by: The Committee on Education at the request of the Department of Education

1 FOR AN ACT ENTITLED, An Act to impose sanctions on schools and teachers for  
2 compromising the integrity of a state-required academic achievement test.

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

4 Section 1. That chapter 13-3 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 If the superintendent of a school district or building principal has reason to believe cheating  
7 occurred on a state-required academic achievement test, the superintendent of the school district  
8 shall investigate the circumstances. For the purposes of this section, cheating is the unauthorized  
9 acquiring of knowledge of the achievement test by a student or providing unauthorized access  
10 to secure test questions by a teacher.

11 Section 2. That chapter 13-3 be amended by adding thereto a NEW SECTION to read as  
12 follows:

13 Following the investigation, the superintendent shall report the results of the investigation  
14 to the secretary of the Department of Education. Upon receiving the report, the secretary shall  
15 determine whether the alleged cheating occurred and, if so, if it was severe enough to affect the  
16 results of the achievement test. If the secretary finds that cheating did occur and it was severe



1 enough to affect the achievement test results, the results of the achievement test for that school  
2 shall be discarded, and the school will not meet the adequate yearly progress for that school year  
3 under the terms of the state's accountability system as established in § 13-3-62.

4 Section 3. That chapter 13-42 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 The secretary of the Department of Education may suspend or revoke the certificate of any  
7 teacher who knowingly compromises the integrity of a state-required academic achievement test  
8 provided to students pursuant to chapter 13-3.