

AN ACT

ENTITLED, An Act to establish statewide content standards of learning for all public schools.

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

Section 1. That § 13-3-48 be amended to read as follows:

13-3-48. The secretary of the Department of Education and Cultural Affairs shall prepare and submit for approval of the South Dakota Board of Education academic content standards in language arts, mathematics, social studies, and science for grades one through twelve. Each school district shall adopt and implement clearly defined and measurable course guidelines so as to meet the state academic content standards. Course guidelines for language arts and mathematics shall be adopted and implemented by July 1, 1998, and those for social studies and science shall be adopted by July 1, 2000.

Section 2. That § 13-3-51 be amended to read as follows:

13-3-51. It shall be the duty of the secretary of the Department of Education and Cultural Affairs to establish a uniform system for the gathering and reporting of educational data for the keeping of adequate educational and financial records and for the evaluation of educational progress. An annual written evaluation of the educational progress in the state and in each school district shall be submitted to the Legislature and made available in each school district to the general public.

Section 3. Every school district shall administer the same academic achievement test to all students in grades two, four, eight, and eleven. In addition, every school district shall administer to all students in grades five and nine an achievement test to assess writing skills. These tests shall be provided by the Department of Education and Cultural Affairs and shall assess proficiency in meeting state standards. These tests shall be administered starting during the 1998-1999 school year.

Section 4. A student's individual academic achievement test scores shall be made part of the student's permanent record and provided by the local district to parents or guardian of each student or, in the case of an emancipated student, to the student. Further release or use of a student's

individual test scores is governed by the federal Family Educational Rights and Privacy Act (FERPA), as implemented in 34 CFR part 99, and may only occur with written permission from the student's parent or guardian or, in the case of an emancipated student, from the student.

Section 5. Separate academic achievement tests shall be designed to meet the needs of students in need of special education or special education and related services. The tests shall be administered unless it is determined by the local placement committee that the tests are not part of the student's free appropriate public education program. The student's waiver shall be set forth in the student's individual education plan.

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I certify that the attached Act
originated in the

SENATE as Bill No. 170

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 170

File No. _____

Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,

19__ at ____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 19__

Governor
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STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed _____, 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State