Committee: House Education   Wednesday, February 09, 2022 3:00 PM

Roll Call
Present: Rep. Bartels, Rep. Davis, Rep. Dennert, Rep. Deutsch, Rep. Healy, Rep. Phil
                Jensen, Rep. Marty, Rep. Miskimins, Rep. Mortenson, Rep. Odenbach,
                Rep. Soye, Rep. Stevens, Rep. Sue Peterson, and Rep. Lana Greenfield
Present (Remote):   Rep. Keintz

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Lana Greenfield

MOTION: **DO PASS HB 1337 AS AMENDED**

Moved by: Deutsch
Second by: Sue Peterson
Action: Was not acted on.

MOTION: **SUBSTITUTE MOTION:**   **AMEND HB 1337**

1337F

On page 1, line 4, of the Introduced bill, after "Dakota:" delete "Section 1. Politicizing elementary and
            secondary instruction by promoting politically divisive concepts or pressuring students
            into political activism inappropriately injects politics into the classroom and should not
            serve as a basis for instruction in South Dakota."
On page 2, line 8, of the Introduced bill, after "concept." insert "
Nothing in this section prohibits a school district employee from:
(1) Discussing, as part of a larger course of academic instruction, a divisive concept in an objective
            manner and without endorsement; or
(2) Permitting or presiding over student debate, regarding a divisive concept, in an objective manner
            and without endorsement."
On page 2, line 9, of the Introduced bill, after "concept." delete "Section 4. That chapter 13-1 be
            amended with a NEW SECTION:
"
On page 2, line 10, of the Introduced bill, after "SECTION:" delete "For purposes of this Act, the term,
            lobbying, means:
(1) To promote, oppose, or influence the passage or defeat of, or the sponsorship or introduction of,
            any ballot measure as defined in § 2-1-1. 3, ballot question as defined in § 12-27-1,
            law, rule or emergency rule as defined in § 1-26-1, or resolution or ordinance as
            defined by §§ 7-18A-1 and 9-19-1;
(2) To attempt to influence an individual to vote for or against a particular candidate for any public
            office; or
(3)   To attempt to influence any public officer in the performance of the officer's duties.
This term does not include educational activities or assignments that simulate protest or lobbying in a
            school setting."
On page 2, line 20, of the Introduced bill, after "setting." delete "Section 5. That chapter 13-1 be
            amended with a NEW SECTION:
"
On page 2, line 21, of the Introduced bill, after "SECTION:" delete "A public school district or district
            employee may not require, make part of a course, or award a grade or course credit,
            including extra credit, for a student's:
(1) Political activism, lobbying, or efforts to persuade members of the legislative or executive branch
            at the federal, state, or local level to take specific actions by direct communication; or

(2) Participation in any service learning, internship, practicum, or action project involving social or public policy activism or lobbying."

On page 2, line 28, of the Introduced bill, after "lobbying." delete "Section 6. That chapter 13-1 be amended with a NEW SECTION:
"

On page 2, line 29, of the Introduced bill, after "SECTION:" delete "State agencies or public school districts may not accept or expend any private funding for curriculum development, purchase or choice of curricular materials, teacher training, professional development, or continuing teacher education pertaining to courses on history, civics, United States government and politics, social studies, or similar subject areas, whether for regular credit or advanced placement credit."

On page 3, line 4, of the Introduced bill, after "credit." delete "Section 7. That chapter 13-1 be amended with a NEW SECTION:
"

On page 3, line 5, of the Introduced bill, after "SECTION:" delete "A public school district may not permit a course of instruction or unit of study that results in a student being distinguished or classified on account of race or color.

Nothing in this section may be construed to prohibit the required collection or reporting of demographic data by institutions of higher education or public school districts."

On page 3, line 14, of the Introduced bill, after "school." insert "

For purposes of sections 2 to 8, inclusive, of this Act, the term, state agency, does not include the Board of Regents, the South Dakota Board of Technical Education, or any institution under their control."

Moved by: Stevens
Second by: Mortenson
Action: Prevailed by roll call vote (10-5-0-0)

Voting Yes: Bartels, Davis, Dennert, Healy, Keintz, Miskimins, Mortenson, Odenbach, Stevens, and Lana Greenfield

Voting No: Deutsch, Phil Jensen, Marty, Soye, and Sue Peterson

MOTION: DO PASS HB 1337 AS AMENDED

Moved by: Mortenson
Second by: Miskimins
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: AMEND HB 1337

1337G

On the previously adopted amendment (1337B), On page 3, line 2, after "lobbying." insert "
Nothing in this section prevents any meeting, discussion, or communication, between students and legislators or other governmental officials, which is designed to educate students about legislative or other governmental processes. "

Moved by: Sue Peterson
Second by: Deutsch
Action: Failed by roll call vote (4-11-0-0)

Voting Yes: Deutsch, Phil Jensen, Marty, and Sue Peterson

Voting No: Bartels, Davis, Dennert, Healy, Keintz, Miskimins, Mortenson, Odenbach, Soye, Stevens, and Lana Greenfield

Revert to previous motion

MOTION: DO PASS HB 1337 AS AMENDED

Moved by: Mortenson
Second by: Miskimins
Action: Prevailed by Majority Members Elect (13-2-0-0)

Voting Yes: Bartels, Davis, Dennert, Deutsch, Phil Jensen, Marty, Miskimins, Mortenson, Odenbach, Soye, Stevens, Sue Peterson, and Lana Greenfield

Voting No: Healy and Keintz

HB 1163 :   provide for the use of screening instruments in determining kindergarten readiness.

Presented by: Representative Jess Olson, District 34
Opponents: Linda Turner, Department of Education

MOTION: AMEND HB 1163

1163C

On page 1, line 10, of the Introduced bill, after "demonstrated" insert " readiness for kindergarten"
On page 1, line 11, of the Introduced bill, after "instruments" delete ", that the child has superior"
On page 1, line 11, of the Introduced bill, after "superior " delete "academic talents or abilities and is socially and emotionally ready to begin kindergarten."
On page 1, line 13, of the Introduced bill, delete "The screening instruments used under subdivision (2) of this section must be approved by the Department of Education " and insert "selected "
On page 1, line 15, of the Introduced bill, delete ", at the request of the child's parent" and insert " or the nonpublic school to which the child seeks admission"
Moved by: Deutsch
Second by: Mortenson
Action: Prevailed by roll call vote (14-1-0-0)

Voting Yes: Bartels, Davis, Dennert, Deutsch, Healy, Phil Jensen, Marty, Miskimins, Mortenson, Odenbach, Soye, Stevens, Sue Peterson, and Lana Greenfield

Voting No: Keintz

MOTION: DO PASS HB 1163 AS AMENDED

Moved by: Mortenson
Second by: Bartels
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: AMEND HB 1163

1163D

On page 1, line 9, of the Introduced bill, delete "December thirty-first" and insert "September thirtieth"
On page 1, line 10, of the Introduced bill, after "demonstrated" insert " readiness for kindergarten"
On page 1, line 11, of the Introduced bill, after "instruments" delete ", that the child has superior"

On page 1, line 11, of the Introduced bill, after "superior " delete "academic talents or abilities and is socially and emotionally ready to begin kindergarten."

On page 1, line 13, of the Introduced bill, delete "The screening instruments used under subdivision (2) of this section must be approved by the Department of Education " and insert "selected "

On page 1, line 15, of the Introduced bill, delete ", at the request of the child's parent" and insert " or the nonpublic school to which the child seeks admission"

Moved by: Soye
Second by: Phil Jensen
Action: Prevailed by roll call vote (9-6-0-0)

Voting Yes: Dennert, Deutsch, Phil Jensen, Keintz, Marty, Odenbach, Soye, Sue Peterson, and Lana Greenfield

Voting No: Bartels, Davis, Healy, Miskimins, Mortenson, and Stevens

MOTION: DO PASS HB 1163 AS AMENDED

Moved by: Bartels
Second by: Phil Jensen
Action: Prevailed by Majority Members Elect (12-3-0-0)

Voting Yes: Bartels, Davis, Deutsch, Healy, Phil Jensen, Marty, Miskimins, Mortenson, Soye, Stevens, Sue Peterson, and Lana Greenfield

Voting No: Dennert, Keintz, and Odenbach

HB 1250 :   prohibit institutions of higher education from discriminating against or providing preferential treatment to students.

Presented by: Representative Sue Peterson, District 13

MOTION: TO TABLE HB 1250

Moved by: Bartels
Second by: Soye
Action: Prevailed by Majority Members Elect (14-0-1-0)

Voting Yes: Bartels, Davis, Dennert, Deutsch, Healy, Phil Jensen, Keintz, Marty, Miskimins, Mortenson, Odenbach, Soye, Sue Peterson, and Lana Greenfield

Excused: Stevens

HB 1265 :   increase the required units of United States government for high school graduation.

Presented by: Representative Sue Peterson, District 13

MOTION: TO TABLE HB 1265

Moved by: Phil Jensen
Second by: Healy
Action: Prevailed by Majority Members Elect (13-0-2-0)

Voting Yes: Bartels, Dennert, Deutsch, Healy, Phil Jensen, Keintz, Marty, Miskimins, Mortenson, Odenbach, Soye, Sue Peterson, and Lana Greenfield

Excused: Davis and Stevens

HB 1266 :   codify minimum requirements for high school graduation.

Presented by: Representative Sue Peterson, District 13

MOTION: TO TABLE HB 1266

Moved by: Phil Jensen
Second by: Bartels
Action: Prevailed by Majority Members Elect (12-2-1-0)

Voting Yes: Bartels, Davis, Deutsch, Healy, Phil Jensen, Keintz, Miskimins, Mortenson, Odenbach, Soye, Sue Peterson, and Lana Greenfield

Voting No: Dennert and Marty

Excused: Stevens

MOTION: ADJOURN

Moved by: Deutsch
Second by: Phil Jensen
Action: Prevailed by roll call vote (10-3-2-0)

Voting Yes: Bartels, Davis, Deutsch, Healy, Phil Jensen, Miskimins, Odenbach, Soye, Sue Peterson, and Lana Greenfield

Voting No: Dennert, Marty, and Mortenson

Excused: Keintz and Stevens

Ty J. Paulsen, Committee Secretary

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/s/ LANA GREENFIELD
Lana Greenfield, Chair

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