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Statutory Authority: 59-5-60 and 59-20-60

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Subject: Use and Dissemination of Test Results

History: 4049

By Date Action Description Jt. Res. No. Expiration Date

- 12/26/2008 Proposed Reg Published in SR

- 02/18/2009 Received by Lt. Gov & Speaker 01/25/2010

S 02/18/2009 Referred to Committee

H 02/19/2009 Referred to Committee

S 03/12/2009 Resolution Introduced to Approve 583

- 06/03/2009 Approved by: Ratification No. 73

- 06/26/2009 Effective Date unless otherwise

 provided for in the Regulation

Document No. 4049

**STATE BOARD OF EDUCATION**

CHAPTER 43

Statutory Authority: 1976 Code Sections 59-5-60 and 59-20-60

43-260. Use and Dissemination of Test Results

**Synopsis:**

Section by Section

Section 1 Updates reference to the Education Finance Act. Deletes the reference to the Basic Skills Assessment Program legislation of 1978 (BSAP). Updates reference to the Education Accountability Act of 1998 (EAA), S.C. Code Ann. § 59-18-310 (Supp. 2008).

Section 2 Changing wording of agency to South Carolina Department of Education and deleting the word State.

Notice of Drafting for the proposed amendments was published in the State Register on October 24, 2008.

**Instructions:** The following sections of Regulation 43-260 is modified as provided below. All other items and sections remain unchanged.

**Text:**

43-260. Use and Dissemination of Test Results.

1. The participation of local school districts in the statewide testing program is required under Section 59-20-60(7)(c) of the South Carolina Education Finance Act and the South Carolina Education Accountability Act of 1998 (Supp. 2008).

2. The South Carolina Department of Education will report statewide and school district test results in conjunction with such demographic and socio-economic data as may be necessary for accurate and meaningful interpretation.

3. Test data for individuals shall be released only in a manner that is consistent with the provisions of Section 438 (Privacy Rights of Parents and Students) of the General Education Provisions Act (Title IV of Public Law 90-247, as amended) and any other relevant legislation.

. The State Superintendent of Education is authorized to develop and implement such administrative procedures as he/she may deem necessary and appropriate for the purposes of fulfilling the intent of these policies.

**Fiscal Impact Statement:**

There will be no increased costs to the state or its political subdivisions.

**Statement of Rationale:**

Revisions to the Use and Dissemination of Test Results will delete references to BSAP and language will be added to conform with amendments to the EAA.