

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0256

HOUSE BILL NO. 1031

Introduced by: The Committee on Education at the request of the Department of Education
and Cultural Affairs

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to state aid to
2 education.

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

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

5 13-13-10.1. Terms used in this chapter mean:

6 (1) "General enrollment average daily membership," the average number of resident and
7 nonresident kindergarten through twelfth grade pupils enrolled in all schools operated
8 by the school district during the previous regular school year, minus average number
9 of pupils for whom the district receives tuition, except pupils described in subdivision
10 (1A) and pupils for whom tuition is being paid pursuant to § 13-28-42 and plus the
11 average number of pupils for whom the district pays tuition, except pupils for whom
12 the district pays tuition pursuant to § 13-28-42;

13 (1A) Nonresident students who are in the care and custody of the Department of Social
14 Services, the Unified Judicial System, the Department of Corrections, or other state
15 agencies and are attending a public school may be included in the average daily
16 membership of the receiving district when enrolled in the receiving district. When

1 counting a student who meets these criteria in its general enrollment average daily
2 membership, the receiving district may begin the enrollment on the first day of
3 attendance. The district of residence prior to the custodial transfer may not include
4 students who meet these criteria in its general enrollment average daily membership
5 after the student ceases to attend school in the resident district;

6 (2) "Adjusted average daily membership," calculated as follows:

7 (a) For districts with a general enrollment average daily membership of two
8 hundred or less, multiply 1.2 times the general enrollment average daily
9 membership;

10 (b) For districts with a general enrollment average daily membership of less than
11 six hundred, but greater than two hundred, raise the general enrollment average
12 daily membership to the 0.8293 power and multiply the result times 2.98;

13 (c) For districts with a general enrollment average daily membership of six hundred
14 or more, multiply 1.0 times their general enrollment average daily membership;

15 (3) "Index factor," is the annual percentage change in the consumer price index for urban
16 wage earners and clerical workers as computed by the Bureau of Labor Statistics of
17 the United States Department of Labor for the year before the year immediately
18 preceding the year of adjustment or three percent, whichever is less;

19 (4) "Per student allocation," for the period January 1, 1997, to June 30, 1997, inclusive,
20 is \$1,675. For school fiscal year 1998, beginning on July 1, 1997, the per student
21 allocation shall be \$3,350 increased by the index factor. Each school fiscal year
22 thereafter, the per student allocation shall be the previous fiscal year's per student
23 allocation increased by the index factor;

24 (5) "Local need," the per student allocation multiplied by the adjusted average daily
25 membership;

- 1 (6) "Local effort," the amount of ad valorem taxes generated in a school fiscal year by
- 2 applying the levies established pursuant to § 10-12-42.