

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

866S0331

HOUSE BILL NO. 1093

Introduced by: Representatives Munsterman, Hubbel, Lust, Novstrup (David), and Sly and
Senators Kraus and Krebs

1 FOR AN ACT ENTITLED, An Act to provide for the sharing of certain school administrators
2 and other school service specialists by certain school districts through the education service
3 agencies.

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

5 Section 1. That chapter 13-15 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 Beginning on July 1, 2014, if the fall enrollment of a school district is less than one
8 thousand, the school district shall receive certain school administration services through an
9 education service agency established pursuant to § 13-3-76. For purposes of this Act, the school
10 administration services shall include the services of a superintendent, business manager, and
11 other management level employees, and may also include the services of certain school service
12 specialists including curriculum directors, technology coordinators, speech pathologists,
13 directors of special education, and others who provide services within a school district.
14 However, the administration services may not include principals, vice-principals, and others
15 who manage specific buildings within a school district. The shared administrators and other



1 school service specialists will work in teams through the education service agencies. To the
2 extent possible, each team will serve a minimum of fifteen hundred students. If, however, the
3 secretary of education approves, a team may serve fewer students in areas of the state that are
4 sparsely populated or where geographic barriers exist. The requirement established in this
5 section does not apply to any school district with a fall enrollment of one thousand or greater.

6 Section 2. That § 13-3-76 be amended to read as follows:

7 13-3-76. The secretary of the Department of Education shall establish ~~seven~~ six education
8 service agencies to provide services and leadership to school districts on a regional basis. Each
9 education service agency shall serve the school districts in a particular region of the state as
10 determined by the secretary of education, and the secretary shall ensure that every school district
11 is served by an education service agency. Each education service agency may be incorporated
12 in the State of South Dakota as a nonprofit corporation organized under chapters 47-22 to 47-28,
13 inclusive, which is exempt from taxation pursuant to 501(a) of the Internal Revenue Code, 26
14 U.S.C. Section 501(a), and may be listed as an exempt organization in Section 501(c) of the
15 Internal Revenue Code, 26 U.S.C. Section 501(c), or an education service agency may be
16 directed by an educational cooperative.

17 Section 3. That § 13-3-77 be amended to read as follows:

18 13-3-77. Education service agencies are hereby authorized and empowered to develop,
19 manage, and provide school administration services, support services, and programs as
20 determined by the needs of the local school districts and as approved by the secretary of
21 education. An education service agency may:

- 22 (1) Act primarily as a service agency in providing services and programs as identified
23 and requested by the school districts it serves, including professional development,
24 instructional materials, educational technology, curriculum development, and

- 1 alternative educational programs;
- 2 (2) Provide for economy, efficiency, and cost effectiveness in the cooperative delivery
3 and purchase or lease of educational services, materials, and products; the services
4 may include purchasing cooperatives, insurance cooperatives, business management
5 services, auditing and accounting services, school safety and risk prevention training,
6 data processing, and assistance with student records;
- 7 (3) Provide administrative services such as communications and public relations
8 services, employee background checks, grants management services, printing and
9 publication services, and internship services;
- 10 (4) Provide educational services through leadership and research and development in
11 elementary and secondary education;
- 12 (5) Work cooperatively with the Department of Education, institutions of higher
13 education, local school districts, and other educational organizations to support,
14 develop, and implement long-range plans and strategic goals for the enhancement of
15 educational opportunities in elementary and secondary education; ~~and~~
- 16 (6) Serve, when appropriate and if funds are available, as a repository, clearinghouse,
17 and administrator of federal, state, local, and private funds on behalf of school
18 districts that may participate in special programs, projects, or grants in order to
19 enhance the quality of education in South Dakota schools;
- 20 (7) Provide school administration services to any school district it serves that has a fall
21 enrollment of less than one thousand through the hiring of administrative personnel,
22 including superintendents, business managers, and other management level
23 employees who work in teams to collectively serve those school districts in the
24 region; and

1 (8) Provide to any school district it serves that has a fall enrollment of less than one
2 thousand the services of certain school service specialists including curriculum
3 directors, technology coordinators, speech pathologists, directors of special
4 education, and others who are hired to collectively provide services to those school
5 districts in the region.

6 Section 4. That § 13-3-78 be amended to read as follows:

7 13-3-78. Each education service agency shall have an advisory board. The advisory board
8 shall meet at least twice a year, and its membership shall include ~~the superintendent or a~~
9 ~~designee of the superintendent~~ a member of the school board or a designee of the school board
10 from every school district served by the agency. The advisory board shall provide guidance to
11 the agency relative to the needs of the school districts and how the education service agency
12 might address those needs.

13 Section 5. That chapter 13-15 be amended by adding thereto a NEW SECTION to read as
14 follows:

15 The secretary of the Department of Education shall promulgate rules pursuant to chapter 1-
16 26 establishing guidelines for the education service agencies to follow in hiring shared
17 administrators and other school service specialists pursuant to this Act, and in assigning them
18 to serve school districts to ensure that each school district is adequately served, and to establish
19 procedures and timelines for school districts as they transition to the sharing of administrators
20 and specialists.