

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

677U0543

SENATE EDUCATION ENGROSSED NO. **SB 96** - 01/29/2013

Introduced by: Senators Johnston, Bradford, Jensen, Sutton, and White and Representatives Munsterman, Conzet, Ecklund, Hunhoff (Bernie), Nelson, Qualm, Schoenfish, Sly, Tulson, Tyler, and Verchio

1 FOR AN ACT ENTITLED, An Act to exempt certain school districts from the requirement to
2 reorganize due to 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 as follows:

5 13-6-97. Any school district that has a fall enrollment, as defined in § 13-13-10.1, of less
6 than one hundred and is not a sparse school district, as defined in § 13-13-78, shall reorganize
7 with another school district or school districts to create a newly reorganized school district with
8 a fall enrollment of one hundred or greater. ~~Any school district that is not sparse and has a fall~~
9 ~~enrollment of one hundred or less on July 1, 2007, shall prepare a plan for reorganization by~~
10 ~~June 30, 2009.~~ After July 1, 2007, if the fall enrollment of any school district that is not sparse
11 falls to one hundred or below, that school district shall prepare a plan for reorganization within
12 two years. If any such district fails to prepare a plan for reorganization by the deadline, the
13 Board of Education shall prepare a reorganization plan for the district. However, the provisions
14 of this section do not apply to any school district that receives no foundation program state aid



1 distributed pursuant to chapter 13-13, and that is located at least twenty-five miles from the
2 nearest high school in an adjoining school district in the state. The provisions of this section also
3 do not apply to any school district that is a part of a consortium of school districts exercising
4 joint powers pursuant to chapter 1-24 or intergovernmental cooperation in education pursuant
5 to chapter 13-15 for the purposes stated in § 13-8-1, provided that any such joint powers
6 agreement or intergovernmental cooperation agreement is approved by the secretary of
7 education.