AN ACT

ENTITLED, An Act to allow the Department of Education to enter into certain enrollment agreements with the State of Iowa.

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

Section 1. The secretary of the Department of Education may enter into agreements with the appropriate parties from the state of Iowa to establish an enrollment options program between South Dakota and Iowa.

Section 2. Any agreement entered into pursuant to this Act shall specify the following:

(1) For students who are not residents of South Dakota, the enrollment options program applies only to a student whose resident school district borders South Dakota;

(2) If Iowa sends more students to South Dakota than South Dakota sends to Iowa, Iowa will pay South Dakota an amount agreed upon for the excess number of students sent to South Dakota;

(3) If South Dakota sends more students to Iowa than Iowa sends to South Dakota, South Dakota will pay Iowa an amount agreed upon for the excess number of students sent to Iowa.

Section 3. Any agreement entered into pursuant to this Act shall specify the application procedures for the enrollment options program between South Dakota and Iowa.

Section 4. Any agreement entered into pursuant to this Act shall specify the reasons for which an application for the enrollment options program between South Dakota and Iowa may be denied.

Section 5. Any agreement entered into pursuant to this Act shall specify that a South Dakota school district is not responsible for transportation for any resident student attending school in Iowa under the provisions of this Act. However, a South Dakota school district may, at its discretion, provide transportation services to a resident student attending school in Iowa.

Section 6. Any agreement entered into pursuant to this Act may specify additional terms relating to any student in need of special education or special education and related services pursuant to chapter 13-37.

Section 7. For purposes of state aid to education distributed pursuant to chapter 13-13, any student sent to South Dakota from Iowa is included in the receiving school district's average daily membership.

Section 8. For purposes of state aid to education distributed pursuant to chapter 13-13, any student sent to Iowa from South Dakota may not be included in the resident school district's average daily membership.

Section 9. Any student whose resident school district does not receive state aid to education under the provisions of chapter 13-13 or 13-37 may not attend school in Iowa unless the student's resident school district pays the State of South Dakota an amount equal to the per student allocation as defined in chapter 13-13 or 13-37 for each student sent to Iowa.

Section 10. The Department of Education may promulgate rules pursuant to chapter 1-26 to establish procedures relating to the application process, the collection or payment of funds under the provisions of any agreement established pursuant to this Act, and data regarding numbers of graduating seniors.

Section 11. Other than funding provided through chapters 13-13 and 13-37, no South Dakota school district is entitled to any compensation for any student attending a South Dakota school district under the provisions of this Act.

An Act to allow the Department of Education to enter into certain enrollment agreements with the State of Iowa.

I certify that the attached Act originated in the

HOUSE as Bill No. 1236

_____
Chief Clerk

_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1236
File No. ____
Chapter No. _____

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby approved this _____ day of _____ , A.D., 20___

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20___
at _____ o'clock __ M.

_____
Secretary of State

By _____
Asst. Secretary of State