

# State of South Dakota

NINETIETH SESSION  
LEGISLATIVE ASSEMBLY, 2015

578W0523

## HOUSE BILL NO. 1097

Introduced by: Representatives Deutsch, Anderson, Beal, Bolin, Brunner, Campbell, Craig, Cronin, DiSanto, Duvall, Gibson, Greenfield (Lana), Harrison, Hawks, Hawley, Heinemann (Leslie), Hickey, Holmes, Hunt, Johns, Kaiser, Klumb, Langer, Latterell, Marty, May, Mickelson, Munsterman, Novstrup (Al), Otten (Herman), Peterson (Kent), Qualm, Rasmussen, Ring, Rounds, Rozum, Russell, Schoenbeck, Schoenfish, Sly, Stalzer, Stevens, Tulson, Verchio, Wiik, Willadsen, Wollmann, and Zikmund and Senators Peterson (Jim), Brown, Buhl O'Donnell, Greenfield (Brock), Hagggar (Jenna), Holien, Monroe, Olson, Rampelberg, Soholt, Solano, and Tidemann

1 FOR AN ACT ENTITLED, An Act to provide for a reduced minimum fall enrollment for  
2 certain school districts.

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. After July 1, 2007, if the fall enrollment of any  
9 school district that is not sparse falls to one hundred or below, that school district shall prepare  
10 a plan for reorganization within two years. If any such district fails to prepare a plan for  
11 reorganization by the deadline, the Board of Education shall prepare a reorganization plan for



1 the district. For any school district that does not operate a high school and contracts with an  
2 adjoining school district in Minnesota to educate its resident high school students, the minimum  
3 fall enrollment that the school district must maintain pursuant to this section is not one hundred,  
4 but rather is equal to a pro-rated share of one hundred based upon the number of grades offered  
5 within the school district. However, the provisions of this section do not apply to any school  
6 district that receives no foundation program state aid distributed pursuant to chapter 13-13, and  
7 that is located at least twenty-five miles from the nearest high school in an adjoining school  
8 district in the state. The provisions of this section also do not apply to any school district that  
9 is a part of a consortium of school districts exercising joint powers pursuant to chapter 1-24 or  
10 intergovernmental cooperation in education pursuant to chapter 13-15 for the purposes stated  
11 in § 13-8-1, provided that any such joint powers agreement or intergovernmental cooperation  
12 agreement is approved each year before the first day of July by the secretary of education. The  
13 Board of Education may promulgate rules pursuant to chapter 1-26 to establish the procedures  
14 and criteria for the secretary's approval of agreements pursuant to this section. The criteria shall  
15 take into account any significant cost savings that may be achieved through such an agreement  
16 and the educational needs of the students in the districts.