

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

875N0749

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

HB 1276 - 02/15/2007

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Rave, Deadrick, Jerke, Juhnke, Putnam, and Rounds and
Senators Hunhoff, Bartling, and Olson (Ed)

1 FOR AN ACT ENTITLED, An Act to create the Prairie High School District.

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

3 Section 1. There is hereby created a special high school district known as the Prairie High
4 School District. The primary purpose of the special high school district is to provide a high
5 school education to students located in rural areas of the state through the use of technology,
6 teachers, and tutors.

7 The Prairie High School District shall meet the following requirements:

8 (1) The special high school district shall educate, primarily through the use of
9 technology, any South Dakota student in grades nine through twelve who chooses to
10 enroll;

11 (2) The special high school district may have no physical boundaries and may not
12 contain any real property subject to ad valorem taxes pursuant to chapter 10-4; and

13 (3) The special high school district shall have attendance centers that are equipped with
14 the technology necessary to provide distance learning as defined in § 13-33-20 to



1 high school students, and are located in or adjacent to existing public attendance
2 centers that serve students in kindergarten through eighth grade.

3 Section 2. Any student attending an attendance center operated by the Prairie High School
4 District shall be accounted for and identified in the same manner as any other student attending
5 a public school in South Dakota.

6 Section 3. The Prairie High School District is entitled to receive foundation program state
7 aid distributed to school districts in accordance with the provisions of chapter 13-13, and state
8 aid for special education distributed to school districts in accordance with the provisions of
9 chapter 13-37. For the purposes of calculating foundation program state aid pursuant to chapter
10 13-13, the adjusted average daily membership of the Prairie High School District is equal to its
11 average daily membership.

12 Section 4. The Prairie High School District is not entitled to receive funds from any county
13 general school fund distributed pursuant to § 13-13-5, the net proceeds of any fines and
14 pecuniary penalties distributed pursuant to § 23A-27-25, the proceeds from any gross receipts
15 taxes distributed pursuant to § 10-33-24 or 10-36-10, the proceeds from any bank franchise
16 taxes distributed pursuant to § 10-43-77, or the net proceeds from any mobile home taxes
17 distributed pursuant to § 10-9-14. For purposes of distributing funds pursuant to S.D. Const.,
18 Art. VIII, Sect. 3, the Prairie High School District is not a public school corporation.

19 Section 5. Notwithstanding the provisions of chapters 13-7 and 13-8, the secretary of
20 education shall appoint the president of the school board of the Prairie High School District, and
21 the president shall appoint at least four, but no more than eight, additional school board
22 members.

23 Section 6. Notwithstanding the provisions of § 13-36-7, no student enrolled in the Prairie
24 High School District is eligible to participate in any interscholastic activity sponsored by the

1 South Dakota High School Activities Association.

2 Section 7. Since the Prairie High School District may not levy taxes to establish any special
3 funds, the special high school district may use general funds to pay for expenses that in other
4 school districts are paid from the special education fund pursuant to § 13-37-16 or the capital
5 outlay fund pursuant to § 13-16-6.

6 Section 8. Except as provided in this Act, the Prairie High School District is subject to all
7 laws under Title 13 and all rules authorized under Title 13 that govern public high schools and
8 school districts in the state.

9 Section 9. The South Dakota Board of Education shall promulgate rules, pursuant to chapter
10 1-26, to define the technological needs of each of the attendance centers, to establish the
11 procedures and timelines for the selection of the school board president and the other school
12 board members, and to establish other policies and procedures necessary to allow the special
13 high school district to fulfill its intended purpose.