

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

749Y0104

SENATE BILL NO. 85

Introduced by: Senators Bolin, Monroe, Nelson, Netherton, Stalzer, and Wiik and
Representatives May, Jensen (Kevin), Latterell, Marty, Peterson (Sue), and
Rasmussen

1 FOR AN ACT ENTITLED, An Act to provide for the exemption of certain students from the
2 requirement to take certain academic assessment tests.

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

4 Section 1. That § 13-3-55 be amended to read:

5 13-3-55. Every public school district shall annually administer the same assessment to all
6 students in grades three to eight, inclusive, and in grade eleven. The assessment shall measure
7 the academic progress of each student. Every public school district shall annually administer to
8 all students in at least two grade levels an achievement test to assess writing skills. The
9 assessment instruments shall be provided by the Department of Education, and the department
10 shall determine the two grade levels to be tested. The tests shall be administered within
11 timelines established by the Department of Education by rules promulgated pursuant to chapter
12 1-26 starting in the spring of the 2002-2003 school year. Each state-designed test shall be
13 correlated with the state's content standards. The South Dakota Board of Education may
14 promulgate rules pursuant to chapter 1-26 to provide for administration of all assessments.



1 However, no student is required to take any assessment administered pursuant to this section
2 if the student's parent or guardian, or, if the student is emancipated, the student submits a request
3 for an exemption from the assessments on forms provided by the Department of Education to
4 the superintendent of the school district within one hundred eighty days of the start of any
5 school fiscal year. The request for an exemption shall be dated and signed by the parent or
6 guardian, or the emancipated student, and the request shall be notarized. No school district or
7 school district employee may take any punitive action against a student, including preventing
8 the student from participating in any extracurricular activity, due to the student's exemption
9 from the testing requirements established in this section.