

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

299P0518

## SENATE BILL NO. 99

Introduced by: Senators Albers and McCracken and Representatives Gillespie and Pederson  
(Gordon)

1 FOR AN ACT ENTITLED, An Act to exempt certain school districts from the requirement to  
2 reorganize due to low enrollment.

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. Any school district that is not sparse and has a fall  
9 enrollment of one hundred or less on July 1, 2007, shall prepare a plan for reorganization by  
10 June 30, 2009. After July 1, 2007, if the fall enrollment of any school district that is not sparse  
11 falls to one hundred or below, that school district shall prepare a plan for reorganization within  
12 two years. If any such district fails to prepare a plan for reorganization by the deadline, the  
13 Board of Education shall prepare a reorganization plan for the district. However, the provisions  
14 of this section do not apply to any school district that contracts with a school district in another  
15 state pursuant to § 13-15-11 to provide for the education of children in grades seven through



1 twelve who reside within the district, that receives no foundation program state aid distributed  
2 pursuant to chapter 13-13, and that is located at least twenty-five miles from the nearest high  
3 school in an adjoining school district in the state. In addition, the provisions of this section do  
4 not apply to any school district that contracts with a school district in another state pursuant to  
5 § 13-15-11 to provide for the education of all its resident children if the schools in the school  
6 district in the other state that the resident children attend are no more than fifteen miles from the  
7 border of the resident school district.