

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

651A0075

SENATE EDUCATION COMMITTEE ENGROSSED

NO. **SB170** - 2/19/97

Introduced by: Senators Everist, Dunn (Rebecca), Hunhoff, Hutmacher, Kloucek, and Reedy  
and Representatives Brown (Richard), Brosz, Davis, de Hueck, Haley, Koetzle,  
Lockner, Lucas, and Waltman

1 FOR AN ACT ENTITLED, An Act to establish statewide content standards of learning for all  
2 public schools.

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

4 Section 1. That chapter 13-33 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Terms used in this chapter mean:

7 (1) "Content standards," descriptions of the knowledge and the skills students are  
8 expected to acquire in each of the core subject areas as identified in this Act;

9 (2) "Curriculum statements," the local district's explicit specifications in each content  
10 standard of what all students need to know and must be able to do at the levels  
11 identified in section 2 of this Act in order to meet state content standards. All  
12 curriculum statements shall be clearly defined and measurable.

13 Section 2. That chapter 13-33 be amended by adding thereto a NEW SECTION to read as  
14 follows:

Notwithstanding any other provision of law, the Department of Education and Cultural Affairs shall establish statewide content standards of learning for all public schools in the state. The content standards shall be developed for grades kindergarten through twelfth grade with performance levels determined at the kindergarten through second grade, third through fourth grade, fifth through eighth grade, and ninth through twelfth grade levels. In order to guide instruction and assure that each student has an opportunity to acquire the knowledge and skills which will be assessed by the state testing program, each school district shall adopt, by board action, and implement district curriculum statements in language arts, mathematics, social studies, and science that are aligned with the state content standards.

Curriculum statements for language arts and mathematics shall be adopted and implemented in each district by not later than July 1, 1998. Curriculum statements for social sciences and sciences shall be adopted and implemented in each district by not later than July 1, 2000.

Section 3. That chapter 13-33 be amended by adding thereto a NEW SECTION to read as follows:

Each school district shall administer a standardized, norm-referenced achievement test to all students in grades two, four, eight, and eleven during the spring norming period each year, using an achievement test provided by the department. This test shall assess the knowledge and skills of students in grades two, four, eight, and eleven based on the state content standards and local curriculum statements developed pursuant to section 2 of this Act. The department shall determine the length and type of test necessary to accomplish the intent of this Act. Each school district shall begin administering the test during the 1998-99 school year.

Each school district shall annually administer a nationally-normed, performance-based writing assessment during the fall norming period at grades five and nine. The department shall provide the test. Each school district shall begin administering the test during the 1998-99 school year.

Section 4. That chapter 13-33 be amended by adding thereto a NEW SECTION to read as

1 follows:

2 The placement committee may exempt a student in need of special education or special  
3 education and related services from the testing requirements of this Act. The student's waiver  
4 must be set forth in the student's individual education plan.

5 Section 5. That chapter 13-33 be amended by adding thereto a new section to read as  
6 follows:

7 The department shall report the results of the achievement testing program to the public by  
8 not later than October 15 of the same calendar year in which the tests were administered. The  
9 results shall be reported in three forms: by school district, by school building, and by grade level.

10 The department shall report the results in a manner to allow parents, students, teachers,  
11 administrators, and taxpayers to draw reasonable conclusions about the quality and effectiveness  
12 of the education students receive in the respective grade levels, school buildings, and school  
13 districts in the state.

14 The department shall provide each school district with the report of that district's results.  
15 Each school district shall provide the report to others upon written request.

16 Section 6. That chapter 13-33 be amended by adding thereto a NEW SECTION to read as  
17 follows:

18 The school district shall make a student's individual test scores part of that student's  
19 permanent record and provide them to the student's parents or guardian. Further release or use  
20 of a student's individual test scores is governed by the federal Family Educational Rights and  
21 Privacy Act (FERPA), as implemented in 34 CFR part 99, and may only occur with written  
22 permission from the student's parent or guardian.

23 Section 7. There is hereby appropriated out of any money in the general fund, not otherwise  
24 appropriated, the sum of one hundred thousand dollars (\$100,000), or so much thereof as may  
25 be necessary, to the Department of Education and Cultural Affairs to purchase testing materials

1 and scoring services under the program authorized by this Act and administered by the  
2 Department of Education and Cultural Affairs. Any funds not lawfully expended or obligated by  
3 June 30, 1998, shall revert to the general fund in accordance with § 4-8-21.

4 Section 8. Expenditures authorized by this Act shall be paid on warrants drawn by the state  
5 auditor on vouchers approved by the secretary of the Department of Education and Cultural  
6 Affairs.

1    **BILL HISTORY**

2    1/29/97 First read in Senate and referred to Education. S.J. 212

3    2/3/97 Scheduled for Committee hearing on this date.

4    2/5/97 Scheduled for Committee hearing on this date.

5    2/5/97 Deferred to another day.

6    2/12/97 Scheduled for Committee hearing on this date.

7    2/15/97 Scheduled for Committee hearing on this date.

8    2/15/97 Deferred to another day. S.J. 482

9    2/19/97 Scheduled for Committee hearing on this date.

10   2/19/97 Education Do Pass Amended, Passed, AYES 4, NAYS 3.

11   2/19/97 Education Title Amended.