

# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

822D0162

## HOUSE BILL NO. 1249

Introduced by: Representatives Sutton (Daniel), Crisp, Davis, Fischer-Clemens, Garnos, Haley, Kooistra, McIntyre, Nachtigal, and Wilson and Senators Olson, Dennert, Reedy, and Staggers

1 FOR AN ACT ENTITLED, An Act to provide for the development and administration by the  
2 state of certain standardized academic achievement 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 as follows:

5 13-3-55. Every school district shall administer the same academic achievement test to all  
6 students in grades two, four, eight, and eleven. In addition, every school district shall administer  
7 to all students in grades five and nine an achievement test to assess writing skills. These tests  
8 shall be provided by the Department of Education and Cultural Affairs and shall assess  
9 proficiency in meeting state standards. ~~These tests shall be administered starting during the~~  
10 ~~1998-1999 school year.~~ Beginning during the 2002-2003 school year, any such test administered  
11 in this state shall be designed by the state as provided in section 2 of this Act. During the 2003-  
12 2004 school year, the tests shall be national tests produced by commercial or public entities. In  
13 subsequent years, the tests shall be alternated each year between state-designed tests and national  
14 tests.

15 Section 2. That chapter 13-3 be amended by adding thereto a NEW SECTION to read as  
16 follows:

1 The state-designed achievement tests required pursuant to § 13-3-55 shall be designed by the  
2 task force established pursuant to section 3 of this Act. The Department of Education and  
3 Cultural Affairs shall act as staff for the task force in designing the tests. The department and the  
4 task force shall consult with experts with appropriate technical qualifications and experience and  
5 with stakeholders and shall establish, for each grade level to be tested, a single statewide norm-  
6 referenced or criterion-referenced test, or a combination of a norm-referenced and a criterion-  
7 referenced test, which shall be highly correlated with the state's graduation requirements, course  
8 guidelines, and academic content standards. The department shall establish one or more months  
9 during which schools shall administer the tests to students each school year. The South Dakota  
10 Board of Education shall promulgate rules pursuant to chapter 1-26 to provide for the design,  
11 administration, and reporting of the tests.

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

14 The South Dakota Academic Achievement Test Task Force is hereby established. The task  
15 force shall design statewide academic achievement tests as provided in this Act. The task force  
16 shall consist of nine members appointed by the Governor from the following categories:

- 17 (1) Three teachers appointed from a list of candidates selected by the South Dakota  
18 Education Association;
- 19 (2) Three school board members appointed from a list of candidates selected by the  
20 Associated School Boards of South Dakota;
- 21 (3) One school administrator appointed from a list of candidates selected by the School  
22 Administrators of South Dakota;
- 23 (4) One employee of the Department of Education and Cultural affairs; and
- 24 (5) One member of the South Dakota Board of Education.

25 The task force shall report its progress to the 2001 and 2002 Legislatures. The task force

1 shall receive per diem compensation and allowable expense reimbursement in an amount set  
2 pursuant to § 4-7-10.4 for all time actually spent while attending task force meetings. The  
3 provisions of sections 2 and 3 of this Act shall be implemented using funds from the normal  
4 operating budget of the Department of Education and Cultural Affairs.