

AN ACT

ENTITLED, An Act to create the Special Education Interim Legislative Committee.

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

Section 1. That chapter 2-6 be amended by adding a NEW SECTION to read:

There is hereby created the Special Education Interim Legislative Committee. The purpose of the interim committee is:

- (1) To examine the diagnostic tools and assessments used to identify students in South Dakota schools in need of special education or special education and related services;
- (2) To examine the disability categories that are rising at the greatest rate and review eligibility requirements;
- (3) To review the funding levels of the disability categories;
- (4) To examine the common costs associated with extraordinary cost fund applications, including out-of-district placements; and
- (5) To develop recommendations to address the increasing costs of services.

Section 2. That chapter 2-6 be amended by adding a NEW SECTION to read:

The interim committee created in section 1 of this Act shall consist of the following fourteen members:

- (1) The Executive Board of the Legislative Research Council shall appoint the following:
  - (a) Five legislators including, if possible, the chair or vice-chair of the Senate standing committee on education and the chair or vice-chair of the House standing committee on education and one member of the minority party who serves on either the Senate or House standing committee on education; and
  - (b) A person who is an advocate for persons with disabilities;
- (2) The secretary of education shall appoint the following:

- (a) Three school district superintendents; one representing a school district located east of the Missouri River, one representing a school district located west of the Missouri River, and one representing a school district with a fall enrollment of four hundred or fewer;
  - (b) One current member of a local school board;
  - (c) One special education director who is currently employed in a school district other than a school district represented by a superintendent or school board member appointed to serve on the interim committee pursuant to this section; and
  - (d) One school district business manager; and
- (3) The Governor shall appoint two persons, at least one of whom is the parent of a child who attends a public school and is in need of special education or special education and related services.

Section 3. That chapter 2-6 be amended by adding a NEW SECTION to read:

The interim committee shall be under the supervision of the Executive Board of the Legislative Research Council and shall report to the board on the interim committee's activities from time to time. The interim committee shall be funded and staffed as an interim legislative committee.

Section 4. That chapter 2-6 be amended by adding a NEW SECTION to read:

The interim committee shall conclude its work and report its findings and recommendations to the Legislature and to the Governor no later than the next legislative session.

Section 5. The provisions of this Act are repealed on June 30, 2020.

An Act to create the Special Education Interim Legislative Committee.

I certify that the attached Act originated in the

SENATE as Bill No. 3

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 3  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_ ,

20\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 20\_\_

\_\_\_\_\_  
Governor

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_ , 20\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State