



2020 South Dakota Legislature

House Bill 1218

HOUSE EDUCATION ENGROSSED

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: **Representative Wiese**

1 **An Act to require responses and reporting regarding the testing, assessment,**
 2 **evaluation, or observation of students.**

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

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

5 **13-33-31. Parental inquiry--Required response.**

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

8 (1) Inform the parent of the date on which:

9 (a) A standardized test or assessment is scheduled to be administered to the
 10 student; or

11 (b) An evaluation or observation of the student is scheduled to be conducted;
 12 or

13 (2) Indicate that the test, assessment, evaluation, or observation has not yet been
 14 scheduled.

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

16 **13-37-46.2. Results--Outcomes--Report to parent.**

17 If the purpose of any test, assessment, evaluation, or observation, referenced in
 18 § 13-33-31, is to determine a student's eligibility for special education or related services,
 19 or to identify any necessary accommodations, the results or the outcome must be
 20 provided to the student's parent, by or on behalf of school personnel, at least five business
 21 days:

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

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