

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0228

SENATE EDUCATION COMMITTEE

ENGROSSED NO. **SB23** - 1/26/99

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

Introduced by: The Committee on Education at the request of the Department of Education and Cultural Affairs

1 FOR AN ACT ENTITLED, An Act to require children receiving alternative instruction to take
2 an achievement test to assess writing skills.

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

4 Section 1. That § 13-27-3 be amended to read as follows:

5 13-27-3. A child shall be excused from school attendance, pursuant to § 13-27-2, because
6 the child is otherwise provided with alternative instruction for an equivalent period of time, as
7 in the public schools, in the basic skills of language arts and mathematics. The parent or guardian
8 of the child shall identify in the application the place where the child will be instructed and any
9 individual who will instruct the child. The individuals are not required to be certified. The
10 secretary of the Department of Education and Cultural Affairs may investigate and determine
11 whether the instruction is being provided. Failure to provide instruction is grounds for the school
12 board, upon thirty days notice, to revoke the excuse from school attendance. The secretary of
13 the Department of Education and Cultural Affairs may inspect the records of an alternative
14 education program with fourteen days written notice if the secretary has probable cause to
15 believe the program is not in compliance with this section. The records to be inspected are

1 limited to attendance and evidence showing academic progress.

2 No individual may instruct more than twenty-two children. All instructions shall be given so
3 as to lead to a mastery of the English language. Children receiving alternative instruction who
4 are in grades tested under the state testing program shall take a nationally standardized
5 achievement test of the basic skills and an achievement test to assess writing skills. The ~~test~~ tests
6 may be the ~~test~~ tests provided by the state and used in the public school district where the child
7 is instructed or another nationally standardized achievement test of the basic skills and another
8 achievement test to assess writing skills may be chosen by and provided at the expense of the
9 child's parent, guardian, or school giving alternative instruction. The ~~test~~ tests may be monitored
10 by the local school district where the child is instructed.

1 **BILL HISTORY**

2 1/12/99 First read in Senate and referred to Education. S.J. 19

3 1/14/99 Scheduled for Committee hearing on this date.

4 1/14/99 Education Deferred to another day, AYES 0, NAYS 0.

5 1/21/99 Scheduled for Committee hearing on this date.

6 1/21/99 Education Deferred to another day.

7 1/26/99 Scheduled for Committee hearing on this date.

8 1/26/99 Education Do Pass Amended, Passed, AYES 5, NAYS 2. S.J. 190