

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

389U0162

## HOUSE EDUCATION ENGROSSED NO. **HB 1183** 02/15/2013

Introduced by: Representatives Sly, Hawks, Lust, Magstadt, May, Munsterman, Rasmussen, Rozum, Tulson, Tyler, and Verchio and Senators Maher, Adelstein, Buhl, Holien, Johnston, Kirkeby, Lucas, Rave, and Tieszen

1 FOR AN ACT ENTITLED, An Act to establish a pilot program that uses home-based  
2 educational technology to prepare certain preschool children for school, and to make an  
3 appropriation therefor.

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

5 Section 1. Terms used in this Act mean:

6 (1) "Contractor," the educational technology provider selected by the Department of  
7 Education pursuant to section 3 of this Act;

8 (2) "Low income families," families whose annual household income does not exceed  
9 two hundred percent of the federal poverty level as updated annually on the website  
10 of the Department of Social Services; and

11 (3) "Preschool children," children who are age four or five and have not entered  
12 kindergarten.

13 Section 2. There is hereby established within the Department of Education a pilot program  
14 that uses a home-based technology program to develop the school readiness skills of preschool



1 children from low-income families. The purpose of the pilot program is:

- 2 (1) To evaluate the effectiveness of giving preschool children access, at home, to  
3 interactive individualized instruction delivered by computers and the Internet to  
4 prepare them academically for success in school; and
- 5 (2) To test the feasibility of scaling a home-based curriculum in reading, math and  
6 science delivered by computers and the Internet to a greater number of preschool  
7 children from low-income families in South Dakota.

8 The pilot program is a three-year program in which children will begin participating on or  
9 before January 1, 2014.

10 Section 3. The Department of Education shall contract with an educational technology  
11 provider for the delivery of a home-based educational technology program for preschool  
12 children who are selected to participate in the pilot program established in section 2 of this Act.  
13 The contractor selected by the department shall meet the following requirements:

- 14 (1) The contractor shall provide computer-assisted instruction for preschool children on  
15 a home computer connected by the Internet to a centralized file storage facility;
- 16 (2) The contractor shall provide technical support to families for the installation and  
17 operation of the instructional software;
- 18 (3) The contractor shall provide for the installation of computer and Internet access in  
19 homes of participating families who cannot afford the equipment and service;
- 20 (4) The contractor shall have the capability of performing through the Internet the  
21 following tasks:
  - 22 (a) Communicating with parents;
  - 23 (b) Updating the instructional software;
  - 24 (c) Validating user access;

- 1 (d) Collecting usage data;
- 2 (e) Storing research data; and
- 3 (f) Producing reports for parents, schools, and the Legislature;
- 4 (5) The contractor shall have the capability to quickly and efficiently modify, improve,  
5 and support the product;
- 6 (6) The contractor shall work in cooperation with personnel from participating education  
7 service agencies who will provide administrative and technical support to the  
8 program as provided in section 4 of this Act; and
- 9 (7) The contractor shall solicit families to participate in the program as provided in  
10 section 5 of this Act.

11 The program provided by the selected contractor shall include the following components:

- 12 (1) Computer-assisted, individualized instruction in reading, mathematics, and science;
- 13 (2) A multisensory reading tutoring program; and
- 14 (3) A validated computer adaptive reading test that does not require the presence of  
15 trained adults to administer and is an accurate indicator of reading readiness for  
16 children who cannot read.

17 The contract entered into pursuant to this section shall provide funding for a home-based  
18 educational technology program for preschool children for one year with an option to extend the  
19 contract for additional years or to expand the program to a greater number of preschool children  
20 as funding permits.

21 Section 4. An education service agency may participate in the program established pursuant  
22 to section 2 of this Act if the agency agrees to work in cooperation with the contractor to  
23 provide administrative and technical support for the pilot project. A participating education  
24 service agency shall:

- 1 (1) Receive funding for staff, and any necessary travel, materials, and meeting costs  
2 associated with the program;
- 3 (2) Participate in program training by the contractor; and
- 4 (3) Agree to adopt standardized policies and procedures in implementing the pilot  
5 project.

6 Section 5. The contractor shall solicit families to participate in the program established  
7 pursuant to section 2 of this Act through a public information campaign and referrals from  
8 participating education service agencies. Preschool children who participate in the program shall  
9 be from low-income families, and shall reside in different regions of the state. At least one-half  
10 of the preschool children who participate in the program shall be from families whose annual  
11 income does not exceed one hundred percent of the federal poverty level, and the remaining  
12 participants shall be from families whose annual income does not exceed two hundred percent  
13 of the federal poverty level. Any participating family that cannot afford a computer and Internet  
14 service to operate the instructional software may obtain a computer and peripheral equipment  
15 on loan and receive free Internet service for the duration of the family's participation in the  
16 program.

17 The contractor shall make the home-based educational technology program available to low-  
18 income families at an agreed upon cost if the number of families who want to participate in the  
19 program exceeds the number of participants for which available funding allows.

20 Section 6. The Department of Education may purchase computers, peripheral equipment,  
21 and Internet service for low-income families participating in the program established in section  
22 2 of this Act who cannot afford them through cooperative purchasing contracts administered by  
23 the Bureau of Administration.

24 Section 7. The Department of Education may accept and expend for the purposes of this Act

1 any funds obtained from federal sources, gifts, contributions, or any other source if such  
2 acceptance and expenditure is approved in accordance with § 4-8B-10.

3 Section 8. The Board of Education shall promulgate rules pursuant to chapter 1-26 to  
4 establish the application process and timelines for education service agencies and for families  
5 who want to participate in the program established in section 2 of this Act.

6 Section 9. The contractor shall cause an annual audit to be made by an independent certified  
7 public accountant of the contractor's use of the funds provided for the program established in  
8 section 2 of this Act, and the contractor shall provide the audit to the Department of Education.

9 The Department of Education shall annually contract with an independent, qualified  
10 evaluator to evaluate the program, and the department shall annually provide the financial audit  
11 and the evaluation required pursuant to this section to the Legislature. In addition, the  
12 department shall report to the Legislature on the following:

- 13 (1) The extent to which the program is accomplishing the purposes established in section  
14 2 of this Act;
- 15 (2) The number of families participating in the program, the number of families  
16 requesting computers, and the number of families to whom computers were  
17 furnished;
- 18 (3) The frequency of use of the instructional software;
- 19 (4) Any obstacles that were encountered with software usage, hardware, or providing  
20 technical assistance to families; and
- 21 (5) Student performance on pre-kindergarten and post-kindergarten assessments  
22 provided by the contractor for students who participated in the program and those  
23 who did not participate in the program.

24 Section 10. There is hereby appropriated from the general fund the sum of one dollar (\$1),

1 or so much thereof as may be necessary, to the Department of Education for the purpose of  
2 funding the pilot program established pursuant to this Act.

3 Section 11. The secretary of education shall approve vouchers and the state auditor shall  
4 draw warrants to pay expenditures authorized by this Act.

5 Section 12. Any amounts appropriated in this Act not lawfully expended or obligated by  
6 June 30, 2015, shall revert in accordance with the procedures prescribed in chapter 4-8.