

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

571Z0159

## HOUSE BILL NO. 1215

Introduced by: Representatives Gosch, Dennert, DiSanto, Frye-Mueller, Kaiser, Lake, Livermont, Marty, Pischke, Schoenfish, and Wiese and Senators Cronin, Greenfield (Brock), Wiik, and Youngberg

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding reorganization of  
2 certain school districts with low enrollment.

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

4 Section 1. That § 13-6-97 be amended to read:

5 13-6-97. Any school district that has a fall enrollment, as defined in § 13-13-10.1, of ~~less~~  
6 fewer than one hundred and is not a sparse school district, as defined in § 13-13-78, shall  
7 reorganize with ~~another school district or~~ one or more school districts to create a newly  
8 reorganized school district with a fall enrollment of one hundred or greater. After July 1, 2007,  
9 if the fall enrollment of any school district that is not a sparse school district falls to one hundred  
10 or ~~below~~ fewer, that school district shall prepare a plan for reorganization within two years. If  
11 ~~any such a school district is required to prepare a plan for reorganization under this section and~~  
12 ~~fails to prepare a plan for reorganization by the deadline,~~ the Board of Education Standards shall  
13 prepare a plan for reorganization ~~plan for the~~ that school district. ~~For~~ The minimum fall  
14 enrollment for any school district that does not operate a high school and that contracts with an



1 adjoining school district in Minnesota to educate its resident high school students; ~~the minimum~~  
2 ~~fall enrollment that the school district must maintain pursuant to this section is not one hundred;~~  
3 ~~but rather~~ is equal to a pro-rated share of one hundred based upon the number of grades offered  
4 within the school district. ~~However, the~~ The provisions of this section do not apply to ~~any~~;

5 (1) A school district that receives no state aid distributed pursuant to chapter 13-13, and  
6 that is located ~~at least~~ not less than twenty-five miles from the nearest high school in  
7 an adjoining school district in the state. ~~The provisions of this section also do not~~  
8 ~~apply to any~~;

9 (2) A school district that is a part of a consortium of school districts exercising joint  
10 governmental powers pursuant to chapter 1-24, or intergovernmental cooperation in  
11 education pursuant to chapter 13-15 for the purposes stated in § 13-8-1, if ~~any such~~  
12 ~~the~~ joint powers agreement or intergovernmental cooperation agreement is approved  
13 each year before the first day of July by the secretary of education; and

14 (3) A school district that is the only school district remaining in the county in which the  
15 school district is located and is at least twenty miles away from any other school  
16 district.

17 The Board of Education Standards may promulgate rules, pursuant to chapter 1-26, to  
18 establish the procedures and criteria for the secretary's approval of ~~agreements pursuant to any~~  
19 reorganization agreement required under this section. The criteria established by the Board of  
20 Education Standards under this section shall take into account any significant cost savings that  
21 may be achieved through ~~such an~~ the reorganization agreement and the educational needs of the  
22 students in the districts that are parties to the reorganization agreement.