

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

400R0245

SENATE BILL NO. 25

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

1 FOR AN ACT ENTITLED, An Act to repeal certain provisions related to tuition for students
2 transferring from a resident district that does not receive state aid to education and to repeal
3 certain provisions related to state aid to education for students transferring to a nonresident
4 school district that does not receive state aid to education.

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

6 Section 1. That § 13-28-49 be repealed.

7 ~~— 13-28-49. Notwithstanding the provisions of § 13-28-40, any student who enrolls in another~~
8 ~~school district pursuant to the provisions contained in §§ 13-28-40 to 13-28-47, inclusive, from~~
9 ~~a district that does not receive state aid pursuant to chapter 13-13 in the succeeding fiscal year~~
10 ~~remains the financial obligation of the resident district. For each student, the resident district~~
11 ~~shall pay tuition to the nonresident district in the succeeding fiscal year per the following~~
12 ~~calculation:~~

13 ~~— (1) — Determine the nonresident district's local need pursuant to subdivision 13-13-73(2);~~

14 ~~— (2) — Divide the result of (1) by the nonresident district's fall enrollment as defined in § 13-~~
15 ~~13-10.1;~~



1 ~~—(3)— Multiply the result of (2) by the number of days the student was enrolled in the~~
2 ~~nonresident district;~~

3 ~~—(4)— Divide the result of (3) by the number of days the nonresident district was in session.~~

4 Section 2. That § 13-13-75 be repealed.

5 ~~—13-13-75. Notwithstanding the provisions of chapter 13-13, if a student is enrolled pursuant~~
6 ~~to § 13-28-43, and the nonresident school district in which the student is enrolled does not~~
7 ~~receive state aid to general education, the Department of Education shall pay state aid to~~
8 ~~education to the nonresident district in which the student is enrolled. For each student, the~~
9 ~~amount of state aid paid shall be the per student allocation as defined in subdivision 13-13-~~
10 ~~10.1(4). The payment shall be prorated per the number of days the student was enrolled in the~~
11 ~~nonresident district compared to the number of days the nonresident district was in session. The~~
12 ~~payment shall be made in the succeeding fiscal year.~~