

AN ACT

ENTITLED, An Act to establish a statewide accountability system for public schools.

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

Section 1. A single, statewide state accountability system is established. The system shall hold public schools and public school districts accountable for the academic achievement of their students and shall ensure that all public schools and all public school districts make adequate yearly progress in continuously and substantially improving the academic achievement of their students.

Section 2. The state accountability system shall be based on the South Dakota Content Standards in reading and mathematics approved by the South Dakota Board of Education. The yearly progress of students shall be measured by the state academic assessments as may be prescribed by the Legislature, and shall take into account the achievement of all public elementary school and secondary school students in reading and mathematics annually. An additional academic indicator shall be used in the measurement of yearly progress: the additional academic indicator for the public K-8 elementary schools shall be the annual rate of student attendance; the additional academic indicator for public 9-12 high schools shall be the annual rate of graduation.

Section 3. The state accountability system shall establish a timeline for adequate yearly progress that ensures that no later than the 2013-2014 school year, all students meet or exceed the state's proficient level of academic achievement as measured by the state's assessments. Annual measurable objectives in both reading and mathematics shall be established to ensure continuous and substantial academic improvement of the achievement of all public school students as well as sub-groups of public school students, including economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency. The annual measurable objectives shall identify a single minimum percentage of students who are required to meet or exceed the proficient level on the academic assessments. The objectives shall be applied

separately in reading and mathematics and shall be applied to all students and to each sub-group of students described in this section. The annual measurable objectives shall be used for determining adequate yearly progress.

Section 4. The state accountability system shall determine annually the progress of each public school and public school district, including the annual progress of sub-groups of students, using annual assessment data and data from one additional academic indicator. The school's progress in mathematics and reading shall be compared separately to the state's annual objectives for adequate yearly progress in mathematics and reading. The results of the comparisons shall be used to determine the school's achievement level based on the state's achievement standards. The district's progress in mathematics and reading shall be compared separately to the state's annual objectives in mathematics and reading. The results of the comparisons shall be used to determine the district's achievement levels based on the state's achievement standards.

Section 5. Four levels of academic achievement shall be defined, including a proficient level, and shall be known as South Dakota's achievement standards. The four levels shall be used to categorize public schools and public school districts based on the comparison of their achievement levels in mathematics and reading to the state's annual objectives.

Section 6. The state accountability system shall include consequences for schools and districts in the form of sanctions, rewards, and recognition. The consequences shall be based on the school's or district's ranking on the state's achievement standards.

Section 7. The state accountability system will be implemented and administered by the Department of Education and Cultural Affairs.

Section 8. The South Dakota Board of Education may promulgate administrative rules pursuant to chapter 1-26 to establish the state accountability system, including:

- (1) A definition of adequate yearly progress;

- (2) A valid and reliable method of calculating adequate yearly progress in mathematics and reading for all public schools and public school districts, including methods for determining both the status and improvement;
- (3) A definition of four levels of student achievement, including a proficient level;
- (4) Establishment of names and descriptors for the four levels of student achievement;
- (5) Determination of cut scores within the scoring data from the state assessments in mathematics and reading for each of the four levels of student achievement;
- (6) Establishment of the state's annual measurable objectives for academic progress through 2013-2014 in both reading and mathematics;
- (7) Establishment of a system of consequences for public schools, including sanctions, rewards, and recognition;
- (8) Establishment of a system of consequences for public school districts, including sanctions, rewards, and recognition;
- (9) Determination of a valid and reliable method for calculating a graduation rate for each public high school;
- (10) Determination of a valid and reliable method for calculating the attendance rate for each public elementary and middle school;
- (11) Establishment of an appeal process for public schools and public school districts;
- (12) Establishment of a process whereby the state accountability system will be periodically reviewed to assure that it is fair and appropriate for the public schools of South Dakota, and is in compliance with federal law; and
- (13) Any other administrative rule that is deemed necessary to fulfill the requirements of the federal education act, Public Law No. 107-110, § 1111(b)(2)(A), 115 Stat., as in effect on January 1, 2003.

An Act to establish a statewide accountability system for public schools.

=====

I certify that the attached Act
originated in the

SENATE as Bill No. 40

Secretary of the Senate

=====

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 40

File No. _____

Chapter No. _____

=====

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

=====

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

Governor

=====

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