

AN ACT

ENTITLED, An Act to revise certain provisions regarding reorganization of certain school districts with low enrollment.

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

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

13-6-97. Any school district that has a fall enrollment, as defined in § 13-13-10.1, of fewer than one hundred and is not a sparse school district, as defined in § 13-13-78, shall reorganize with one or more school districts to create a newly reorganized school district with a fall enrollment of one hundred or greater. After July 1, 2007, if the fall enrollment of any school district that is not a sparse school district falls to one hundred or fewer, that school district shall prepare a plan for reorganization within two years. If a school district is required to prepare a plan for reorganization under this section and fails to prepare a plan, the Board of Education Standards shall prepare a plan for reorganization for that school district. The minimum fall enrollment for any school district that does not operate a high school and that contracts with an adjoining school district in Minnesota to educate its resident high school students is equal to a pro-rated share of one hundred based upon the number of grades offered within the school district. The provisions of this section do not apply to:

- (1) A school district that receives no state aid distributed pursuant to chapter 13-13, and that is located not less than twenty-five miles from the nearest high school in an adjoining school district in the state;
- (2) A school district that is part of a consortium of school districts exercising joint governmental powers pursuant to chapter 1-24, or intergovernmental cooperation in education pursuant to chapter 13-15 for the purposes stated in § 13-8-1, if the joint powers agreement or intergovernmental cooperation agreement is approved each year before the first day of July by the secretary of education; and

- (3) The only school district in the county with an existing attendance center, and whose attendance center is at least twenty miles away from any other attendance center.

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

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I certify that the attached Act originated in the

HOUSE as Bill No. 1215

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1215
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State