

## School District Boundary Task Force

### Study Assignment

In certain areas of the state, the battle over what are known as “minor boundary changes” for school districts has become a volatile topic and several lawsuits have resulted from these disputes. Legislation has been passed in an attempt to mitigate the issues, but controversies and legal fights have continued.

As a result of these continuing disputes, the 2015 legislature passed SB134 which established the school district boundary task force. The mission of the task force is to:

1. Examine the boundaries of the existing school districts and recommend possible changes to those school district boundaries.
2. Recommend a process for addressing minor boundary changes in the future.
3. Submit a final report to the Governor and Executive Board of the Legislative Research Council no later than Dec. 1, 2015.

### Summary of Interim

**Minor Boundary Changes:** At the initial meeting the task force reviewed statutes relating to school district boundary changes and reviewed the current school district boundary maps. The members determined that many of the current issues regarding school boundaries are centralized around Sioux Falls and the surrounding schools districts but that there may be issues in other areas of the state as well. A request was made for the department to gather information about how other metropolitan areas in other states handle school boundary changes and keep surrounding school districts viable. A report on school district boundary statutes in other states was presented at the July 9 meeting. *An initial draft for possible legislation was also presented at the July 9 meeting. After further discussion regarding the proposal during the August and November meetings, a final draft was agreed upon.*

*It is the recommendation of the task force that the following changes be made in statute:*

- *Require that the land to be detached in a boundary change and a land exchange have a fair market value within ten percent of the land to be annexed;*
- *Land to be exchanged must have common boundaries with the common boundary of the two involved school districts;*
- *Provide language to limit legal challenges when making school district land exchanges;*
- *Outline contents of the resolution of intent to exchange land and timeline for approval/rejection;*
- *Clarify contents of a resolution for proposed boundary changes; require an appraisal completed by a certified appraiser that shows the fair market value of the land proposed to be detached and annexed; and require that ownership interests in the land be disclosed;*
- *Repeal SDCL 13-6-85, 13-6-85.1, 13-6-86.1, and 13-6-89; and*
- *Clarify that changes made by the bill do not affect school district reorganizations.*

**Non-Contiguous and Irregular Boundaries:** The history surrounding the irregular boundary shapes and land “islands” was discussed. The mass reorganization and elimination of common schools in the late 1960s forced land owners to close schools and join independent K-12 school districts. The irregular boundaries and islands were established due to land owner requests. This was a very emotional issue for many district and patrons. Information on school district islands in certain counties was presented during this meeting and there was consensus among the members that it would be a monumental task to alter the boundaries. The issue will need more public input and time than allowed in one summer study. The task force requests that the discussion be continued on irregular school boundaries and non-contiguous land areas.

*It is the recommendation of the task force that discussions continue on irregular school boundaries and non-contiguous land areas.*

**Attendance Centers within the Boundaries of another School District:** The task force also discussed and heard from superintendents involved with attendance centers being operated within the boundaries of another school district. At the request of the committee, DOE reached out to select administrators for input and possible remedies to the situation and reported the comments back to the committee during the August 25 meeting. It was noted in the report the Montana Office of Public Instruction offered guidance on this issue which advises the resident and nonresident districts to sign an interlocal agreement if an attendance center is to be established in a nonresident district. *An initial draft for possible legislation similar to the process in Montana was also presented at the August meeting. After further discussion regarding the proposal during the August and November meetings consensus could not be made regarding possible legislation.*

*It is the recommendation of the task force that a meeting be set for the morning of December 8, 2015 in Pierre to allow legislators and interested stakeholders to work together on legislation for this item.*

### **Listing of Legislation Adopted**

An Act to revise the procedure to initiate a school district boundary change.

Possible legislation regarding attendance centers within the boundaries of another school district will be discussed at the December 8, 2015, meeting.

### **Summary of Meeting Dates & Places**

The task force met four times during the interim. The first two meetings were held face-to-face and the last two meetings were held via conference calls. The meetings occurred on the following dates:

- May 20, 2015, at the Tea Area School District Education Center
- July 9, 2015, at the West Central School District Administrative Office
- August 25, 2015, via Skype
- November 17, 2015, via Skype

### **Listing of Committee Members**

The School District Boundary Task Force consists of three members of the Senate, three members of the House of Representatives, and three members appointed by the Governor. Those members were:

- **Senator Deb Peters, Chair**
- Senator Ernie Otten
- Senator Angie Buhl
- Representative Jim Bolin
- Representative Herman Otten
- Representative Karen Soli
- Tom Oster, Superintendent, Sioux Valley
- Mike Lodmel, Superintendent, Tri-Valley
- Jennifer Lowery, Superintendent, Tea Area

### **Staff**

Tamara Darnall, Chief Financial Officer, SD Department of Education

Susan Woodmansey, State Aid and School Finance Administrator, SD Department of Education

Bobbi Leiferman, Management Analyst, SD Department of Education

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Doug Decker, Code Counsel, Legislative Research Council

*Disclaimer: Staffing of the task force by the Department of Education and Department of Revenue does not represent the endorsement of the Executive Branch for any recommendations of the task force.*