

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

884J0677

## HOUSE BILL NO. 1220

Introduced by: Representatives Dykstra, Christensen, Gillespie, and Rave and Senators Albers, Abdallah, and Kooistra

1 FOR AN ACT ENTITLED, An Act to revise the criteria required for minor boundary changes  
2 of school districts.

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

4 Section 1. That § 13-6-84.1 be amended to read as follows:

5 13-6-84.1. In all proposed changes in school district boundaries, the following conditions  
6 shall prevail:

7 (1) The boundary of the area proposed to be transferred shall be coterminous at some  
8 point with the common boundary of the two school districts. Land owned by the  
9 federal, state, or local governments and unoccupied land owned by a nonresident  
10 individual or corporation may be included in the request;

11 (2) Children must reside within the boundary of the area to be transferred, unless it is an  
12 area change initiated by a school board as provided in § 13-6-84.2;

13 (3) Those residing within the area proposed to be transferred have maintained residency  
14 within that area for at least one year prior to the date of the request;

15 (4) Those residing within the area proposed to be transferred have long term economic



1           and social connections to the district into which the area is proposed to be  
2           transferred;

3           (5) Children residing within the area to be transferred are more easily transported to  
4           school by the district into which the area is proposed to be transferred;

5           (6) If a child residing within the area to be transferred is in need of special education or  
6           special education and related services, the child's educational needs are best met by  
7           the district into which the area is proposed to be transferred; and

8           (7) Those residing within the area proposed to be transferred live substantially closer to  
9           schools in the district into which the area is proposed to be transferred than they do  
10          to schools in their current school district.