

# State of South Dakota

EIGHTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2010

389R0504

## HOUSE BILL NO. 1175

Introduced by: Representatives Sly, Conzet, Elliott, Fargen, Killer, Kirkeby, Lucas, McLaughlin, Olson (Ryan), Russell, Schlekeway, Sorenson, Street, and Thompson and Senators Olson (Russell), Abdallah, Ahlers, Bartling, Bradford, Garnos, Gray, Nesselhuf, Peterson, and Tieszen

1 FOR AN ACT ENTITLED, An Act to provide for the establishment of performance standards  
2 for certified teachers, and to provide for the evaluation of the performance of certified  
3 teachers.

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

5 Section 1. That chapter 13-43 be amended by adding thereto a NEW SECTION to read as  
6 follows:

7 The Board of Education shall promulgate rules pursuant to chapter 1-26 to establish  
8 professional performance standards for certified teachers, and to establish best practices for the  
9 evaluation of the performance of certified teachers that may be used by individual school  
10 districts.

11 Section 2. That chapter 13-43 be amended by adding thereto a NEW SECTION to read as  
12 follows:

13 The school board of each school district shall adopt procedures for evaluating the  
14 performance of certified teachers employed by the school district that:



- 1 (1) Are based on the professional performance standards established by the Board of  
2 Education pursuant to section 1 of this Act;
- 3 (2) Are subject to negotiation under the provisions of chapter 3-18;
- 4 (3) Require at least two observations during each school year for teaching staff with less  
5 than three years of experience;
- 6 (4) Require multiple measures;
- 7 (5) Serve as the basis for programs to increase professional growth and development of  
8 certified teachers; and
- 9 (6) Include an improvement plan for any certified teacher whose performance does not  
10 meet the school district's performance standards.

11 Section 3. That chapter 13-43 be amended by adding thereto a NEW SECTION to read as  
12 follows:

13 The school board of each school district shall adopt a policy for the evaluation of certified  
14 teachers that includes the following:

- 15 (1) The purpose of the evaluations;
- 16 (2) The frequency of the evaluations;
- 17 (3) The procedure used in conducting the evaluations;
- 18 (4) The job-specific criteria used for certified teachers;
- 19 (5) The use of the results of the evaluations;
- 20 (6) The frequency of classroom evaluations; and
- 21 (7) The written evaluation provided to the employee.

22 Section 4. That chapter 13-43 be amended by adding thereto a NEW SECTION to read as  
23 follows:

24 The school board of each school district shall submit a copy of its policy and procedures

1 for the evaluation of certified teachers to the Board of Education. If any school board fails to  
2 adopt and properly file a policy and procedures that meet the requirements of this Act, the  
3 policy and procedures for that school district shall be established by the Board of Education.

4 Section 5. That chapter 13-43 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Each school district shall, at least annually, provide training to the certified teachers who are  
7 evaluated pursuant to this Act. The training shall address evaluation procedures, the standards  
8 used by the school district to evaluate the performance of its certified teachers, and any other  
9 relevant topics as determined by the school district. Each school district shall also, at least  
10 annually, provide training to administrators on how to conduct the evaluations required by this  
11 Act.