

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

983T0323

HOUSE EDUCATION ENGROSSED NO. **SB 25** - 2/24/2012

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

1 FOR AN ACT ENTITLED, An Act to provide for the creation of a new state accountability
2 system for public elementary and secondary schools.

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

4 Section 1. That § 13-3-62 be amended to read as follows:

5 13-3-62. A single, statewide state accountability system is established. The system shall hold
6 public schools ~~and public school districts~~ accountable for the academic achievement of their
7 students and shall ensure that all public schools ~~and all public school districts~~ make adequate
8 yearly progress in continuously and substantially improving the academic achievement of their
9 students.

10 Section 2. That § 13-3-63 be amended to read as follows:

11 13-3-63. The state accountability system shall be based on the South Dakota Content
12 Standards in reading and mathematics approved by the South Dakota Board of Education. The
13 yearly progress of students shall be measured by the state academic assessments as may be
14 prescribed by the Legislature, and shall take into account the achievement of all public
15 elementary school and secondary school students in reading and mathematics annually. ~~And~~



1 ~~additional academic indicator~~ Additional indicators established pursuant to § 13-3-69 shall be
2 used in the measurement of yearly progress: ~~the additional academic indicator for the public K-8~~
3 ~~elementary schools shall be the annual rate of student attendance; the additional academic~~
4 ~~indicator for public 9-12 high schools shall be the annual rate of graduation.~~

5 Section 3. That § 13-3-64 be amended to read as follows:

6 13-3-64. The state accountability system shall ~~establish a timeline for adequate yearly~~
7 ~~progress that ensures that no later than the 2013-2014 school year, measure whether all students~~
8 ~~meet or exceed the state's proficient level of academic achievement as measured by the state's~~
9 ~~assessments. Annual measurable objectives in both reading and mathematics. Multiple~~
10 ~~indicators shall be established to ~~ensure~~ indicate continuous and substantial academic~~
11 ~~improvement of the achievement of all public school students as well as sub-groups of public~~
12 ~~school students, including economically disadvantaged students, students from major racial and~~
13 ~~ethnic groups, students with disabilities, and students with limited English proficiency. ~~The~~~~
14 ~~annual measurable objectives shall identify a single minimum percentage of students who are~~
15 ~~required to meet or exceed the proficient level on the academic assessments. The objectives~~
16 ~~shall be applied separately in reading and mathematics and shall be applied to all students and~~
17 ~~to each sub-group of students described in this section. The annual measurable objectives shall~~
18 ~~be used for determining adequate yearly progress.~~

19 Section 4. That § 13-3-65 be amended to read as follows:

20 13-3-65. The state accountability system shall determine annually the progress of each
21 public school ~~and public school district~~, including the annual progress of sub-groups of students,
22 using annual assessment data and data from ~~one~~ additional academic indicator. ~~The school's~~
23 ~~progress in mathematics and reading shall be compared separately to the state's annual~~
24 ~~objectives for adequate yearly progress in mathematics and reading. The results of the~~

1 ~~comparisons shall be used to determine the school's achievement level based on the state's~~
 2 ~~achievement standards. The district's progress in mathematics and reading shall be compared~~
 3 ~~separately to the state's annual objectives in mathematics and reading. The results of the~~
 4 ~~comparisons shall be used to determine the district's achievement levels based on the state's~~
 5 ~~achievement standards indicators.~~

6 Section 5. That § 13-3-67 be amended to read as follows:

7 13-3-67. The state accountability system shall include ~~consequences~~ interventions for
 8 schools ~~and districts~~ in the form of sanctions, rewards, and recognition. The ~~consequences~~
 9 interventions shall be based on the school's ~~or district's~~ ranking on the state's achievement
 10 standards and additional indicators.

11 Section 6. That § 13-3-69 be amended to read as follows:

12 13-3-69. The South Dakota Board of Education may promulgate administrative rules
 13 pursuant to chapter 1-26 to establish the state accountability system; based on achievement and
 14 other indicators including:

- 15 (1) A definition of ~~adequate yearly~~ academic progress;
- 16 (2) ~~A valid and reliable~~ The method of calculating ~~adequate~~ yearly progress in
 17 mathematics and reading for all public schools ~~and public school districts~~, including
 18 methods for determining both the status and improvement growth;
- 19 (3) A definition of four levels of student achievement, including a proficient level;
- 20 (4) ~~Establishment of names and descriptors for the four levels of student achievement;~~
- 21 ~~—(5)~~ (5) Determination of cut scores ~~within the scoring data from the state assessments in~~
 22 mathematics and reading for each ~~of the four levels~~ level of student achievement;
- 23 ~~(6)(5)~~ (5) Establishment of the ~~state's annual~~ measurable objectives for academic progress
 24 ~~through 2013-2014 in both reading and mathematics;~~

- 1 ~~(7)~~(6) Establishment of a system of consequences for public schools, including sanctions,
2 rewards, and recognition;
- 3 ~~(8)~~(7) Establishment of a system of consequences for public school districts, including
4 sanctions, rewards, and recognition the process for teacher and principal evaluation;
- 5 ~~(9)~~(8) Determination of a valid and reliable method for calculating a graduation rate the
6 criteria to demonstrate student preparedness for college and career for each public
7 high school;
- 8 ~~(10)~~(9) Determination of a valid and reliable the method for calculating the attendance
9 rate for each public elementary and middle school;
- 10 ~~(11)~~(10) Establishment of an appeal process for public schools ~~and public school~~
11 districts; and
- 12 ~~(12)~~(11) Establishment of a process whereby the state accountability system will be
13 periodically reviewed ~~to assure that it is fair and appropriate for the public~~
14 schools of South Dakota, and is in compliance with federal law; and
- 15 ~~(13)~~ Any other administrative rule that is deemed necessary to fulfill the requirements of
16 the federal education act, Public Law No. 107-110, § 1111(b)(2)(A), 115 Stat. 1425,
17 as in effect on January 1, 2003.