

AN ACT

ENTITLED, An Act to provide for the development and administration of certain standardized academic achievement tests.

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

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

13-3-55. Every school district shall administer the same national norm-referenced academic achievement test to all students in grades two, four, eight, and eleven, and every school district shall administer to all students in grades five and nine an achievement test to assess writing skills. In addition, every school district shall administer the same criterion-referenced academic achievement test, once in the fall semester and once again in the spring semester, to all students in grades three, six, and ten. The criterion-referenced tests shall be designed by the state. All of the tests shall be provided by the Department of Education and Cultural Affairs and shall assess proficiency in meeting state standards. The tests shall be administered starting in the spring of the 2001-2002 school year. Each state-designed test for each grade level to be tested shall be a single statewide criterion-referenced test, which shall be highly correlated with the state's graduation requirements, course guidelines, and academic content standards. The requirements of this section pertaining to criterion-referenced tests to be administered to students in grades three, six, and ten do not apply to students who are receiving alternative instruction pursuant to § 13-27-3.

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

The South Dakota Academic Achievement Test Advisory Council is hereby established. The council shall advise the Department of Education and Cultural Affairs, the South Dakota Board of Education, education-related organizations, and other education groups on issues related to statewide academic achievement tests required pursuant to this Act. The council shall meet at least annually with the Department of Education and Cultural Affairs to discuss, develop, and make

recommendations concerning testing issues, results, mechanics, and other relevant student achievement test issues in this state. The council shall consist of nine members appointed by the Governor from the following categories:

- (1) One teacher and one counselor who are members of the South Dakota Education Association;
- (2) One teacher and one counselor who may be, but are not required to be, members of a professional teachers or counselors association;
- (3) One school board member who is a member of the Associated School Boards of South Dakota;
- (4) One school administrator who is a member of the School Administrators of South Dakota and one school administrator who may be, but is not required to be, a member of a professional school administrators association;
- (5) One member of the South Dakota Board of Education; and
- (6) One parent who may be, but is not required to be, a member of a Parent Teacher Association or similar association.

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

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I certify that the attached Act originated in the

SENATE as Bill No. 234

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 234
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State