**24:05:20:18.05.  State use of targets and reporting.** The department shall use the targets established in the state's performance plan and the priority areas described in § 24:05:20:18.02 to analyze the performance of each school district.

 The department shall:

 (1)  Report annually to the public on the performance of each school district on the targets in the state performance plan as soon as practicable but no later than 120 days following the department's submission of its annual performance report to the U.S. Secretary of Education; and

 (2)  Make the state performance plan, annual performance reports, and the department's annual reports on the performance of each local education agency available through public means, including by posting on the website of the department, distribution to the media, and distribution through public agencies.

 If the department collects performance data through state monitoring or sampling, the department shall include in its report the most recently available performance data on each district, and the date the data were obtained.

 The department shall report annually to the U.S. Secretary of Education on the performance of the state under the state performance plan.

 The department may not report to the public or the U.S. Secretary of Education any information on performance that would result in the disclosure of personally identifiable information about individual children, or that is insufficient to yield statistically reliable information.

 **Source:** 33 SDR 236, effective July 5, 2007; 36 SDR 96, effective December 8, 2009.

 **General Authority:** SDCL 13-37-1.1.

 **Law Implemented:** SDCL 13-37-1.1.