

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

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SENATE EDUCATION COMMITTEE ENGROSSED NO. **SB 234** - 02/08/2001

Introduced by: Senators Sutton (Dan), Brown (Arnold), Daugaard, Hutmacher, and
McCracken and Representatives Garnos and Olson (Mel)

1 FOR AN ACT ENTITLED, An Act to provide for the development and administration of certain
2 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 national norm-referenced academic
6 achievement test to all students in grades two, four, eight, and eleven. ~~In addition, and~~ every
7 school district shall administer to all students in grades five and nine an achievement test to
8 assess writing skills. ~~These~~ In addition, every school district shall administer the same criterion-
9 referenced academic achievement test, once in the fall semester and once again in the spring
10 semester, to all students in grades three, six, and ten. The criterion-referenced tests shall be
11 designed by the state. All of the tests shall be provided by the Department of Education and
12 Cultural Affairs and shall assess proficiency in meeting state standards. These The tests shall be
13 administered starting ~~during the 1998-1999~~ in the spring of the 2001-2002 school year. Each
14 state-designed test for each grade level to be tested shall be a single statewide criterion-

1 referenced test, which shall be highly correlated with the state's graduation requirements, course
2 guidelines, and academic content standards. The requirements of this section pertaining to
3 criterion-referenced tests to be administered to students in grades three, six, and ten do not apply
4 to students who are receiving alternative instruction pursuant to § 13-27-3.

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

7 The South Dakota Academic Achievement Test Advisory Council is hereby established. The
8 council shall advise the Department of Education and Cultural Affairs, the South Dakota Board
9 of Education, education-related organizations, and other education groups on issues related to
10 statewide academic achievement tests required pursuant to this Act. The council shall meet at
11 least annually with the Department of Education and Cultural Affairs to discuss, develop, and
12 make recommendations concerning testing issues, results, mechanics, and other relevant student
13 achievement test issues in this state. The council shall consist of nine members appointed by the
14 Governor from the following categories:

- 15 (1) Two teachers and one counselor who are members of the South Dakota Education
16 Association;
- 17 (2) One school board member;
- 18 (3) Two school administrators;
- 19 (4) One employee of the Department of Education and Cultural affairs;
- 20 (5) One member of the South Dakota Board of Education; and
- 21 (6) One Parent Teacher Association member.

22 Members of the council shall be appointed for two-year terms, except that five of the
23 members of the initial council shall be appointed to two-year terms, and four of the members of
24 the initial council shall be appointed for one year. All subsequent appointments shall be for terms

1 of two years. Any vacancy on the council that occurs before the incumbent's term has expired
2 shall be filled by appointment to serve the remainder of the unexpired term. The number of terms
3 that a council member may serve is not limited. The council shall receive per diem compensation
4 and allowable expense reimbursement in an amount set pursuant to § 4-7-10.4 for all time
5 actually spent while attending council meetings. The provisions of this section shall be
6 implemented using funds from the normal operating budget of the Department of Education and
7 Cultural Affairs.