

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

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HOUSE ENGROSSED NO. **HB 1169** - 02/23/2016

Introduced by: Representatives Wollmann, Conzet, Dryden, Jensen (Alex), Otten (Herman), Schoenbeck, Sly, Solum, and Zikmund and Senators Peters, Haverly, Otten (Ernie), and Tidemann

1 FOR AN ACT ENTITLED, An Act to allow a school district to operate an attendance center
2 within another school district.

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

4 Section 1. That chapter 13-23 be amended by adding a NEW SECTION to read:

5 A school board may establish an attendance center outside the boundaries of its school
6 district that is within the boundaries of another school district only when both school districts
7 have entered into a joint powers agreement pursuant to chapter 1-24 to provide instruction to
8 the students enrolled in the attendance center.

9 If each school board adopts a resolution to approve the joint powers agreement, the school
10 board for the school district that will operate the attendance center shall submit the joint powers
11 agreement and each school board's resolution of approval to the secretary of education.

12 Section 2. That chapter 13-23 be amended by adding a NEW SECTION to read:

13 The operation of an attendance center under the authority of this Act does not affect the
14 operation or authority of any other type of organization to provide an education such as a



1 cooperative educational learning unit or a virtual school.

2 Section 3. That the code be amended by adding a NEW SECTION to read:

3 A joint powers agreement to operate an attendance center not owned by the school district
4 within the boundaries of another school district is not required for any attendance center that
5 was established before January 1, 2016.