

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

400C0685

## HOUSE EDUCATION COMMITTEE ENGROSSED NO. **SB209** - 2/26/99

Introduced by: The Committee on State Affairs at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to provide certain incentives for school consolidation and  
2 to require cooperative education service units to provide certain information to the  
3 Department of Education and Cultural Affairs.

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

5 Section 1. That § 13-13-1.4 be amended to read as follows:

6 13-13-1.4. If two or more school districts consolidate, for a period of ~~three~~ four years after  
7 consolidation, the adjusted average daily membership for the newly formed district shall be based  
8 upon the general enrollment average daily membership as defined in § 13-13-10.1 of ~~the~~ those  
9 school districts that have not previously benefited from this section as they existed prior to  
10 consolidation. In years two to four, inclusive, after the consolidation, the relationship between  
11 the adjusted average daily membership and general enrollment average daily membership shall  
12 be proportional to the relationship that existed for the first year.

13 Section 2. That chapter 13-13 be amended by adding thereto a NEW SECTION to read as  
14 follows:

15 In years five to eight, inclusive, after the consolidation of two or more school districts, the  
16 adjusted average daily membership for the newly formed district shall be calculated as follows:

- 1 (1) Calculate adjusted average daily membership pursuant to § 13-13-10.1;
- 2 (2) Notwithstanding the four-year time limit, calculate adjusted average daily membership  
3 pursuant to § 13-13-1.4;
- 4 (3) Subtract the results of subdivision (1) from the results of subdivision (2);
- 5 (4) Multiply the results of subdivision (3) by eighty percent in the fifth year, sixty percent  
6 in the sixth year, forty percent in the seventh year, and twenty percent in the eighth  
7 year;
- 8 (5) Add the results of subdivision (1) and the results of subdivision (4).

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

11 If two or more school districts consolidate, for a period of four years after consolidation, the  
12 newly formed district may opt to have its state aid calculated based on the school districts as they  
13 existed prior to consolidation. In years two to four, inclusive, after the consolidation of two or  
14 more school districts, the adjusted average daily memberships and the local efforts of the former  
15 districts may be based upon a pro-rata share of the adjusted average daily membership and local  
16 effort of the newly formed district as compared to the adjusted average daily memberships and  
17 the local efforts of the former districts in the first year. Any district that opts to benefit from this  
18 section shall notify the secretary of the Department of Education and Cultural Affairs of its intent  
19 to do so as part of its reorganization plan. A district that benefits from this section may not  
20 benefit from § 13-13-10.1 or section 2 of this Act simultaneously, or in future years.

21 Section 4. That chapter 13-13 be amended by adding thereto a NEW SECTION to read as  
22 follows:

23 In years five to eight, inclusive, after the consolidation of two or more school districts that  
24 opted to benefit from section 3 of this Act, state aid shall be calculated as follows:

- 25 (1) Calculate state aid pursuant to § 13-13-73;

1 (2) Notwithstanding the four-year time limit, calculate state aid pursuant to section 3 of  
2 this Act;

3 (3) Subtract the results of subdivision (1) from the results of subdivision (2);

4 (4) Multiply the results of subdivision (3) by eighty percent in the fifth year, sixty percent  
5 in the sixth year, forty percent in the seventh year, and twenty percent in the eighth  
6 year;

7 (5) Add the results of subdivision (1) and the results of subdivision (4).

8 Section 5. That chapter 13-5 be amended by adding thereto a NEW SECTION to read as  
9 follows:

10 Cooperative education service units organized pursuant to this chapter shall file annually with  
11 the Department of Education and Cultural Affairs audits of their operation and disclosure  
12 statements of all funding sources.

1 **BILL HISTORY**

2 1/29/99 First read in Senate and referred to State Affairs. S.J. 254

3 2/8/99 Scheduled for Committee hearing on this date.

4 2/8/99 State Affairs Do Pass, Passed, AYES 8, NAYS 0. S.J. 362

5 2/8/99 Scheduled for Committee hearing on this date.

6 2/9/99 Senate Do Pass, Passed, AYES 34, NAYS 0. S.J. 407

7 2/10/99 First read in House and referred to Education. H.J. 473

8 2/23/99 Scheduled for Committee hearing on this date.

9 2/25/99 Scheduled for Committee hearing on this date.

10 2/25/99 Education Do Pass Amended, Passed, AYES 12, NAYS 0. H.J. 765