

ARTICLE 24:55
PUBLIC SCHOOL ACCOUNTABILITY SYSTEM

Chapter

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CHAPTER 24:55:01

DEFINITIONS

Section

- 24:55:01:01 Definitions.
- 24:55:01:02 ~~Flexibility request defined~~Repealed.
- 24:55:01:03 Full academic year defined.
- 24:55:01:04 Public school accountability system defined.
- 24:55:01:05 Student groups defined.

24:55:01:01. Definitions. Terms used in this article mean:

(1) "Academic indicators," at the presecondary level shall consist of the student achievement, academic growth, and English language proficiency key indicators; at the secondary level, shall consist of the student achievement, graduation rate, college and career readiness, and English language proficiency key indicators;

~~(1)~~(2) "Accreditation," certification by the secretary that a school system meets the adopted standards of the state board for a specified school fiscal year;

~~(2)~~(3) "Alternative school," programs outside of the traditional setting whereby students receive instruction as an extension of the regular or traditional school environment;

~~(3)~~(4) "Attendance, day of," a day in which an enrolled person is present under the guidance and direction of a teacher for the minimum length of time that school is in session;

~~(4)~~(5) "Attendance rate," the percentage of students meeting the ninety-four percent target attendance percentage as referenced in § 24:55:02:07~~(3)~~;

~~(5)~~(6) "Below proficient level," scoring level one or two on the state academic assessment;

~~(6)~~(7) "Confidence interval," a group of continuous or discrete adjacent values that is used to estimate a statistical parameter (as a mean or variance) and that tends to include the true value of the parameter a predetermined proportion of the time if the process of finding the group of values is repeated a number of times;

~~(7)~~(8) "Department," Department of Education;

~~(8)~~(9) "Dropout," a student who:

(a) Was enrolled in school at some time during the school year and was expected to be enrolled the following year but was not enrolled;

(b) Has not graduated from high school or completed a state or district approved educational program; and

(c) Has not met any of the following exclusionary conditions:

(i) Transfer to another public school district, private school, or state or district-approved educational program;

(ii) Temporary school-recognized absence due to suspension or illness; or

(iii) Death;

~~(9)~~(10) "Dual enrollment," the enrollment of a student in a kindergarten through twelfth grade program in two or more school systems at the same time;

~~(10)~~(11) "Economically disadvantaged," students who qualify for free and reduced lunch status;

(12) "English learner," as that term is defined in 20 U.S.C. § 7801 (20) (2015);

~~(11)~~(13) "Enrollment," for accountability purposes, the total number of students who are enrolled in a public school for greater than fifty percent of a school day;

~~(12)~~(14) "ESEA," the Elementary and Secondary Education Act, 20 U.S.C. 6301 et seq., as in effect on ~~August 23, 2012~~ December 10, 2015;

~~(13)~~(15) "Grade," that portion of a school program that represents the work of one regular school term, identified by a designation such as kindergarten, grade one, or grade ten;

~~(14)~~(16) "Gap group," an aggregate count of student groups that have experienced the most significant achievement gaps on the state academic assessment. ~~The gap group must be re-evaluated following the 2014-15 school year, using the most recent three years of state academic assessment data. After the 2014-15 school year, the gap group must be re-evaluated on a six-year cycle.~~The gap group currently includes the following student groups: Black or African American; American Indian or Alaska Native; Hispanic/Latino; economically disadvantaged; students with disabilities; and ~~limited English proficient~~ English learner;

~~(15) "Gap group indicator," for student achievement, the percentage of gap group students who scored at the proficient level on the state academic assessment; for graduation rate, the~~

~~graduation rate of gap group students; and for student attendance, the student attendance rate of gap group students;~~

~~(16)~~(17) "Graduation rate," the four-year adjusted cohort graduation rate as defined in 34 C.F.R. § 200.19(b)(4) Title I, Part A, of the ESEA, 20 U.S.C. § 8101(25) ~~(November 28, 2008 December 10, 2015)~~;

~~(17)~~(18) "High school completion rate," the number of students who, in the most recently completed school year, have attained a regular high school diploma or a ~~General Equivalency Diploma (GED)~~ high school equivalency, divided by the total number of students in that same year who dropped out or attained a regular high school diploma or a ~~GED~~ high school equivalency;

~~(18)~~(19) "Key indicators," the key indicators of public school performance in §§ 24:55:02:03 and 24:55:02:05;

~~(19) "Limited English proficient," as that term is defined in 20 U.S.C. § 7801 (25) (2002);~~

(20) "Nongap group," all students in a specific public school who are not included in the gap group;

(21) "Presecondary school level," the elementary, middle, and junior high school levels;

(22) "Proficient level," scoring level three or four on the state academic assessment;

(23) "School district," a public school district as defined in SDCL 13-5-1;

(24) "School, elementary," a school consisting of any combination of grades from kindergarten through eighth grade;

(25) "School, junior high," a school consisting of any combination of two or more consecutive grades that must include grades seven and eight, and may include grade nine;

(26) "School level," the designation of two separate and distinct levels for determining public school performance under the SPI, with those levels being the presecondary school level and the secondary school level;

- (27) "School, middle," a school consisting of any combination of two or more consecutive grades, five through eight;
- (28) "School, public," a public entity that is approved or accredited by the secretary for the purpose of instructing children of compulsory school age as provided in SDCL 13-27-1;
- (29) "School, secondary," a school consisting of any combination of three or more consecutive grades, including ninth grade through twelfth grade;
- (30) "School system," all of the schools and supporting services operated by a public school district;
- (31) "School term," "school year," the school term as defined in SDCL 13-26-1 and 13-26-2;
- (32) "Secretary," the secretary of the Department of Education;
- (33) "SPI," school performance index;
- (34) "SPI key indicator score," the score assigned to each key indicator at each school level;
- (35) "SPI ranking," the ranking referenced in § 24:55:03:01;
- (36) "State academic assessment," the academic achievement test in English language arts and mathematics annually administered to all students in grades three to eight, inclusive, and in grade eleven as defined in SDCL 13-3-55;
- (37) "Student," an individual for whom instruction is provided in an educational program under the jurisdiction of a public school district;
- (38) "Student growth," a change in student achievement between two or more points in time;
- (39) "Student growth percentile," a measure of student growth whereby the change in a student's performance on the state academic assessment over two or more years is compared with students across the state who have similar score histories on the state academic assessment;
- (40) "Students with disabilities," as defined in § 24:05:24.01:01;

~~(41) "Teacher, certified," the holder of a valid South Dakota teacher certificate who is assigned to those responsibilities authorized by the certificate;~~

~~(42)~~(41) "Tier one growth," performance that within three years is not projected to allow a student to reach the proficient level but achieves a student growth percentile of seventy or more;

~~(43)~~(42) "Tier two growth," performance that is projected to maintain the proficient level on the state academic assessment over three years;

~~(44)~~(43) "Tier three growth," performance that is projected to reach the proficient level on the state academic assessment within three years;

~~(45)~~(44) "Title I, Part A," Title I, Part A, of the ESEA, 20 U.S.C. §§ 6301 to 6339, as in effect ~~August 23, 2012~~ December 10, 2015;

~~(46)~~(45) "Title I school," "Title I district," a public school or public school district that receives funds under Title I, Part A and 34 C.F.R. Part 200 (July 1, 2014);

~~(47)~~(46) "Total SPI score," the sum of all SPI key indicator scores, with a maximum of 100 points allowed at each school level per school year; and

~~(48)~~(47) "US ~~DOE~~ED," the United States Department of Education.

Source: 39 SDR 51, effective October 3, 2012; 40 SDR 40, effective September 11, 2013; 41 SDR 37, effective September 4, 2014; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-62, 13-3-69.

~~**24:55:01:02. Flexibility request defined.** For purposes of this article, the term, ESEA flexibility request, means the ESEA flexibility renewal request dated August 20, 2015, submitted~~

~~by the department to the US DOE and approved on August 21, 2015, pursuant to 20 U.S.C. § 7861 Repealed.~~

Source: 39 SDR 51, effective October 3, 2012; 40 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

General Authority: ~~SDCL 13-3-69.~~

Law Implemented: ~~SDCL 13-3-62, 13-3-69.~~

Reference: ~~ESEA Flexibility Renewal Request dated August 20, 2015. Approval letter from Ann Whalen, US DOE, to Secretary Dr. Melody Schopp dated August 21, 2015. The materials are available for viewing at the South Dakota Department of Education, 800 Governors Drive, Pierre, South Dakota. Copies may be obtained from <http://www.ed.gov/esea/flexibility/requests> under "South Dakota."~~

24:55:01:04. Public school accountability system defined. For purposes of this article, the term, accountability system, means a system established by the state to ensure that all public schools make yearly progress in continuously and substantially improving the performance of their students and make yearly progress in increasing the quality of instruction and leadership. The accountability system shall:

(1) Be implemented and administered for all public schools through department policies and procedures consistent with SDCL 13-3-62 to 13-3-69, inclusive, and the requirements of this article;

(2) Be based upon the content standards in English language arts and mathematics approved by the ~~state board of education~~ Board of Education Standards;

(3) Include measurements of student achievement in English language arts and mathematics based on the state academic assessment;

(4) Include four levels of student achievement for English language arts and mathematics, as referenced in SDCL 13-3-66, that are based on mastery of the content standards as measured by academic achievement tests, with cut scores for each level established by the department;

(5) Include multiple indicators of public school performance;

~~(6) Include a process for evaluating and supporting teachers and principals that is designed to improve their effectiveness in maximizing student learning, with the process being based on professional performance standards and multiple measures, and that informs professional growth and development of teachers and principals;~~

~~(7) Include a six year cycle;~~

~~(8)~~ (6) Include annual measurements and public reporting based on the data collected pursuant to SDCL 13-3-51; and

~~(9)~~ (7) Include a system of classification, sanctions, rewards, and recognition.

Source: 39 SDR 51, effective October 3, 2012; 40 SDR 40, effective September 11, 2013; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-62, 13-3-69.

24:55:01:05. Student groups defined. For purposes of this article, the term, student groups, means identification of the following groups of students for purposes of aggregating and disaggregating data:

(1) All students enrolled in a specific public school;

(2) Economically disadvantaged students;

(3) Students from the following major racial and ethnic groups according to definitions established by the United States Census Report: Hispanic/Latino; American Indian or Alaska

Native; Asian, Black or African American; Native Hawaiian or Other Pacific Islander; White; and two or more races;

- (4) Students with disabilities;
- (5) Students who are ~~limited English proficient~~English learners;
- (6) Gap group students; and
- (7) Nongap group students.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-62, 13-3-64, 13-3-65, 13-3-69, inclusive.

CHAPTER 24:55:02

PUBLIC SCHOOL PERFORMANCE INDEX

Section

- 24:55:02:01 Key indicators of public school performance.
- 24:55:02:02 Repealed.
- 24:55:02:03 Presecondary school level key indicators.
- 24:55:02:04 Repealed.
- 24:55:02:05 Secondary school level key indicators.
- 24:55:02:06 Calculation of student achievement SPI key indicator score.
- 24:55:02:07 Calculation of student attendance SPI key indicator score.
- 24:55:02:08 Calculation of high school completion SPI key indicator score.
- 24:55:02:09 Calculation of college and career readiness SPI key indicator score.
- ~~24:55:02:09.01 Calculation of college readiness in math~~Repealed.
- ~~24:55:02:09.02 Calculation of college readiness in English~~Repealed.

~~24:55:02:09.03 Calculation of career readiness~~Repealed.

24:55:02:09.04 Calculation of assessment of readiness.

24:55:02:09.05 Calculation of progress towards post high school credentials.

24:55:02:10 Calculation of total SPI score for a public school.

~~24:55:02:11 Calculation of SPI score for the state level~~Repealed.

24:55:02:12 Academic growth key indicator.

24:55:02:13 Repealed.

24:55:02:14 Repealed.

24:55:02:15 Calculation of English language proficiency key indicator score.

24:55:02:16 Calculation of graduation rate key indicator score.

Appendix A SPI Key Indicators Table – Presecondary School Level, Amended and Renamed.

Appendix B SPI Key Indicators Table – Secondary School Level, Amended and Renamed.

Appendix C Student Achievement Calculation Table – Presecondary School Level, Amended and Renamed.

Appendix D Student Achievement Calculation Table – Secondary School Level, Amended and Renamed.

Appendix E Student Attendance Calculation Table, Amended and Renamed.

Appendix F High School Completion Calculation Table, Amended and Renamed.

Appendix G College and Career Readiness Calculation Table, Amended and Renamed.

Appendix H Amended and Renamed Appendix D.

Appendix I Amended and Renamed Appendix E.

Appendix J Amended and Renamed Appendix F.

Appendix K Repealed.

Appendix L Amended and Renamed Appendix G.

Appendix M Academic Growth Calculation Table.

24:55:02:01. Key indicators of public school performance. The accountability system shall include multiple indicators of public school performance in advancing student learning and in improving instruction and school leadership. The department shall calculate SPI key indicator scores for each public school for each school year, with each key indicator assigned a maximum value according to this chapter. ~~The department shall incorporate the use of a confidence interval when reporting each of the SPI key indicator scores.~~ The department also shall calculate a total SPI score for each public school, with one hundred being the maximum value.

Source: 39 SDR 51, effective October 3, 2012; 40 SDR 40, effective September 11, 2013.

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-62 to 13-3-65, 13-3-69, inclusive.

24:55:02:03. Presecondary school level key indicators. ~~For the 2016-2017 school year the~~ The student achievement, student attendance, and academic growth, English language proficiency, and student attendance key indicators shall be used to assess the performance of each public school at the presecondary school level. The student achievement and academic growth key indicators shall each be worth a maximum of forty points, English language proficiency shall be worth a maximum of ten points, and the student attendance key indicator shall be worth a maximum of twenty-ten points.

The implementation of key indicators at the presecondary school level is illustrated in Appendix A at the end of this chapter.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-62 to 13-3-65, 13-3-69, inclusive.

24:55:02:05. Secondary school level key indicators. ~~For the 2015-2016 school year the~~
The student achievement, high school completion, graduation rate, high school completion rate,
English language proficiency, and college and career readiness key indicators shall be used to
assess the performance of each public school at the secondary school level. The student
achievement key indicator shall be worth a maximum of forty points, ~~and~~ the high school
completion indicator shall be worth a maximum of twelve and a half points, the graduation rate
indicator shall be worth a maximum of twelve and a half points, English language proficiency shall
be worth a maximum of ten points, and the college and career readiness key indicators indicator
shall ~~each~~ be worth a maximum of ~~thirty~~ twenty-five points.

The implementation of key indicators at the secondary school level is illustrated in Appendix
B at the end of this chapter.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015; 42 SR
98, effective January 7, 2016.

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-62 to 13-3-65, 13-3-69, inclusive.

24:55:02:06. Calculation of student achievement SPI key indicator score. ~~For the 2015-~~
~~2016 school year, the~~ The department shall base the student achievement SPI key indicator score
for all public presecondary and secondary schools on the percentage of students at each of the four
levels ~~the proficient level~~ on the state academic assessment for the three most recent school years.

The department shall calculate this score separately for the presecondary school level and the secondary school level.

To calculate the SPI key indicator score for a public school, the department shall first divide the maximum points for this indicator in half, in order to count English language arts and mathematics scores equally. The department shall then calculate the percentage of full academic year students in that school in the gap group and the nongap group for the three most recent school years in order to arrive at weighted points for this indicator.

The department shall then calculate the percentage of students scoring at each performance level. Students scoring at level 1 shall be assigned a value of 0.25 percent, students scoring at level 2 a value of 0.50 percent, students scoring at level 3 a value of a full percent, and students scoring at level 4 a value of 1.25 percent. This process shall be completed separately for each of the following: gap group math, gap group English language arts, nongap group math, and nongap group English language arts.

The department shall then multiply these weighted points by the percent of students in the school's gap group and nongap group ~~at the proficient level on the state academic assessment in the two most recent school years~~ to come up with four scores: gap group English language arts, gap group math, nongap group English language arts, and nongap group math. The sum of these four scores is the final score for the student achievement SPI key indicator for that school.

This calculation is illustrated in ~~the Appendices Appendix C and D, inclusive,~~ at the end of this chapter.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

General Authority: SDCL 13-3-69(2)(5).

Law Implemented: SDCL 13-3-62, 13-3-63, 13-3-64, 13-3-69, inclusive.

24:55:02:07. Calculation of student attendance SPI key indicator score. The department shall calculate the student attendance SPI key indicator score for all public presecondary schools as follows:

(1) For each ~~enrolled~~ full academic year student, divide the number of days the student was in attendance by the number of days the student was enrolled to obtain the attendance percentage;

(2) Count the number of students who have attained at least a ninety~~four~~ percent target attendance percentage;

(3) Divide the number obtained in subdivision (2) by the total number of ~~enrolled~~ full academic year students; and (4) Multiply the number obtained in subdivision (3) by the maximum points for this indicator.

This calculation is illustrated in Appendix E at the end of this chapter. ~~For purposes of this section, an "enrolled student" is a student enrolled a minimum of fifteen consecutive school days.~~

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-69(9).

Law Implemented: SDCL 13-3-62, 13-3-63, 13-3-65, 13-3-69, inclusive.

24:55:02:08. Calculation of high school completion SPI key indicator score. ~~The department shall base the high school completion SPI key indicator score for all public secondary schools on the two factors of high school completion rate and graduation rate, with each of the two factors accounting for fifty percent of the score. To calculate the high school completion SPI key indicator score for a public secondary school, the department shall do the following: multiply the high school completion rate by the maximum points available for this indicator.~~

(1) ~~Multiply the high school completion rate by half of the maximum points for this indicator;~~

(2) ~~Multiply the graduation rate by half of the maximum points for this indicator; and~~

(3) ~~Add the numbers obtained in subsections (1) and (2).~~

This calculation is illustrated in Appendix F at the end of this chapter.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-69(5)(8).

Law Implemented: SDCL 13-3-62, 13-3-63, 13-3-65, 13-3-69, inclusive.

24:55:02:09. Calculation of college and career readiness SPI key indicator score. ~~For the 2015-2016 school year, the~~ The department shall base the college and career readiness SPI key indicator score for public secondary schools on postsecondary preparedness for college and career through two pathways: assessment of readiness and progress towards post high school credentials. ~~Postsecondary preparedness for college~~ Assessment of readiness shall be evidenced by participation in and performance on: the Smarter Balanced Assessment, the American College Test (ACT) for high school achievement, ~~and the College Board Accuplacer test.~~ ~~Postsecondary preparedness for career shall be evidenced by participation in and performance on,~~ and the National Career Readiness Certificate/ACT Work Keys (NCRC). ~~If the school or district administers the NCRC, the department shall divide the maximum points for the college and career readiness indicator equally between college readiness in math, college readiness in English, and career readiness. If the school or district does not administer the NCRC, then the department shall divide the maximum points for the college and career readiness indicator equally between college readiness in math and college readiness in English.~~ Progress towards post-high school credentials shall be evidenced by performance on an Advanced Placement Exam, completion of a dual credit

course sponsored by the state, or earning Career and Technical Education Concentrator status. The department shall calculate the college and career readiness SPI key indicator score for a public secondary school by adding together the numbers obtained via the calculations in §§ ~~24:55:02:09.01 to 24:55:02:09.03, inclusive~~ 24:55:02:09.04 and 24:55:02:09.05. This calculation is illustrated in Appendix G at the end of this chapter.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

General Authority: SDCL 13-3-69(5)(8).

Law Implemented: SDCL 13-3-62, 13-3-63, 13-3-65, 13-3-69, inclusive.

24:55:02:09.01. Calculation of college readiness in math. ~~To determine college readiness in math, the department shall:~~

~~(1) Determine the number of students in the school's graduating class in the prior year who took the ACT and received a math subscore of at least twenty;~~

~~(2) Determine the number of students in the school's graduating class in the prior year whose ACT score did not meet or exceed the ACT score referenced in subsection (1) but who took the Accuplacer and received an algebra score of at least seventy-six;~~

~~(3) Add the numbers obtained in subsections (1) and (2);~~

~~(4) Divide the number obtained in subsection (3) by the total number of students in the school's graduating class from the prior year who took the ACT or the Accuplacer; and~~

~~(5) Multiply the number obtained in subsection (4) by the maximum points allocated to college readiness in math pursuant to § 24:55:02:09~~Repealed.

Source: 42 SDR 98, effective January 7, 2016.

General Authority: SDCL 13-3-69(5)(8).

Law Implemented: SDCL 13-3-62, 13-3-63, 13-3-65, 13-3-69.

24:55:02:09.02. Calculation of college readiness in English. ~~To determine college readiness in English, the department shall:~~

~~(1) Determine the number of students in the school's graduating class in the prior year who took the ACT and received an English subscore of at least eighteen;~~

~~(2) Determine the number of students in the school's graduating class in the prior year whose ACT score did not meet or exceed the ACT score referenced in subsection (1) but who took the Accuplacer and received a sentence skills score of at least eighty six;~~

~~(3) Add the numbers obtained in subsections (1) and (2);~~

~~(4) Divide the number obtained in subsection (3) by the total number of students in the school's graduating class in the prior year who took the ACT or the Accuplacer; and~~

~~(5) Multiply the number obtained in subsection (4) by the maximum points allocated to college readiness in English pursuant to § 24:55:02:09 Repealed.~~

Source: 42 SDR 98, effective January 7, 2016.

General Authority: SDCL 13-3-69(5)(8).

Law Implemented: SDCL 13-3-62, 13-3-63, 13-3-65, 13-3-69.

24:55:02:09.03. Calculation of career readiness. ~~If the school or district administers the NCRC, the department shall perform the following steps to determine career readiness:~~

~~(1) Determine the number of students in the school's graduating class in the prior year who scored at the bronze level or above on the NCRC;~~

~~(2) Divide the number obtained in subsection (1) by the total number of students in the school's graduating class in the prior year who took the NCRC; and~~

~~(3) Multiply the number obtained in subsection (2) by the maximum points allocated to career readiness pursuant to § 24:55:02:09 Repealed.~~

Source: 42 SDR 98, effective January 7, 2016.

General Authority: SDCL 13-3-69(5)(8).

Law Implemented: SDCL 13-3-62, 13-3-63, 13-3-65, 13-3-69.

24:55:02:09.04 Calculation of assessment of readiness. To determine the percent of students successfully completing the assessment of readiness pathway, the department shall:

(1) Determine the number of students in the school's graduating class in the prior year who demonstrated college readiness in English through achieving one of the following scores:

(a) a Smarter Balanced English language arts score of level 3 or 4;

(b) an ACT English subscore of at least 18; or

(c) an Accuplacer sentence skills score of at least eighty-six;

(2) Determine the number of students in the school's graduating class in the prior year who demonstrated college readiness in math through achieving one of the following scores:

(a) a Smarter Balanced math score of level 3 or 4;

(b) an ACT math subscore of at least 20; or

(c) an Accuplacer algebra score of at least seventy-six;

(3) Determine the number of students in the school's graduating class in the prior year who earned either a National Career Readiness Certificate of silver or above, or who achieved combined subscores to equate to a silver-level certificate;

(4) Divide the number of students meeting either the criteria in both (1) and (2), or in (3), by the total number of graduates in the prior year to arrive at the percent of students meeting the assessment of readiness pathway; and

(5) Multiply the number achieved in (4) by half of the points available for the indicator.

Source:

General Authority: SDCL 13-3-69(5)(8).

Law Implemented: SDCL 13-3-62, 13-3-63, 13-3-65, 13-3-69.

24:55:02:09.05 Calculation of progress towards post high school credentials. To determine the percent of students successfully completing the progress towards post high school credentials, the department shall:

(1) Determine the number of students in the school's graduating class in the prior year who earned Career and Technical Education Concentrator status;

(2) Determine the number of students in the school's graduating class in the prior year who took an Advanced Placement exam at any point in the student's high school career and achieved a score of three or higher;

(3) Determine the number of students in the school's graduating class in the prior year who took a dual credit course sponsored by the state and achieved a grade of C or better;

(4) Divide the unduplicated number of students meeting any criteria in (1), (2), or (3) by the total number of graduates in the prior year to arrive at the percent of students meeting the progress towards post high school credentials pathway; and

(5) Multiply the number achieved in (4) by half of the points available for the indicator.

Source:

General Authority: SDCL 13-3-69(5)(8).

Law Implemented: SDCL 13-3-62, 13-3-63, 13-3-65, 13-3-69.

24:55:02:11. Calculation of SPI score for the state level. ~~The department shall calculate SPI key indicator scores at the presecondary and secondary school levels based on all students enrolled for a full academic year in the state. The department shall add the SPI key indicator scores together to arrive at a state level total SPI score for each school level. Students counted at the state level pursuant to chapter 24:55:07 are included in these calculations.~~Repealed.

Source: 39 SDR 51, effective October 3, 2012.

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-62, 13-3-69.

24:55:02:12. Academic growth key indicator. ~~For the 2015-2016 school year and subsequent school years, the~~ The department shall calculate the academic growth SPI key indicator score of each public school using student growth percentiles to calculate growth in English language arts and in mathematics, based on the percentage of students achieving tier one, tier two, or tier three growth. The department shall calculate the academic growth key indicator as follows:

(1) Multiply ten points by the percentage of all students in the school who reached tier one, tier two, or tier three growth in English language arts;

(2) Multiply ten points by the percentage of all students in the school who reached tier one, tier two, or tier three growth in mathematics;

(3) Multiply ten points by the percentage of students in the lowest one fourth of students in the school for whom growth is calculated in English language arts who reached tier one, tier two, or tier three growth in English language arts;

(4) Multiply ten points by the percentage of students in the lowest one fourth of students in the school for whom growth is calculated in mathematics who reached tier one, tier two, or tier three growth in mathematics; and

(5) Add the numbers obtained subsections (1) through (4), inclusive.

This calculation is illustrated in Appendix M at the end of this chapter.

Source: 39 SDR 51, effective October 3, 2012; 42 SDR 98, effective January 7, 2016.

General Authority: SDCL 13-3-69(2)(5).

Law Implemented: SDCL 13-3-62 to 13-3-65, 13-3-69, inclusive.

24:55:02:15. Calculation of English language proficiency key indicator score. The department shall calculate an English language proficiency key indicator score of each public school based on the performance of English learner students in grades kindergarten through twelfth grade on the English language proficiency assessment.

The department shall consider separately the students in the first year of identification as an English learner and the students in the second or subsequent year of identification as an English learner. The department shall calculate an English language proficiency key indicator score for each public school as follows:

(1) For students in their first year of identification, calculate the percent of English learners who did not take the English language proficiency assessment and assign each a value of zero. Calculate the percent of English learners who took the English language proficiency assessment and assign a value of one full percent;

(2) For students in their second and subsequent year of identification, calculate the percent of students scoring at each of the following benchmarks:

(a) An English learner who did not take the English language proficiency assessment shall be assigned a value of zero;

(b) An English learner whose composite score on the English language proficiency assessment is the same or lower than the prior year's score, or who took the assessment but failed to receive a composite score, shall be assigned a value of 0.25 percent;

(c) An English learner whose composite score on the English language proficiency assessment is above the English learner's previous year's score but which does not meet the target calculated as per 24:55:05:07 shall be assigned a value of 0.50 percent;

(d) An English learner whose composite score on the English language proficiency assessment meets or exceeds the target calculated as per 24:55:05:07, or who achieved a score of proficiency on the English language proficiency assessment, shall be assigned a value of one percent;

(e) An English learner who achieved a score of proficiency on the English language proficiency assessment ahead of the target calculated as per 24:55:05:07 shall be assigned a value of 1.25 percent;

(3) Add the values achieved in (1) and (2) and multiply by the possible points for the indicator to arrive at the English language proficiency key indicator points earned; and

(4) Hold accountable for the English language proficiency key indicator all schools with a student group size of ten or more students over the most recent three years of English language proficiency assessment scores. If a school has at least one English learner in the three years considered but fewer than ten, and the district has ten or more English learners over the three years considered, the following shall apply:

(a) The department shall combine the results from every English learner in the district according to the methodology set out in 24:55:02:15.02 in order to arrive at a district-level point total; and

(b) Every school in the district with at least one English learner over three years but fewer than ten English learners over three years then shall receive the same English learner proficiency key indicator point total derived from (a).

If a district has fewer than ten English learners over the three years considered, the points allotted for the English learner proficiency key indicator at the school level shall be distributed evenly among the remaining academic indicators.

This calculation is illustrated in Appendix N at the end of this chapter.

Source:

General Authority: SDCL 13-3-69

Law Implemented: SDCL 13-3-62 to 13-3-65, inclusive, and 13-3-69.

24:55:02:16. Calculation of graduation rate key indicator score. To calculate the graduation rate SPI key indicator score for a public secondary school, the department shall multiply the graduation rate by the maximum points available for this indicator.

This calculation is illustrated in Appendix O at the end of this chapter.

Source:

General Authority: SDCL 13-3-69(5)(8).

Law Implemented: SDCL 13-3-62, 13-3-63, 13-3-65, and 13-3-69.

DEPARTMENT OF EDUCATION
SPI KEY INDICATORS TABLE
PRESECONDARY SCHOOL LEVEL

Chapter 24:55:02

APPENDIX A

SEE: § 24:55:02:03

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

LRC Editor's Note: Appendix B was amended and renamed Appendix A, effective July 1, 2015.

Presecondary School Level

Student Achievement	Student Attendance	Academic Growth
40 points max	20 points max	40 points max

<u>Student Achievement</u>	<u>Academic Growth</u>	<u>English Language Proficiency</u>	<u>Attendance</u>
<u>40 points max</u>	<u>40 points max</u>	<u>10 points max</u>	<u>10 points max</u>

DEPARTMENT OF EDUCATION
SPI KEY INDICATORS TABLE
SECONDARY SCHOOL LEVEL

Chapter 24:55:02

APPENDIX B

SEE: § 24:55:02:05

Source: 39 SDR 51, effective October 2, 2012; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

LRC Editor's Note: Appendix D was amended and renamed Appendix B, effective July 1, 2015.

Secondary School Level

Student Achievement	High School Completion	College- and Career- Readiness
40 points max	30 points max	30 points max

<u>Student Achievement</u>	<u>High School Completion</u>	<u>English Language Proficiency</u>	<u>College- and Career- Readiness</u>
<u>40 points max</u>	<u>25 points max</u>	<u>10 points max</u>	<u>25 points max</u>

DEPARTMENT OF EDUCATION
STUDENT ACHIEVEMENT CALCULATION TABLE
~~PRESECONDARY SCHOOL LEVEL~~

Chapter 24:55:02

APPENDIX C

SEE: § 24:55:02:06

Source: 39 SDR 51, effective October 2, 2012; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

LRC Editor's Note: Appendix F was amended and renamed Appendix C, effective July 1, 2015.

**Student achievement calculation:
Presecondary School Level**

ENGLISH LANGUAGE ARTS – 20 points (of the total 40 points)	MATHEMATICS – 20 points (of the total 40 points)
% students in Gap Group for the three most recent school years	% students in Gap Group for the three most recent school years
MULTIPLIED BY	MULTIPLIED BY
½ apportioned indicator points (20) = Weighted Points	½ apportioned indicator points (20) = Weighted Points
MULTIPLIED BY	MULTIPLIED BY
% students in Gap Group for the three most recent school years at proficient level <u>each level</u> in English language arts <u>as per the below</u> =	% students in Gap Group for the three most recent school years at proficient level <u>each level</u> in math <u>as per the below</u> =
<u>Nonparticipant: 0.00%</u>	<u>Nonparticipant: 0.00%</u>
<u>Level 1: 0.25%</u>	<u>Level 1: 0.25%</u>
<u>Level 2: 0.50%</u>	<u>Level 2: 0.50%</u>
<u>Level 3: 1.00%</u>	<u>Level 3: 1.00%</u>
<u>Level 4: 1.25%</u>	<u>Level 4: 1.25%</u>
Gap Group English Language Arts Score	Gap Group Math Score
% students in Nongap Group for the three most recent school years	% students in Nongap Group for the three most recent school years
MULTIPLIED BY	MULTIPLIED BY
½ apportioned indicator points (20) = Weighted Points	½ apportioned indicator points (20) = Weighted Points
MULTIPLIED BY	MULTIPLIED BY
% students in Nongap Group for the three most recent school proficient level years at <u>each level</u> in English language arts <u>as per the below</u> =	% students in Nongap Group for the three most recent school years proficient level at <u>each level</u> in math <u>as per the below</u> =
<u>Nonparticipant: 0.00%</u>	<u>Nonparticipant: 0.00%</u>
<u>Level 1: 0.25%</u>	<u>Level 1: 0.25%</u>
<u>Level 2: 0.50%</u>	<u>Level 2: 0.50%</u>
<u>Level 3: 1.00%</u>	<u>Level 3: 1.00%</u>
<u>Level 4: 1.25%</u>	<u>Level 4: 1.25%</u>
Nongap Group Reading Score	Nongap Group Math Score

	Sum of four subtotals equals final Student Achievement SPI Key Indicator score
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DEPARTMENT OF EDUCATION
~~STUDENT ACHIEVEMENT CALCULATION TABLE~~
~~SECONDARY SCHOOL LEVEL~~

~~Chapter 24:55:02~~

~~APPENDIX D~~

REPEALED

SEE: § 24:55:02:06

Source: 39 SDR 51, effective October 2, 2012; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

LRC Editor's Note: Appendix H was amended and renamed Appendix D, effective July 1, 2015.

**Student achievement calculation:
Secondary School Level**

ENGLISH LANGUAGE ARTS— 20 points (of the total 40 points)	MATHEMATICS— 20 points (of the total 40 points)
% students in Gap Group for the two most recent school years	% students in Gap Group for the two most recent school years
MULTIPLIED BY	MULTIPLIED BY
$\frac{1}{2}$ apportioned indicator points (20) = Weighted Points	$\frac{1}{2}$ apportioned indicator points (20) = Weighted Points
MULTIPLIED BY	MULTIPLIED BY
% students in Gap Group for the two most recent school years at proficient level in English language arts =	% students in Gap Group for the two most recent school years at proficient level in math =
Gap Group English Language Arts Score	Gap Group Math Score
% students in Nongap Group for the two most recent school years	% students in Nongap Group for the two most recent school years
MULTIPLIED BY	MULTIPLIED BY
$\frac{1}{2}$ apportioned indicator points (20) = Weighted Points	$\frac{1}{2}$ apportioned indicator points (20) = Weighted Points
MULTIPLIED BY	MULTIPLIED BY
% students in Nongap Group for the two most recent school years at proficient level in English language arts =	% students in Nongap Group for the two most recent school years at proficient level in math =
Nongap Group English Language Arts Score	Nongap Group Math Score
	Sum of four subtotals equals final Student Achievement SPI Key Indicator score

DEPARTMENT OF EDUCATION
STUDENT ATTENDANCE CALCULATION TABLE

Chapter 24:55:02

APPENDIX E

SEE: § 24:55:02:07

Source: 39 SDR 51, effective October 2, 2012; 41 SDR 218, effective July 1, 2015.

LRC Editor's Note: Appendix I was amended and renamed Appendix E, effective July 1, 2015.

For each enrolled full academic year student, the number of days the student was in attendance-		
DIVIDED BY	EQUALS	Attendance percentage
The number of days the student was enrolled		
Number of students who have attained an attendance percentage of at least ninety- four percent		
DIVIDED BY	EQUALS	Attendance rate
Total number of students enrolled		
Attendance rate		
MULTIPLIED BY	EQUALS	Student attendance SPI key indicator score
Maximum points for the indicator (20 <u>10</u> points)		

DEPARTMENT OF EDUCATION
HIGH SCHOOL COMPLETION CALCULATION TABLE

Chapter 24:55:02

APPENDIX F

SEE: § 24:55:02:08

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

LRC Editor's Note: Appendix J was amended and renamed Appendix F, effective July 1, 2015.

<p>High school completion rate</p> <p>MULTIPLIED BY</p> <p>1/2 of apportioned indicator points (15 12.5 points of the total 30 25 points)</p>	<p>EQUALS</p>	<p>NUMERIC SUBTOTAL</p> <p><u>High School Completion SPI Key Indicator score</u></p>
<p>Graduation rate</p> <p>MULTIPLIED BY</p> <p>1/2 of apportioned indicator points (15 12.5 of the total 30 25 points)</p>	<p>EQUALS</p>	<p>NUMERIC SUBTOTAL</p>
<p>SUM OF SUBTOTALS</p>	<p>EQUALS</p>	<p>High School Completion SPI Key Indicator score</p>

DEPARTMENT OF EDUCATION
COLLEGE AND CAREER READINESS CALCULATION TABLE

Chapter 24:55:02

APPENDIX G

SEE: §§ 24:55:02:09 to 24:55:02:09.03, inclusive

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

LRC Editor's Note: Appendix L was amended and renamed Appendix G, effective July 1, 2015.

For Schools and districts administering NCRC:

Math College Readiness	English College Readiness	Career Readiness
Number of school's prior year graduating class receiving at least 20 math subscore on ACT;	Number of school's prior year graduating class receiving at least 18 English subscore on ACT;	Number of school's prior year graduating class scoring at bronze level or above on NCRC
PLUS:	PLUS:	
Number of school's prior year graduating class receiving less than 20 math subscore on ACT but receiving at least 76 algebra subscore on Accuplacer;	Number of school's prior year graduating class receiving less than 18 English subscore on ACT but receiving at least 86 sentence skills subscore on Accuplacer;	
DIVIDED BY:	DIVIDED BY:	DIVIDED BY:
Total number of school's prior year graduating class who took the ACT or the Accuplacer;	Total number of school's prior year graduating class who took the ACT or the Accuplacer;	Total number of school's prior year graduating class who took the NCRC;
MULTIPLIED BY:	MULTIPLIED BY:	MULTIPLIED BY:
10 points	10 points	10 points
EQUALS:	EQUALS:	EQUALS:
Math college ready total	English college ready total	Career ready total
Sum of math college ready total, English college ready total, and career ready total EQUALS final College and Career Ready SPI Key Indicator Score		

For schools and districts administering NCRC:

Math College Readiness	English College Readiness
Number of school's prior year graduating class receiving at least 20 math subscore on ACT;	Number of school's prior year graduating class receiving at least 18 English subscore on ACT;
PLUS:	PLUS:
Number of school's prior year graduating class receiving less than 20 math subscore on ACT but receiving at least 76 algebra subscore on Accuplacer;	Number of school's prior year graduating class receiving less than 18 English subscore on ACT but receiving at least 86 sentence skills subscore on Accuplacer;
DIVIDED BY:	DIVIDED BY:
Total number of school's prior year graduating class who took the ACT or the Accuplacer;	Total number of school's prior year graduating class who took the ACT or the Accuplacer;
MULTIPLIED BY:	MULTIPLIED BY:
15 points	15 points
EQUALS:	EQUALS:
Math college ready total	English college ready total
Sum of math college ready total and English college ready total EQUALS final College and Career Ready SPI Key Indicator Score	

<u>Assessment of Readiness</u>	<u>Progress Towards Post High School Credentials</u>
<u>Number of school's prior year graduating class receiving a math subscore of at least 20 on ACT, at least a level 3 or 4 on Smarter Balanced math assessment, or an Accuplacer algebra score of at least 76; and at least an English subscore of 18 on ACT, at least a level 3 or 4 on Smarter Balanced English language arts assessment, or an Accuplacer sentence skills score of at least 86;</u>	<u>Number of school's prior year graduating class who achieved an Advanced Placement exam score of a 3 or better</u>
PLUS:	PLUS:
<u>Number of school's prior year graduating class who did not meet the above but did receive at least a silver certificate or a combined score that would equate to a</u>	<u>Number of school's prior year graduating class not achieving a 3 or better on an AP exam but who achieved a C or better in a state-sponsored dual credit course</u>
PLUS:	PLUS:
	<u>Number of students not achieving either of the above but who did earn CTE Concentrator status</u>

<u>silver certificate on the NCRC</u>	
<u>DIVIDED BY:</u>	<u>DIVIDED BY:</u>
<u>Total number of students in the school's prior year graduating class</u>	<u>Total number of students in the school's prior year graduating class</u>
<u>MULTIPLIED BY:</u>	<u>MULTIPLIED BY:</u>
<u>12.5 points</u>	<u>12.5 points</u>
<u>EQUALS:</u>	<u>EQUALS:</u>
<u>Assessment of Readiness Total</u>	<u>Progress Towards Post High School Credentials Total</u>
<u>Sum of Assessment of Readiness total and Progress Towards Post High School Credentials total EQUALS final College and Career Ready SPI Key Indicator Score</u>	

DEPARTMENT OF EDUCATION

ENGLISH LANGUAGE PROFICIENCY CALCULATION TABLE

Chapter 24:55:02

APPENDIX N

SEE: § 24:55:02:15

Source:

FOR ENGLISH LEARNERS IN THEIR FIRST YEAR OF IDENTIFICATION:

<u>FOR THE FOLLOWING STUDENT RESULT:</u>	<u>ASSIGN A VALUE OF:</u>
<u>Did not take the English language proficiency assessment</u>	<u>Zero</u>
<u>Took the English language proficiency assessment</u>	<u>One percent</u>
<u>EQUALS:</u>	<u>Percent of points earned for students in their first year of identification</u>

FOR ENGLISH LEARNERS IN THEIR SECOND AND SUBSEQUENT YEAR OF IDENTIFICATION:

<u>FOR THE FOLLOWING STUDENT RESULT:</u>	<u>ASSIGN A VALUE OF:</u>
<u>Did not take the English language proficiency assessment</u>	<u>Zero</u>
<u>Took the English language proficiency assessment and achieved one of the following results:</u> <u>1. No composite score</u> <u>2. A composite score that was lower than the student's previous year's score</u> <u>3. A composite score that was the same as the previous year's score</u>	<u>0.25 percent</u>
<u>Took the English language proficiency assessment and achieved a better score than was achieved in the previous year, but a score that was not on target with the goals calculated as set out in 24:55:05:07</u>	<u>0.50 percent</u>
<u>Took the English language proficiency assessment and achieved a composite score that was less than 5.0, but that was on target or ahead of target with the goals calculated as set out in 24:55:05:07</u>	<u>1.0 percent</u>
<u>Took the English language proficiency assessment and achieved a composite score of 5.0 within the timeline calculated as set out in 24:55:05:07</u>	<u>1.0 percent</u>
<u>Took the English language proficiency assessment and earned a composite score of 5.0 ahead of the timeline calculated as set out in 24:55:05:07</u>	<u>1.25 percent</u>
<u>EQUALS:</u>	<u>Percent of points earned for students in their second or subsequent years of identification</u>

THEN:

<u>Sum the value achieved for first year English learners plus second and subsequent year English learners</u>	
<u>MUTLIPLY</u>	
<u>The value achieved above by the total possible points for the indicator</u>	

<u>EQUALS</u>	<u>Points earned for the English language proficiency indicator</u>
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DEPARTMENT OF EDUCATION

GRADUATION RATE CALCULATION TABLE

Chapter 24:55:02

APPENDIX O

SEE: § 24:55:02:16

<u>Graduation Rate</u> <u>MULTIPLIED BY</u> <u>12.5 points</u>	<u>EQUALS</u>	<u>Graduation</u> <u>Rate</u> <u>SPI Key</u> <u>Indicator</u> <u>score</u>
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CHAPTER 24:55:03

PUBLIC SCHOOL RANKINGS AND CLASSIFICATIONS

Section

- 24:55:03:01 School performance index ranking.
- 24:55:03:02 Classifications of public schools.
- ~~24:55:03:03 Classification of exemplary schools~~Repealed.
- ~~24:55:03:04 Classification of status schools~~Repealed.
- ~~24:55:03:05 Classification of progressing schools~~Repealed.
- 24:55:03:06 Repealed.
- 24:55:03:07 Classification of ~~priority~~comprehensive support and improvement schools.
- ~~24:55:03:07.01 Classification of priority districts~~Repealed.
- 24:55:03:08 Classification of ~~focus~~targeted support and improvement schools.
- 24:55:03:09 Repealed.
- 24:55:03:10 Repealed.
- 24:55:03:11 Repealed.
- 24:55:03:12 Repealed.
- 24:55:03:13 Repealed.
- 24:55:03:14 Repealed.

24:55:03:01. School performance index ranking. ~~Following the 2012-2013 school year and each subsequent school year, the~~ The department shall rank all public schools according to each school's total SPI score. This ranking shall serve as the basis for the classification of public schools referenced in this chapter. The department shall rank the presecondary school level and the secondary school level separately.

Source: 39 SDR 51, effective October 3, 2012.

General Authority: SDCL 13-3-69(6).

Law Implemented: SDCL 13-3-67, 13-3-69.

24:55:03:02. Classifications of public schools. The department shall classify all public schools into the following categories pursuant to this chapter meeting the designation criteria set out in 24:55:03:07 and 24:55:03:08 as:

- (1) Exemplary schools;
- (2) Status schools;
- (3) Progressing schools;
- (4)(1) Priority Comprehensive support and improvement schools; or
- (5)(2) Focus Targeted support and improvement schools.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-69(6).

Law Implemented: SDCL 13-3-67, 13-3-69.

24:55:03:03. Classification of exemplary schools. ~~The department shall classify a public school as an exemplary school if it is not classified as a focus or priority school and meets either of the following criteria:~~

- ~~(1) The school's total SPI score is at or above the top five percent of the SPI ranking; or~~
- ~~(2) The school is in the top five percent of improvement over the last two school years for:
 - ~~(a) At the presecondary school level, the gap group indicators for student achievement and student attendance; or~~~~

~~(b) At the secondary school level, the gap group indicators for student achievement and graduation rate~~Repealed.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: ~~SDCL 13-3-69(6).~~

Law Implemented: ~~SDCL 13-3-67, 13-3-69.~~

24:55:03:04. Classification of status schools. ~~The department shall classify a public school as a status school if the school is not characterized as an exemplary, focus, or priority school, and the school's total SPI score is at or above the top ten percent of the SPI ranking.~~ Repealed.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: ~~SDCL 13-3-69(6).~~

Law Implemented: ~~SDCL 13-3-67, 13-3-69.~~

24:55:03:05. Classification of progressing schools. ~~The department shall classify a public school as a progressing school if the school is not characterized as a focus, priority, or exemplary school, and the school's total SPI score is greater than the bottom five percent but less than the top ten percent of the SPI ranking. Except as provided in § 24:55:03:07(2), a public school which is not a Title I school and which has a total SPI score at or below the bottom five percent of the SPI ranking of all schools at that school level shall be designated as a progressing school~~Repealed.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: ~~SDCL 13-3-69(6).~~

Law Implemented: ~~SDCL 13-3-67, 13-3-69.~~

24:55:03:07. Classification of priority comprehensive support and improvement

schools. The department shall classify a school as a priority comprehensive support and improvement school if it meets any of the following criteria:

(1) The school is a Title I school whose total SPI score is at or below the bottom five percent of the total SPI scores for all Title I schools in that school level; ~~or~~

(2) The school ~~is a Title I high school or a Title I eligible high school whose~~ has a graduation rate ~~is below sixty~~ sixty-seven percent for the last two school years, regardless of whether the school accepts Title I funds; or

(3) The school is a Title I school that was designated as a targeted support and improvement school under 24:55:03:08(2) for four years and did not exit that status after four years.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-69(6).

Law Implemented: SDCL 13-3-67, 13-3-69.

24:55:03:07.01. Classification of priority districts. ~~If a public school district has at least one priority school and at least fifty percent of its schools are focus or priority schools, the district is considered a priority district. Only districts with three or more public schools may be identified as priority districts. A district must remain a priority district for a minimum of four years~~Repealed.

Source: 40 SDR 40, effective September 11, 2013.

General Authority: ~~SDCL 13-3-69(6).~~

Law Implemented: ~~SDCL 13-3-67, 13-3-69.~~

24:55:03:08. Classification of ~~focus~~ targeted support and improvement schools. The department shall classify a ~~Title I~~ any public school, not already classified as a ~~priority~~ comprehensive support and improvement school, as a ~~focus~~ targeted support and improvement school, if it meets ~~any~~ either of the following criteria:

(1) ~~At the presecondary school level, the school ranks within the bottom ten percent for gap-group indicators for student achievement and attendance~~ There is a disproportionate performance between all students and a subgroup or the gap group at a school over three years using a ninety-five percent confidence interval. This designation shall first take place for the 2018-2019 school year; or

(2) ~~At the secondary school level, the school ranks within the bottom ten percent for gap-group indicators for student achievement and graduation rate;~~ For schools identified under (1), the subgroup triggering the identification performs no better on any indicator than the performance of schools designated for comprehensive support and improvement under 24:55:03:07.1 for the school year under consideration. The department shall consider the performance over a period of three years and using a 95 percent confidence interval. This designation shall first take place for the 2019-2020 school year.

(3) ~~At the presecondary or secondary school level, the combined math and English language arts student proficiency rates on the state academic assessment for any student group are seventy-five percent lower than the combined English language arts and math proficiency rates for the gap-group.~~

~~The department shall incorporate the use of a confidence interval when reporting the gap-group indicators pursuant to this section.~~

Source: 39 SDR 51, effective October 3, 2012; 40 SDR 40, effective September 11, 2013; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-69(6).

Law Implemented: SDCL 13-3-67, 13-3-69.

CHAPTER 24:55:04

SANCTIONS, REWARDS, AND RECOGNITION

Section

- 24:55:04:01 Interventions and rewards.
- 24:55:04:02 Interventions for ~~priority~~comprehensive support and improvement schools.
- ~~24:55:04:03 Interventions for priority districts~~Repealed.
- 24:55:04:04 Interventions for ~~focus~~targeted support and improvement schools.
- 24:55:04:05 Repealed.
- 24:55:04:06 Exiting ~~priority~~comprehensive support and improvement school classification.
- 24:55:04:07 Failure of ~~priority~~comprehensive support and improvement school to progress.
- 24:55:04:08 Exiting ~~focus~~targeted support and improvement school classification.
- ~~24:55:04:08.01 Exit criteria for a school classified as a focus school pursuant to § 24:55:03:08(1)~~
~~or (2)~~ Repealed.
- ~~24:55:04:08.02 Exit criteria for schools classified as focus schools pursuant to § 24:55:03:08(3)~~
Repealed.
- 24:55:04:09 Failure of ~~focus~~targeted support and improvement school to progress.
- 24:55:04:10 Rewards and recognition.

24:55:04:01. Interventions and rewards. The system of interventions for public schools includes sanctions, rewards, and recognition. The interventions and rewards component of the state's accountability system serves primarily to promote enhanced learning and teaching.

Source: 39 SDR 51, effective October 3, 2012.

General Authority: SDCL 13-3-69(6).

Law Implemented: SDCL 13-3-67, 13-3-69.

24:55:04:02. Interventions for priority comprehensive support and improvement schools. Each public school district with one or more Title I schools school classified as a priority comprehensive support and improvement school shall: ~~ensure that the following interventions are implemented for priority schools in the district:~~

~~(1) Chart improvement and manage the continuous improvement process as approved and monitored by the department;~~

~~(2) Ensure that a school level annual data analysis led by department approved personnel is conducted, as referenced on page 105 of the ESEA flexibility request;~~

~~(3) Redesign the school day, week, or year to include additional time for meaningful student learning and teacher collaboration, as referenced on page 105 of the ESEA flexibility request;~~

~~(4) Review the performance of the current principal and either replace the principal if such a change is necessary or demonstrate to the department that the current principal has a track record in improving achievement, as referenced on page 105 of the ESEA flexibility request;~~

~~(5) Provide the principal with operational flexibility in the areas of scheduling, staff curriculum, and budgeting, as referenced on page 105 of the ESEA flexibility request;~~

~~(6) Provide professional development opportunities specific to prioritized needs as identified in the annual data analysis led by department approved personnel, as referenced on page 105 of the ESEA flexibility request;~~

~~(7) Inform the district's board of education and the public on the school's progress towards improving school performance, as referenced on page 105 of the ESEA flexibility request;~~

~~(8) Ensure that the instructional program is research-based, rigorous, and aligned with the state content standards, as referenced on page 105 of the department's ESEA flexibility request;~~

~~(9) Ensure, through the district's teacher evaluation process, that teachers are effective and able to improve instruction, as referenced on page 105 of the ESEA flexibility request and consistent with article 24:57;~~

~~(10) Provide opportunities for parent and community involvement in the decision making process regarding curriculum, assessment, reporting, and school environment, as referenced on page 105 of the ESEA flexibility request; and~~

~~(11) Work with a school support team member assigned by the department as referenced on page 104 of the ESEA flexibility request.~~

(1) Conduct a state-approved comprehensive needs assessment;

(2) Work with a state-assigned school support team professional;

(3) Implement evidence-based interventions to address the needs determined by the comprehensive needs assessment; and

(4) Submit a district-approved annual school improvement plan to the department based upon the results of the comprehensive needs assessment.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

General Authority: SDCL 13-3-69(6).

Law Implemented: SDCL 13-3-67, 13-3-69.

Reference: "ESEA Flexibility Renewal Request" dated August 21, 2015. Letter from Ann Whalen, US DOE, to Secretary Dr. Melody Schopp dated August 21, 2015. The materials are available for viewing at the South Dakota Department of Education, 800 Governors Drive, Pierre, South Dakota. Copies may be obtained from <http://www.ed.gov/esea/flexibility/requests> under "South Dakota."

24:55:04:03. Interventions for priority districts. Each priority district shall implement the interventions in this section. The interventions referenced in this section must be approved by the department:

- (1) Form a district leadership team to drive the continuous improvement process and create, implement, and monitor the district turnaround plan;
- (2) Provide and support necessary professional development for teachers;
- (3) Ensure that priority schools are able to monitor progress of their students regularly and are able to tier interventions to meet student needs within their classrooms as referenced on page 105 of the ESEA flexibility request; and
- (4) Implement additional supports and interventions that align with the needs of the district's priority schools.

In addition, the department shall conduct an analysis of the priority district data regarding staffing, budgeting, student achievement, and other relevant areas. Based on the results of this analysis, the priority district may be required to set aside up to five percent of the district Title I Part A allocation to fund a technical advisor assigned by the department Repealed.

Source: 39 SDR 51, effective October 3, 2012; 40 SDR 40, effective September 11, 2013; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

General Authority: ~~SDCL 13-3-69(6).~~

Law Implemented: ~~SDCL 13-3-67, 13-3-69.~~

Reference: ~~"ESEA Flexibility Renewal Request" dated August 20, 2015. Letter from Ann Whalen, US DOE, to Secretary Dr. Melody Schopp dated August 21, 2015. The materials are available for viewing at the South Dakota Department of Education, 800 Governors Drive, Pierre, South Dakota. Copies may be obtained from <http://www.ed.gov/esea/flexibility/requests> under "South Dakota."~~

24:55:04:04. Interventions for focus targeted support and improvement schools. Each public school district with one or more schools classified as a focus targeted support and improvement school shall ensure that the following interventions are implemented for focus school targeted support and improvement schools in the district:

- ~~(1) Chart improvement and manage the continuous improvement process as approved and monitored by the department;~~
- ~~(2) Ensure that a school level annual data analysis led by department approved personnel is conducted, as referenced on page 106 of the ESEA flexibility request;~~
- ~~(3) Provide professional development opportunities specific to prioritized needs as identified in the annual data analysis led by department approved personnel, as referenced on page 106 of the ESEA flexibility request;~~
- ~~(4) Provide the principal with operational flexibility in the areas of scheduling, staff, curriculum, and budgeting, as referenced on page 106 of the ESEA flexibility request;~~
- ~~(5) Inform the district's board of education and the public on the school's progress towards improving school performance, as referenced on page 106 of the ESEA flexibility request;~~
- ~~(6) Implement an evaluation of the principal in each focus school as referenced on page 106 of the ESEA flexibility request;~~

~~(7) Ensure, through the district's teacher evaluation process consistent with article 24:57, that teachers are effective and able to improve instruction, as referenced on page 106 of the ESEA flexibility request;~~

~~(8) Provide opportunities for parent and community involvement in the decision-making process regarding curriculum, assessment, reporting, and school environment, as referenced on page 106 of the ESEA flexibility request; and~~

~~(9) Work with a school support team member assigned by the department as referenced on page 106 of the ESEA flexibility request.~~

(1) Conduct a state-approved comprehensive needs assessment;

(2) Implement evidence-based interventions to address the needs determined by the comprehensive needs assessment; and

(3) Submit a district-approved school improvement plan annually to the department based upon the results of the comprehensive needs assessment.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

General Authority: SDCL 13-3-69(6).

Law Implemented: SDCL 13-3-67, 13-3-69.

Reference: "ESEA Flexibility Renewal Request" dated August 20, 2015. Letter from Ann Whalen, US DOE, to Secretary Dr. Melody Schopp dated August 21, 2015. The materials are available for viewing at the South Dakota Department of Education, 800 Governors Drive, Pierre, South Dakota. Copies may be obtained from <http://www.ed.gov/esea/flexibility/requests> under "South Dakota."

24:55:04:06. Exiting ~~priority~~ comprehensive support and improvement school

classification. After a school has been classified a ~~priority~~ comprehensive support and improvement school for four years, and has fully implemented interventions aligned to all of the ~~turnaround principles pursuant to § 24:55:04:02 for three complete years,~~ the department shall examine whether the school meets the exit criteria in this section ~~based on the most recent school-year data.~~ The department shall remove the ~~priority~~ comprehensive support and improvement school classification if the school meets the following criteria:

(1) ~~The school's total SPI score is above the bottom five percent of Title I schools of the SPI ranking~~ The school does not meet any of the criteria in 24:55:03:07;

(2) ~~The gap group and nongap group in the school have met the annual targets in English-language arts and math referenced in § 24:55:05:02 for the last three school years~~ The school's performance on key indicators overall is better than the performance demonstrated the year that triggered the school's designation; and

(3) ~~Follow-up program audits show that interventions required by the chapter are being implemented~~ The school has demonstrated improvement on the indicators of highest need, as determined by the school's comprehensive needs assessment conducted in the first year of designation and agreed upon between the school support team professional and the school.

A school meeting the above criteria and meeting its annual targets towards long-term goals may petition the department to exit the designation early.

~~In addition to subsections (1) to (3), inclusive, a Title I high school or Title I eligible high school that was classified as a priority school pursuant to § 24:55:03:07(2) must have a graduation rate of 70% or above for the last two school years.~~

Source: 39 SDR 51, effective October 3, 2012; 40 SDR 40, effective September 11, 2013; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-69(6).

Law Implemented: SDCL 13-3-67, 13-3-69.

24:55:04:07. Failure of ~~priority~~ comprehensive support and improvement school to progress. For ~~priority~~ comprehensive support and improvement schools failing to meet the exit criteria referenced in § 24:55:04:06 after ~~three~~ four years of interventions, the department shall ~~impose one of four intervention models: transformation, turnaround, restart, or school closure, as referenced on page 87 of the department's ESEA flexibility request unless~~ require the school to re-evaluate and revise its school improvement plan in collaboration with the school support team professional following the results of another comprehensive needs assessment to be conducted during the fifth year of designation. The school improvement plan that results from this process shall include the use of evidence-based interventions.:

~~—— (1) The school has achieved twenty-five percent growth toward the academic progress goals referenced in § 24:55:05:02; and~~

~~—— (2) Annual monitoring by the department indicates that interventions required by this chapter have been implemented for a minimum of a full academic year and continue to be implemented.~~

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015; 42 SDR 98, effective January 7, 2016.

General Authority: SDCL 13-3-69(6).

Law Implemented: SDCL 13-3-67, 13-3-69.

24:55:04:08. Exiting ~~focus~~ targeted support and improvement school classification.

After a school has been classified a ~~focus~~ targeted support and improvement school for ~~one year~~

two years, the department shall examine whether the school meets the exit criteria in §§ 24:55:04:08.01 and 24:55:04:08.02 based on the most recent school year data from across the years of designation. The department shall remove the targeted support and improvement school classification if the school meets the following criteria:

(1) The school no longer meets the definition under which it was designated for targeted support;

(2) The performance of the subgroup or gap group triggering the initial designation on all indicators shows improvement over the level from the year that resulted in the school's designation; and

(3) The performance of the school's gap group on all indicators over the period of designation has not declined.

A school meeting the above criteria and meeting its annual targets towards long-term goals may petition the department to exit the designation early.

Source: 39 SDR 51, effective October 3, 2012; 40 SDR 40, effective September 11, 2013.

General Authority: SDCL 13-3-69(6).

Law Implemented: SDCL 13-3-67, 13-3-69.

24:55:04:08.01. Exit criteria for a school classified as a focus school pursuant to § 24:55:03:08.1 or 2. ~~For a school classified as a focus school pursuant to § 24:55:03:08.1 or 2, the school must meet the following criteria before it can exit focus school classification:~~

~~(1) The gap group indicators are above the bottom ten percent of Title I schools:-~~

~~(a) For student achievement and attendance at the presecondary school level; and~~

~~(b) For student achievement and graduation rate at the secondary school level;~~

~~(2) The gap group in the school has met the annual targets in English language arts and math referenced in § 24:55:05:02; and~~

~~(3) Annual monitoring by the department indicates that interventions required by this chapter have been implemented for a minimum of a full academic year and continue to be implemented~~Repealed.

Source: 40 SDR 40, effective September 11, 2013; 41 SDR 218, effective July 1, 2015.

General Authority: ~~SDCL 13-3-69(6).~~

Law Implemented: ~~SDCL 13-3-67, 13-3-69.~~

24:55:04:08.02. Exit criteria for schools classified as focus schools pursuant to § 24:55:03:08(3). ~~For a school classified as a focus school pursuant to § 24:55:03:08(3), the school must meet the following criteria before it can exit focus school classification:~~

~~(1) The gap group indicators are above the bottom ten percent of Title I schools:~~

~~(a) For student achievement and attendance at the presecondary school level; and~~

~~(b) For student achievement and graduation rate at the secondary school level;~~

~~(2) Annual monitoring by the department indicates that interventions required by this chapter are being implemented; and~~

~~(3) The difference between the student group and gap group performance has been cut in half for two consecutive years~~Repealed.

Source: 40 SDR 40, effective September 11, 2013.

General Authority: ~~SDCL 13-3-69(6).~~

Law Implemented: ~~SDCL 13-3-67, 13-3-69.~~

24:55:04:09. Failure of ~~focus~~ targeted support and improvement school to progress. If a ~~focus~~ targeted support and improvement school designated under 24:55:03:08(2) does not meet the exit criteria referenced in § 24:55:04:08 after ~~three~~ four years, the department shall classify the school as a ~~priority~~ comprehensive support and improvement school ~~unless:~~

(1) ~~The school has achieved twenty five percent growth toward the academic progress goals referenced in § 24:55:05:02; and~~

(2) ~~Annual monitoring by the department indicates that interventions required by this chapter have been implemented for a minimum of a full academic year and continue to be implemented.~~

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-69(6).

Law Implemented: SDCL 13-3-67, 13-3-69.

24:55:04:10. Rewards and recognition. The department shall develop and implement a recognition program for public schools ~~identified as exemplary schools~~ exemplifying either the greatest progress or the greatest overall performance on indicators within the school performance index. The recognition program shall emphasize the results of specific public school efforts to continuously and substantially improve the performance of their students and increase the quality of instruction and leadership.

Public school districts with schools that are recognized in this program may also be rewarded for their efforts with a high level of autonomy in maintaining and continuously improving student achievement and the quality of instruction and leadership.

This public recognition provides an opportunity for these public schools and school districts to serve as a model in the statewide effort to establish an effective education system resulting in students who are college, career, and life ready.

Source: 39 SDR 51, effective October 3, 2012.

General Authority: SDCL 13-3-69(6).

Law Implemented: SDCL 13-3-67, 13-3-69.

CHAPTER 24:55:05

ACADEMIC PROGRESS

Section

- 24:55:05:01 Academic progress defined.
- 24:55:05:02 ~~Academic~~ Student achievement progress goals and targets.
- 24:55:05:03 Calculation of ~~academic~~ student achievement progress goals and targets.
- 24:55:05:04 Graduation rate progress goals and targets.
- 24:55:05:05 Calculation of graduation rate progress goals and targets.
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- 24:55:05:07 Calculation of English language proficiency rate progress goals and targets.
- 24:55:05:06 Student-level English language proficiency rate progress goal and targets.
- 24:55:05:07 Calculation of student-level English language proficiency rate progress goal and targets.

Appendix A Academic Progress Calculation Table.

24:55:05:01. Academic progress defined. For purposes of this chapter, the term, academic progress, means a public school's attainment of yearly targets that the department has established to ensure attainment of a six-year goal for continuous improvement of student achievement in the areas of student achievement, graduation rate, and English language proficiency. Progress is to be measured based upon proficiency rates on the state academic assessment, the percent of students meeting the graduation rate, and English learners' attainment of proficiency.

Source: 39 SDR 51, effective October 3, 2012.

General Authority: SDCL 13-3-69(1).

Law Implemented: SDCL 13-3-62 to 13-3-65, 13-3-69, inclusive.

24:55:05:02. ~~Academic~~ Student achievement progress goals and targets. For each public school and public school district, the department shall calculate a unique academic student achievement progress goal ~~of reducing by half, within each six year cycle, the percentage of students in each of the student groups referenced in § 24:55:01:05 below the proficient level in English language arts and mathematics. The department shall use the student achievement data from the state academic assessment to set yearly targets in equal increments toward the six year goal. Goals and targets shall be set separately for English language arts and mathematics. These targets provide meaningful data for each public school's ongoing efforts to continuously improve student achievement throughout each six year cycle. The first cycle begins with the 2011-2012 school year, which serves as a baseline year for data. Progress goals and targets shall be reset following the 2014-15 school year based on a six year cycle~~ that will result in all students demonstrating proficiency by the 2030-2031 school year. In order to achieve that long-term goal, the department will set interim goals at the five-year mark and ten-year mark. The interim goals will be set so that by the 2022-2023 school year, each school and each subgroup of students are

performing at the level of the fiftieth percentile school from the 2016-2017 English language arts and mathematics state summative assessments, respectively. Further, the department shall set unique student achievement progress goals for each school and each subgroup to attain the 2016-2017 English language arts and math proficiency levels, respectively, of the seventy-fifth percentile school by the 2027-2028 school year. Following the 2022-2023 school year, the department shall set annual targets using the same methodology referenced in 24:55:05:03 to reach the proficiency level of the school at the 75th percentile in English language arts and math from the 2016-2017 school year. Following the 2027-2028 school year, the department shall again set annual targets to reach one hundred percent proficiency.

Source: 39 SDR 51, effective October 3, 2012; 40 SDR 40, effective September 11, 2013; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-69(1)(2)(5).

Law Implemented: SDCL 13-3-62 to 13-3-65, 13-3-69, inclusive.

24:55:05:03. Calculation of academic student achievement progress goals and yearly targets. The department shall calculate academic student achievement progress goals and yearly targets separately for English language arts and mathematics and for each student group in each public school as follows:

(1) Based on state academic assessment scores from the ~~2014-2015~~ 2016-2017 school year, ~~calculate the percentage of students in the applicable student group at the below proficient level~~ the department shall determine the fiftieth percentile school;

(2) ~~Divide this percentage in half~~ Determine the gain in percent of students achieving proficiency the school will need to achieve the same proficiency level as the fiftieth percentile school within five years. This is the school's academic student achievement progress goal ~~for~~

~~reducing, within the six year cycle, the percentage of students in the applicable student group at the below proficient level; and~~

~~(3) Subtract this amount from 100 percent. This is the inverse of (2) and represents the school's academic progress goal for the percentage of students scoring at the proficient level within the six year cycle Divide the school's student achievement progress goal calculated in subdivision (2) by five, rounding to the nearest hundredth. This is the school's annual target for increasing the percentage of students at the proficient level at the necessary rate to reach the same level as the fiftieth percentile school within five years.~~

~~For schools performing above the fiftieth percentile in the 2016-2017 school year, annual targets shall be set to reach the level of the seventy-fifth percentile school by the 2022-2023 school year using the above methodology. For schools performing above the seventy-fifth percentile school in the 2016-2017 school year, annual targets shall be set to reach one hundred percent proficiency by the 2030-2031 school year.~~

~~(4) Divide the amount in subdivision (2) by six, rounding to the nearest hundredth. This is the school's annual target for increasing the percentage of students at the proficient level;~~

~~(5) Calculate the percentage of students in the base year at the proficient level;~~

~~(6) To determine the academic progress target in year one of the six year cycle, add the base year percentage of students scoring at the proficient level to the annual target for increasing the percentage of students at the proficient level; and~~

~~(7) To determine the academic progress target in subsequent years of the six year cycle, add the annual increase to the previous year's academic progress target.~~

These calculations shall be repeated for each public school for all of its student groups of § 24:55:01:05 and shall be calculated separately for English language arts and mathematics. The minimum student group size of ~~10~~ ten, referenced in § 24:55:07:05 applies for reporting purposes.

An example of this calculation is illustrated in Appendix A at the end of this chapter.

Source: 39 SDR 51, effective October 3, 2012; 40 SDR 40, effective September 11, 2013; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-69(1)(2)(5).

Law Implemented: SDCL 13-3-62 to 13-3-65, 13-3-69, inclusive.

24:55:05:04. Graduation rate progress goals and targets. For each public school and public school district, the department shall calculate a unique graduation rate progress goal that will result in all students meeting the graduation rate by the 2030-2031 school year. In order to achieve that long-term goal the department shall set interim goals at the five-year mark and ten-year mark. The interim goals shall be set so that, by the 2022-2023 school year, each school and each subgroup of students attains the same graduation rate as the fiftieth percentile school from the 2016-2017 school year. Further, the department shall set unique graduation rate progress goals for each school and each subgroup to attain the 2016-2017 school year graduation rates of the seventy-fifth percentile school by the 2027-2028 school year. Following the 2022-2023 school year, the department shall reset goals and targets to reach the performance level of the seventy-fifth percentile school from the 2016-2017 school year. Following the 2027-2028 school year, the department shall again set annual targets to reach one hundred percent of students meeting the graduation rate.

Source:

General Authority: SDCL 13-3-69(1)(5).

Law Implemented: SDCL 13-3-62 to 13-3-65, 13-3-69, inclusive.

24:55:05:05. Calculation of graduation rate progress goals and yearly targets. The department shall calculate graduation rate goals and yearly targets for each student group in each public school as follows:

(1) Based on the graduation rates from the 2016-2017 school year, the department shall determine the fiftieth percentile school;

(2) Determine the gain in graduation rate the school will need to achieve to reach the same graduation rate as the fiftieth percentile school within five years. This is the school's graduation rate progress goal; and

(3) Divide the school's graduation rate progress goal determined in subdivision (2) by five, rounding to the nearest hundredth. This is the school's annual target for increasing the percentage of students meeting the graduation rate at the necessary rate to reach the same level as the fiftieth percentile school within five years.

These calculations shall be repeated for each public school and for all of its student groups referenced in § 24:55:01:05. The minimum student group size of ten as referenced in § 24:55:07:05 applies for reporting purposes.

For schools performing above the fiftieth percentile in the 2016-2017 school year, annual targets shall be set to reach the level of the seventy-fifth percentile school by the 2022-2023 school year using the above methodology. For schools performing above the seventy-fifth percentile school in the 2016-2017 school year, annual targets shall be set to reach a one hundred percent graduation rate by the 2030-2031 school year.

An example of this calculation is illustrated in Appendix B at the end of this chapter.

Source:

General Authority: SDCL 13-3-69(1)(5).

Law Implemented: SDCL 13-3-62 to 13-3-65, 13-3-69, inclusive.

24:55:05:06. English language proficiency rate progress goals and targets. For each public school and public school district, the department shall calculate a unique English language proficiency goal that will result in all students meeting English language proficiency rates by the 2030-2031 school year. In order to achieve that long-term goal, the department shall set interim goals at the five-year mark and ten-year mark. The interim goals shall be set so that by the 2022-2023 school year, each school attains the same English language proficiency rate as the fiftieth percentile school from the 2016-2017 school year. Further, the department shall set unique English language proficiency goals for each school to attain the English language proficiency rate of the seventy-fifth percentile school from the 2016-2017 school year by the 2027-2028 school year. Following the 2022-2023 school year, the department shall reset goals and targets to reach the performance level of the seventy-fifth percentile school from the 2016-2017 school year. Following the 2027-2028 school year, the department shall again set annual targets that will result in all schools meeting the English language proficiency rate.

Source:

General Authority: SDCL 13-3-69(1)(5).

Law Implemented: SDCL 13-3-62 to 13-3-65, 13-3-69, inclusive.

24:55:05:07. Calculation of English language proficiency rate progress goals and yearly targets. The department shall calculate English language proficiency rate goals and yearly targets for each public school as follows:

(1) Based on the English language proficiency rate from the 2016-2017 school year, the department shall determine the fiftieth percentile school;

(2) Determine the gain in the English language proficiency rate the school will need to achieve to reach the same English language proficiency rate as the fiftieth percentile school within five years. This is the school's English language proficiency rate progress goal; and

(3) Divide the school's English language proficiency rate progress goal by five, rounding to the nearest hundredth. This is the school's annual target for increasing the percentage of students meeting the English language proficiency rate at the necessary rate to reach the same level as the fiftieth percentile school within five years.

These calculations shall be repeated for each public school. The minimum student group size of ten as referenced in § 24:55:07:05 applies for reporting purposes.

For schools performing above the fiftieth percentile in the 2016-2017 school year, annual targets shall be set to reach the level of the seventy-fifth percentile school by the 2022-2023 school year using the above methodology. For schools performing above the seventy-fifth percentile school in the 2016-2017 school year, annual targets shall be set to result in one hundred percent of schools meeting the English language proficiency by the 2030-2031 school year.

An example of this calculation is illustrated in Appendix C at the end of this chapter.

Source:

General Authority: SDCL 13-3-69(1)(5).

Law Implemented: SDCL 13-3-62 to 13-3-65, 13-3-69, inclusive.

24:55:05:08. Student-level English language proficiency progress goal and targets. For each English learner, the department shall calculate a unique student-level English language proficiency progress target leading to reaching the state's proficiency score on the English language proficiency assessment for English learners. Targets shall be set based upon the English

learner's first score on the English language proficiency assessment, so that a student scoring at level one or two shall have five years to exit, a student scoring at level three shall have four years to exit, and a student scoring at level four shall have three years to exit.

Source:

General Authority: SDCL 13-3-69(1)(2)(5).

Law Implemented: SDCL 13-3-62 to 13-3-65, 13-3-69, inclusive.

24:55:05:09. Calculation of student-level English language proficiency progress goal and targets. The department shall calculate student-level English language proficiency yearly targets for each English learner as follows:

(1) Based on the student's first score on the English language proficiency assessment, the department shall determine after how many additional years the student should meet the goal of proficiency on the assessment;

(2) Subtract the student's first score from the proficiency goal to determine the progress the student must make to achieve the goal in the prescribed time frame; and

(3) Divide the amount calculated in (2) by the years the student is allotted, based on the goal set out in 24:55:05:08, rounding to the nearest tenth. This is the student's annual target for increasing proficiency at the necessary rate to reach the proficiency level within the prescribed time frame.

An example of this calculation is illustrated in Appendix D at the end of this chapter.

Source:

General Authority: SDCL 13-3-69(1)(2)(5).

Law Implemented: SDCL 13-3-62 to 13-3-65, 13-3-69, inclusive.

DEPARTMENT OF EDUCATION

ACADEMIC STUDENT ACHIEVEMENT PROGRESS CALCULATION TABLE

Chapter 24:55:05

APPENDIX A

SEE: § 24:55:05:03

Source: 39 SDR 51, effective October 2, 2012; 41 SDR 218, effective July 1, 2015.

Example of Calculation of Academic Student Achievement Progress Goals and Annual Targets – Mathematics

Student Group	% Below– Proficient Level	Amount to Reduce in 6 years	Six-Year Goal for % Proficient Level	Annual Increase	Base Year	Year 1 Target	Year 2 Target	Year 3 Target	Year 4 Target	Year 5 Target	Year 6 Target
All Students	17%	8.5%	91.5%	1.42%	83.0%	84.42%	85.84%	87.26%	88.68%	90.10%	91.5%
White	9%	4.5%	95.5%	0.75%	91.0%	91.75%	92.50%	93.25%	94.0%	94.75%	95.5%
Gap Group	29%	14.5%	85.5%	2.42%	71.0%	73.4%	75.8%	78.3%	80.7%	83.1%	85.5%
Nongap Group	6%	3%	97%	0.50%	94.0%	94.5%	95.0%	95.5%	96.0%	96.5%	97.0%

Student Group	Goal: 2016-17 50th Percentile % proficient	School's 2016-17 % proficient	Annual Increase to reach 50th Percentile	Year 1 Target	Year 2 Target	Year 3 Target	Year 4 Target	Year 5 Target
All Students	50.00%	40.00%	2.00%	42.00%	44.00%	46.00%	48.00%	50.00%
White	50.00%	7.00%	8.60%	15.60%	24.20%	32.80%	41.40%	50.00%
Gap Group	50.00%	15.00%	7.00%	22.00%	29.00%	36.00%	43.00%	50.00%

DEPARTMENT OF EDUCATION

GRADUATION RATE PROGRESS CALCULATION TABLE

Chapter 24:55:05

APPENDIX B

SEE: § 24:55:05:05

Source: 39 SDR 51, effective October 2, 2012; 41 SDR 218, effective July 1, 2015.

Example of Calculation of Graduation Rate Progress Goals and Annual Targets

<u>Student Group</u>	<u>Goal: 2016-17 50th Percentile Grad. rate</u>	<u>School's 2016-17 Grad. rate</u>	<u>Annual Increase to reach 50th Percentile</u>	<u>Year 1 Target</u>	<u>Year 2 Target</u>	<u>Year 3 Target</u>	<u>Year 4 Target</u>	<u>Year 5 Target</u>
All Students	90.00%	87.05%	0.59%	87.64%	88.23%	88.82%	89.41%	90.00%
Gap Group	90.00%	82.00%	1.60%	83.60%	85.20%	86.80%	88.40%	90.00%
Nongap Group	90.00%	89.50%	0.10%	89.60%	89.70%	89.80%	89.90%	90.00%

DEPARTMENT OF EDUCATION

ENGLISH LANGUAGE PROFICIENCY RATE PROGRESS CALCULATION TABLE

Chapter 24:55:05

APPENDIX C

SEE: § 24:55:05:07

Source: 39 SDR 51, effective October 2, 2012; 41 SDR 218, effective July 1, 2015.

Example of Calculation of English Language Proficiency (ELP) Rate Progress Goals and Annual Targets

<u>School</u>	<u>2016-17 50th ELP rate</u>	<u>School's 2016-17 ELP rate</u>	<u>Annual Increase to reach 50th Percentile</u>	<u>Year 1 Target</u>	<u>Year 2 Target</u>	<u>Year 3 Target</u>	<u>Year 4 Target</u>	<u>Year 5 Target</u>
Lewis Elementary	50.00%	23.00%	5.40%	28.40%	33.80%	39.20%	44.60%	50.00%
Snyder Elementary	50.00%	45.00%	1.00%	46.00%	47.00%	48.00%	49.00%	50.00%

DEPARTMENT OF EDUCATION
STUDENT-LEVEL ENGLISH LANGUAGE PROFICIENCY RATE PROGRESS
CALCULATION TABLE

Chapter 24:55:05

APPENDIX D

SEE: § 24:55:05:09

Source: 39 SDR 51, effective October 2, 2012; 41 SDR 218, effective July 1, 2015.

Example of Calculation of Student-Level English Language Proficiency (ELP) Rate Progress
Annual Targets

<u>Student</u>	<u>1st ELP Assessment score</u>	<u>Goal</u>	<u>Annual Increase to reach goal</u>	<u>Year 1 Target</u>	<u>Year 2 Target</u>	<u>Year 3 Target</u>	<u>Year 4 Target</u>	<u>Year 5 Target</u>
John Doe	3.2	5.0	0.4	3.6	4.2	4.7	5.0	N/A
Jane Doe	1.2	5.0	.8	2.0	2.8	3.5	4.3	5.0

CHAPTER 24:55:06

REVIEW AND REPORTING REQUIREMENTS

Section

- 24:55:06:01 Department review and reporting.
- 24:55:06:02 School districts must publish accountability results.
- 24:55:06:03 Student privacy rights not affected.
- 24:55:06:04 Periodic evaluation of the gap group composition.

24:55:06:01. Department review and reporting. The department shall annually review and report accountability system results consistent with the requirements of 20 U.S.C. 6311(h) in effect on ~~August 23, 2012~~ December 10, 2015.

Source: 39 SDR 51, effective October 3, 2012.

General Authority: SDCL 13-3-51, 13-3-69.

Law Implemented: SDCL 13-3-51, 13-3-62, 13-3-65, 13-3-67, 13-3-69, inclusive.

24:55:06:02. School districts must publish accountability results. ~~School districts~~ Each school district shall publish and disseminate the accountability system results of each public school in the district, including the final classifications of public schools in the district pursuant to chapter 24:55:03, to parents, teachers, principals, schools, and the community consistent with the requirements of 20 U.S.C. 6311(h) in effect on ~~August 23, 2012~~ December 10, 2015.

Source: 39 SDR 51, effective October 3, 2012.

General Authority: SDCL 13-3-51, 13-3-69.

Law Implemented: SDCL 13-3-51, 13-3-62, 13-3-65, 13-3-67, 13-3-69, inclusive.

24:55:06:04. Periodic evaluation of the gap group composition. The gap group shall be re-evaluated following the 2019-2020 school year, using the most recent three years of state academic assessment data. After the 2019-2020 school year, the gap group shall be re-evaluated on a five-year cycle.

Source:

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-69.

CHAPTER 24:55:07

ALL PUBLIC SCHOOLS AND PUBLIC SCHOOL STUDENTS INCLUDED

Section

- 24:55:07:01 All public school students assessed.
- 24:55:07:02 At least 95% percent assessed.
- 24:55:07:03 Dually enrolled students.
- 24:55:07:04 Student transfers during testing timeframes.
- 24:55:07:05 Student group size.
- 24:55:07:06 Insufficient group size.
- 24:55:07:07 Public schools with no grades assessed.
- 24:55:07:08 Requirements for all public schools.
- 24:55:07:09 Repealed.
- 24:55:07:10 Repealed.

- 24:55:07:11 Participation of students who are ~~limited English proficient~~ English learners.
- 24:55:07:12 Student moves.
- 24:55:07:13 Student moves, full academic year not met.
- 24:55:07:14 Student drops out completing less than half the academic year.
- 24:55:07:15 Attributing credit for college and career readiness key indicator.
- ~~24:55:07:14~~ 24:55:07:16 Special considerations.

24:55:07:02. At least 95%percent assessed. ~~In order to receive points for the student achievement SPI key indicator referenced in chapter 24:55:02, a~~ A school mustshall administer the state academic assessment to at least 95%percent of the students and 95 percent of students within a student group who are enrolled in the tested grades for the state academic assessment on May first. If a school or student group within a school has 40 or fewer students enrolled in the tested grades, ~~then that school or student group~~ may have no more than two students not participate in the state assessments. If a school fails to administer the state assessments to 95 percent of students or of the members of a student group, those students necessary to be counted to reach 95 percent shall receive a value of zero in calculating the student achievement key indicator.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-55, 13-3-69.

Law Implemented: SDCL 13-3-55, 13-3-69.

24:55:07:03. Dually enrolled students. For purposes of the student achievement, academic growth, high school completion, graduation rate, English language proficiency, and college and career readiness key indicators, a student who is dually enrolled is counted at the public school where the student spends greater than 50 percent of the school day. For purposes of the student

attendance key indicator, a student is counted based on ~~his or her~~the student's attendance percentage, as referenced in § 24:55:02:07, in each attendance center.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-69.

24:55:07:04. Student transfers during testing timeframes the academic year. ~~State-academic assessment scores~~ Results of students who transfer from one public school to another public school within the same public school district between October first and May first ~~within the same public school district~~ are counted at the district level for student achievement, academic growth, English language proficiency, and attendance SPI key indicator scores. ~~Student achievement scores~~ Results of students who transfer from one public school district to another public school district between October first and May first are counted at the state level for student achievement, academic growth, English language proficiency, and attendance SPI key indicator scores.

Source: 39 SDR 51, effective October 3, 2012; 40 SDR 40, effective September 11, 2013; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-51, 13-3-69.

Law Implemented: SDCL 13-3-51, 13-3-69.

24:55:07:06 Insufficient group size. Accountability determinations for public schools may not be required if the number of students in a group is insufficient to yield statistically reliable information, or the results would reveal personally identifiable information about an individual

student. Schools with fewer than ~~10~~ten students tested over the three years considered for student achievement must undergo a small school audit process to determine progress towards academic goals.

Source: 39 SDR 51, effective October 3, 2012; 40 SDR 40, effective September 11, 2013.

General Authority: SDCL 13-3-51, 13-3-69.

Law Implemented: SDCL 13-3-51, 13-3-69.

24:55:07:11. Participation of students who are ~~limited English proficient~~ English learners. A student who is ~~limited English proficient~~ an English learner and in the student's first year ~~enrolled~~of enrollment in a school in the United States is not required to take the state academic assessment in English language arts, if the student has participated in the annual test of English language proficiency as referenced in 20 U.S.C. 6311 (~~2006~~ 2015). Participation in the annual test of English language proficiency meets the requirement of 95 percent participation referenced in § 24:55:07:02. A student is exempt from only one iteration of the state academic assessment in English language arts.

If a student who is ~~limited English proficient~~ an English learner enrolls for the first time after the testing window for the English language proficiency test has ended, the student counts toward the requirement of 95 percent participation in English language arts referenced in § 24:55:07:02 by completing the ~~limited English proficient~~ English learner eligibility assessment.

A student who is ~~limited English proficient~~ an English learner and in the student's first year enrolled in a school in the United States is required to take the state academic assessment in mathematics. The results are not included in the calculation of the student achievement SPI key indicator. However, the student counts toward the requirement of 95 percent participation as referenced in § 24:55:07:02.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-51, 13-3-55, 13-3-69.

Law Implemented: SDCL 13-3-51, 13-3-55, 13-3-69.

24:55:07:13. Student moves, full academic year not met. ~~Students~~ A student who moves and enrolls in a public school district for less than a full academic year must ~~shall~~ be tested, ~~but their state academic assessment scores~~ and the student's results for student achievement, attendance, English language proficiency, and academic growth count at the state level when the department calculates total SPI and academic progress.

Source: 39 SDR 51, effective October 3, 2012.

General Authority: SDCL 13-3-55, 13-3-69.

Law Implemented: SDCL 13-3-55, 13-3-69.

24:55:07:14. Student drops out completing less than half the academic year. A student who drops out from a public high school, having attended fewer than fifty percent of the school's scheduled days at the student's last school of attendance, shall count for the graduation rate and the completer rate at the public school in which the student was enrolled for the majority of the student's time in grades nine through 12. A student who drops out, having attended fifty percent or more of the public high school's scheduled days, shall count at the school in which the student was last enrolled.

Source:

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-69.

24:55:07:15. Attributing credit for college and career readiness key indicator. A

student shall count for the college and career readiness key indicator at the school for which the student counted for the purposes of the graduation rate.

Source:

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-69.

24:55:07:14 24:55:07:16. Special considerations. For accountability purposes, students are assigned as follows:

(1) If a student is placed at any of the following, with tuition paid by an entity other than the resident district, the student is counted only at the state level:

(a) An attendance center or program other than an attendance center in the district;

(b) A private, nonprofit facility;

(c) A state or privately-operated school, and the placement was made by the Unified Judicial System, Department of Corrections, Department of Social Services, or another state agency authorized to place students; or

(d) Out-of-state students placed in a South Dakota facility to serve the special needs of the student;

(2) If a student is placed at an alternative school as an academic extension of the public school, the student is counted at the resident school; or

(3) If a student attends the South Dakota School for the Blind and Visually Impaired or the South Dakota School for the Deaf, the student is counted at the resident district and the state level, but not at the school level.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-51, 13-3-69.

Law Implemented: SDCL 13-3-51, 13-3-69.

Source: 39 SDR 51, effective October 3, 2012.

General Authority: SDCL 13-3-51, 13-3-55, 13-3-69.

Law Implemented: SDCL 13-3-51, 13-3-55, 13-3-69.

CHAPTER 24:55:08

PROVISIONS FOR PUBLIC SCHOOL OR PUBLIC SCHOOL DISTRICT CHANGES

Section

- 24:55:08:01 Public school or district changing grade span or physical status.
- 24:55:08:02 Students attending public school or district in first year of operation -- Included in accountability classification.
- 24:55:08:03 Accountability classification determination starts with first year of operation.
- 24:55:08:04 Public school boundaries altered -- Prior academic progress goals and targets recalculated.
- 24:55:08:05 School district consolidation -- Prior academic progress goals and targets recalculated.

24:55:08:01. Public school or district changing grade span or physical status. A public school or public school district that proposes to change its grade span or physical building capacity must submit a request to the department to explain the reasons for the proposed change. The

department shall review the request and either approve or deny. Regardless of changes made in student population, a school identified as a ~~priority or focus~~ comprehensive support and improvement or targeted support and improvement school is not eligible for a new accountability status while in the identified classification.

Source: 39 SDR 51, effective October 3, 2012; 40 SDR 40, effective September 11, 2013.

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-69.

24:55:08:04. Public school boundaries altered -- Prior academic progress goals and targets recalculated. If a public school district that has two or more attendance centers per grade span changes boundaries such that at least 50 percent of the student population of the attendance center, or students in the grade spans assessed in that attendance center, moved and have been replaced with students from another attendance center within the district:

(1) The academic progress goals and targets of the affected public schools shall be recalculated using the methodology in § 24:55:05:03 and shall be applied for the remaining years of the current ~~six-year~~ cycle; and

(2) If one or more of the affected schools has been classified as a ~~priority~~ comprehensive support and improvement school, the classification shall be removed by the department, notwithstanding the provisions of § 24:55:04:06.

Source: 39 SDR 51, effective October 3, 2012.

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-69.

24:55:08:05. School district consolidation -- Prior academic progress goals and targets recalculated. If two or more public school districts consolidate under the provisions of SDCL chapter 13-6:

(1) The academic progress goals and targets of the affected public schools shall be recalculated using the methodology in § 24:55:05:03 and shall be applied for the remaining years of the current ~~six-year~~ cycle; and

(2) If one or more of the affected schools has been classified as a ~~priority~~ comprehensive support and improvement school, the classification shall be removed by the department, notwithstanding the provisions of § 24:55:04:06.

Source: 39 SDR 51, effective October 3, 2012.

General Authority: SDCL 13-3-69.

Law Implemented: SDCL 13-3-69.

CHAPTER 24:55:10

ACCOUNTABILITY SYSTEM REVIEW

Section

24:55:10:01 Accountability system review.

24:55:10:01. Accountability system review. The department shall periodically review the accountability system to ensure that it is fair and appropriate for the state's public schools and to determine whether the system contributes to the state's effective education system.

The department shall ~~commence the first~~ review of the accountability system ~~after full-~~ implementation of the SPI following the ~~2016-2017~~ 2018-2019 school year.

Source: 39 SDR 51, effective October 3, 2012; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 13-3-69(11).

Law Implemented: SDCL 13-3-69(11).