

Committee: House Education

Friday, February 21, 2020 7:45 AM

Roll Call

Present: Rep. Brunner, Rep. Marty, Rep. Olson, Rep. Randolph, Rep. Rasmussen, Rep. Reimer, Rep. Steele, Rep. Wiese, Rep. Healy, Rep. Ring, Rep. Glanzer, and Rep. Lana Greenfield

Excused: Rep. Deutsch, Rep. Johns, and Rep. Latterell

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Lana Greenfield

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 19TH

Moved by: Brunner
Second by: Randolph
Action: Prevailed by voice vote

Demaree Michelau gave a brief summary of the Western Interstate Commission of Higher Education. (Handout #1)

HB 1218 : establish certain requirements for schools regarding parental notice of and access to certain tests, assessments, evaluations, and observations.

Presented by: Representative Marli Wiese
Proponents: Michelle Powers, self, Brookings
Beverly Johnson, self, Sioux Falls
Opponents: Valerie Johnson, self, Gregory
Rob Monson, School Administrators of South Dakota
Brenda Stover, self, Redfield
Dianna Miller, Large School Group
Mary McCorkle, South Dakota Education Association

MOTION: AMEND HB 1218

1218B

On page 1, line 1, of the Introduced bill, after "to " insert "require responses and reporting regarding the testing, assessment, evaluation, or observation of students"

On page 1, line 3, of the Introduced bill, after "Dakota:" insert "

Section 1. That a NEW SECTION be added:

13-33-31. Parental inquiry—Required response.

Within one business day of receiving an inquiry from a student's parent, public and nonpublic school personnel shall:

- (1) Inform the parent of the date on which:
 - (a) A standardized test or assessment is scheduled to be administered to the student; or
 - (b) An evaluation or observation of the student is scheduled to be conducted; or
- (2) Indicate that the test, assessment, evaluation, or observation has not yet been scheduled.

"

On page 1, line 3, of the Introduced bill, after "Dakota:" insert "

Section 2. That a NEW SECTION be added:

13-37-46.2. Results—Outcomes—Report to parent.

If the purpose of any test, assessment, evaluation, or observation, referenced in § 13-33-31, is to determine a student's eligibility for special education or related services, or to identify any necessary accommodations, the results or the outcome must be provided to the student's parent, by or on behalf of school personnel, at least five business days:

(1) Prior to a meeting of the student's individualized education program team; or

(2) Prior to any meeting pertaining to accommodations for the student under § 504 of the Rehabilitation Act of 1973.

"

Moved by: Brunner
Second by: Steele
Action: Prevailed by voice vote

MOTION: DO PASS HB 1218 AS AMENDED

Moved by: Brunner
Second by: Randolph
Action: Was not acted on.

MOTION: DEFER HB 1218 TO THE 41ST LEGISLATIVE DAY

Moved by: Ring
Second by: Healy
Action: Failed by Majority Members Elect (7-7-1-0)

Voting Yes: Johns, Olson, Reimer, Healy, Ring, Glanzer, and Lana Greenfield

Voting No: Brunner, Latterell, Marty, Randolph, Rasmussen, Steele, and Wiese

Excused: Deutsch

MOTION: DO PASS HB 1218 AS AMENDED

Moved by: Brunner
Second by: Randolph
Action: Failed by Majority Members Elect (7-7-1-0)

Voting Yes: Brunner, Latterell, Marty, Randolph, Rasmussen, Steele, and Wiese

Voting No: Johns, Olson, Reimer, Healy, Ring, Glanzer, and Lana Greenfield

Excused: Deutsch

MOTION: WITHOUT RECOMMENDATION HB 1218 AS AMENDED

Moved by: Brunner
Second by: Rasmussen
Action: Prevailed by Majority Members Elect (10-4-1-0)

Voting Yes: Brunner, Latterell, Marty, Randolph, Rasmussen, Reimer, Steele, Wiese, Glanzer, and Lana Greenfield

Voting No: Johns, Olson, Healy, and Ring

Excused: Deutsch

HB 1175 : define dyslexia for the purposes of special education and related services.

Presented by: Representative Nancy Rasmussen

Proponents: Jessie Scott, self, Yankton
Naomi Ludeman Smith, LEAD South Dakota
Lexy Bechtel, self, Sioux Falls
Abigail Wies, self, Aberdeen
Hanna Vehar, self, Sioux Falls
Shelly Bayer, self, Brookings
Tamara Grove, South Dakota Family Policy Council
Taryn Bennett, self, Sioux Falls
Robin Meyer, self, Sioux Falls

Opponents: Rob Monson, School Administrators of South Dakota

MOTION: DO PASS HB 1175

Moved by: Randolph

Second by: Brunner

Action: Prevailed by Majority Members Elect (13-1-1-0)

Voting Yes: Brunner, Johns, Latterell, Marty, Olson, Randolph, Rasmussen, Reimer, Steele, Wiese, Healy, Glanzer, and Lana Greenfield

Voting No: Ring

Excused: Deutsch

HB 1201 : provide for the distribution of a list of possible reasonable accommodations to students with disabilities.

Presented by: Representative Nancy Rasmussen

Proponents: Margaret Samp, self, Sioux Falls
Tali Paulsen, self, Sioux Falls

Opponents: Linda Turner, Department of Education (Handout(s) #2)

MOTION: DO PASS HB 1201

Moved by: Rasmussen

Second by: Wiese

Action: Was not acted on.

MOTION: DEFER HB 1201 TO THE 41ST LEGISLATIVE DAY

Moved by: Johns

Second by: Ring

Action: Prevailed by Majority Members Elect (8-6-1-0)

Voting Yes: Brunner, Johns, Latterell, Olson, Reimer, Healy, Ring, and Glanzer

Voting No: Marty, Randolph, Rasmussen, Steele, Wiese, and Lana Greenfield

Excused: Deutsch

HB 1258 : provide for child safety accounts for students subject to certain safety incidents.

Presented by: Representative Kaleb Weis

Proponents: Senator Phil Jensen
Tamara Grove, South Dakota Family Policy Council

Opponents: Cody Stoeser, Department of Education
Wade Pogany, Associated School Boards of South Dakota
Dianna Miller, Large School Group
Rob Monson, School Administrators of South Dakota
Mary McCorkle, South Dakota Education Association

MOTION: AMEND HB 1258

1258B

On page 2, line 12, of the Introduced bill, delete " student's original school" and insert " South Dakota public school system"

Moved by: Latterell
Second by: Olson
Action: Prevailed by voice vote

MOTION: AMEND HB 1258

1258A

On page 3, line 13, of the Introduced bill, after "account." insert "
Section 7. This Act is not effective until the Supreme Court of the United States determines a prohibition against direct government aid to educational institutions that have a religious affiliation is unconstitutional.

"
Moved by: Olson
Second by: Randolph
Action: Prevailed by voice vote

MOTION: DEFER HB 1258 UNTIL MONDAY, FEBRUARY 24TH, 2020

MOTION: ADJOURN

Moved by: Healy
Second by: Randolph
Action: Prevailed by voice vote

Sharon Johnson, Committee Secretary

/s/ LANA GREENFIELD

Lana Greenfield, Chair