State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

427P0565

CONFERENCE COMMITTEE

ENGROSSED NO. SB 187 - 2/29/2008

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Knudson, Abdallah, Albers, Bartling, Dempster, Garnos, Gray, Hansen (Tom), Hauge, Heidepriem, Hunhoff, McCracken, Nesselhuf, Olson (Ed), and Peterson (Jim) and Representatives Cutler, McLaughlin, Peters, and Vehle

FOR AN ACT ENTITLED, An Act to revise the state aid to education formula for the purpose of increasing teachers salaries, to direct the Department of Education to review certain curriculum and to develop a framework for a twenty-first century high school, to create the Teacher Compensation Assistance Program Advisory Council, and to revise certain provisions related to the payment of additional funds to consolidating school districts.

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

Section 1. That subdivision (4) of § 13-13-10.1 be amended to read as follows:

(4) "Per student allocation," for school fiscal year ~~2008~~ 2009 is ~~$4,528.80~~ $4,664.66. Each school fiscal year thereafter, the per student allocation is the previous fiscal year's per student allocation increased by the index factor;

Section 2. For school fiscal year 2009, for any school district that does not certify to the secretary of education that its average teacher salary and benefits will increase by at least three percent, and that it will spend at least $22.64 per fall enrollment as defined in subdivision 13-

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Insertions into existing statutes are indicated by underscores.
Deletions from existing statutes are indicated by ~~overstrikes~~.

13-10.1(2A) on teacher salaries and benefits in excess of the school district's FY 2008 expenditures on teacher salaries and benefits, increased by the index factor as defined in subdivision 13-13-10.1(3), the per student allocation pursuant to subdivision 13-13-10.1(4) is $4,642.02.

Section 3. The secretary of education may promulgate rules pursuant to chapter 1-26 to provide for the certifications required in section 2 of this Act.

Section 4. The Department of Education is hereby directed to review Project Lead the Way or other similar project-based curriculum in the areas of science, technology, engineering, and math in the state's middle and high schools. The purpose of the curriculum is to make math and science relevant for students by providing them with hands-on, real-world experiences.

Section 5. The Department of Education shall develop plans for a clearinghouse for youth internships, pre-apprenticeships, mentoring opportunities, and other educational experiences outside of the classroom that are available to middle and high school students within the state's research, science, and technology infrastructure. The purpose of the clearinghouse is to facilitate coordination among the middle schools, high schools, postsecondary technical institutes, universities, and the businesses and industries that offer these educational experiences, and to make students aware of the many unique opportunities available to them in South Dakota in the areas of research, science, and technology. To further capitalize on the talent and resources of the state's science and technology community, opportunities for professional development for teachers may also be coordinated through the clearinghouse.

Section 6. That chapter 13-3 be amended by adding thereto a NEW SECTION to read as follows:

The secretary of the Department of Education shall develop a framework for building a high school for the twenty-first century. The framework shall outline the characteristics of a high

school for the twenty-first century and the activities in which high schools can participate to develop those characteristics.

Section 7. There is hereby established the Teacher Compensation Assistance Program Advisory Council. The council shall be under the supervision of the Department of Education. The speaker of the House of Representative shall appoint three members of the House of Representatives to the council, including at least one member from each political party, and the president pro tempore of the Senate shall appoint three members of the Senate to the council, including at least one member from each political party. The Governor shall appoint the remaining members of the council, including at least one teacher, one school administrator, and one representative of a statewide education organization.

Section 8. The council shall examine how teacher quality and teacher salaries in the state can be enhanced, and how the funds appropriated in fiscal year 2010 and in subsequent fiscal years by the state for the teacher compensation assistance program established in § 13-3-73 can best be utilized to assist in that effort. The council shall consider a variety of issues surrounding teachers including market compensation, a tiered licensure system, a system for evaluating teachers, mentoring and induction programs for teachers, and continuing contracts for teachers.

Section 9. The council shall complete its work and the secretary of education shall provide its recommendations to the Governor and to the Executive Board of the Legislative Research Council no later than November 15, 2008.

Section 10. That § 13-6-92 be amended to read as follows:

13-6-92. If two or more school districts consolidate after July 1, 2001 and ~~prior to~~ on or before July 1, 2007, the new school district is entitled to an additional three hundred dollars per average daily membership as defined in § 13-13-10.1, up to a maximum of four hundred average daily membership from each school district or a prorated portion thereof from a partial school

district as it existed prior to consolidation for the first year after consolidation. If two or more school districts consolidate after July 1, 2001 and ~~prior to~~ on or before July 1, 2007, the new school district is entitled to an additional two hundred dollars per average daily membership as defined in § 13-13-10.1, up to a maximum of four hundred average daily membership from each school district or a prorated portion thereof from a partial school district as it existed prior to consolidation for the second year after consolidation. If two or more school districts consolidate after July 1, 2001 and ~~prior to~~ on or before July 1, 2007, the new school district is entitled to an additional one hundred dollars per average daily membership as defined in § 13-13-10.1, up to a maximum of four hundred average daily membership from each school district or a prorated portion thereof from a partial school district as it existed prior to consolidation for the third year after consolidation.

If two or more school districts consolidate after July 1, 2007, ~~the~~ for the first year after consolidation, each new school district is entitled to ~~an additional six hundred~~ one thousand dollars ~~per fall enrollment as defined in § 13-13-10.1, up to a maximum of four hundred fall enrollment from each school district or a prorated portion thereof from a partial school district as it existed prior to consolidation for the first year after consolidation~~ for each sending district student included in the receiving district's fall enrollment for the first year after consolidation, up to a maximum of four hundred sending district students. If two or more school districts consolidate after July 1, 2007, ~~the~~ for the second year after consolidation, each new school district is entitled to ~~an additional four hundred~~ eight hundred dollars ~~per fall enrollment, up to a maximum of four hundred fall enrollment from each school district or a prorated portion thereof from a partial school district as it existed prior to consolidation for the second year after consolidation~~ for each sending district student included in the receiving district's fall enrollment for the first year after consolidation, up to a maximum of four hundred sending district students.

If two or more school districts consolidate after July 1, 2007, ~~the~~ for the third year after consolidation, each new school district is entitled to ~~an additional two hundred~~ four hundred dollars ~~per fall enrollment, up to a maximum of four hundred fall enrollment from each school district or a prorated portion thereof from a partial school district as it existed prior to consolidation for the third year after consolidation~~ for each sending district student included in the receiving district's fall enrollment for the first year after consolidation, up to a maximum of four hundred sending district students.

For the purposes of the entitlement provided in this section, if a receiving district receives fewer than ten sending district students, the receiving district is entitled to payment for ten sending district students.

Section 11. For the purposes of this Act, the following terms mean:

(1) "New school district," a school district which is formed as the result of a consolidation of two or more school districts;

(2) "Receiving district," a new school district in which a secondary attendance center was operated prior to consolidation and is operated after consolidation;

(3) "Sending district," a school district which is not a receiving school district whose land has become part of another school district; and

(4) "Sending district student," a student who was included in the current fall enrollment as defined in § 13-13-10.1 of a sending school district for the school year prior to the first year the new school district operates.

Section 12. That chapter 13-6 be amended by adding thereto a NEW SECTION to read as follows:

Notwithstanding the provisions of § 13-6-92, if two or more school districts consolidate after July 1, 2007, and the secretary of education has issued an order to give effect to the

reorganization plan pursuant to § 13-6-48 no later than July 1, 2008, the new school district is entitled to an additional six hundred dollars per fall enrollment as defined in § 13-13-10.1, up to a maximum of four hundred fall enrollment from each school district or a prorated portion thereof from a partial school district as it existed prior to consolidation for the first year after consolidation. If two or more school districts consolidate after July 1, 2007, and the secretary of education has issued an order to give effect to the reorganization plan pursuant to § 13-6-48 no later than July 1, 2008, the new school district is entitled to an additional four hundred dollars per fall enrollment, up to a maximum of four hundred fall enrollment from each school district or a prorated portion thereof from a partial school district as it existed prior to consolidation for the second year after consolidation. If two or more school districts consolidate after July 1, 2007, and the secretary of education has issued an order to give effect to the reorganization plan pursuant to § 13-6-48 no later than July 1, 2008, the new school district is entitled to an additional two hundred dollars per fall enrollment, up to a maximum of four hundred fall enrollment from each school district or a prorated portion thereof from a partial school district as it existed prior to consolidation for the third year after consolidation.

Any school district that is eligible for and receives consolidation incentive payments pursuant to this section may not receive consolidation incentive payments pursuant to § 13-6-92.