

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

587Q0706

SENATE EDUCATION ENGROSSED NO. **SB 174** - 2/10/2009

Introduced by: Senators Knudson and Garnos

1 FOR AN ACT ENTITLED, An Act to require a school district to which a former contracting
2 school district is annexed to assign certain resident students to a school district in a
3 bordering state, and to temporarily exempt certain school districts from the requirement to
4 reorganize due to low enrollment.

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

6 Section 1. That § 13-28-19.1 be amended to read as follows:

7 13-28-19.1. If a school district that was contracting pursuant to § 13-15-11, ~~reorganizes with~~
8 ~~an adjoining~~ dissolves and is annexed to another school district prior to July 1, 2010, at the
9 ~~request of the parents of the students of the former school district,~~ the school board for the
10 ~~reorganized~~ school district to which the former contracting school district is annexed shall, for
11 the current school year and for each school year thereafter, assign the students ~~from~~ who reside
12 in land area that was part of the former contracting district to the school that was receiving the
13 students under the contract. ~~All such requests shall be included as a part of the school district~~
14 ~~reorganization plan required by § 13-6-10.~~ The rate of tuition paid per year to the receiving
15 school district may not be less than the per student allocation as defined in § 13-13-10.1 for that



1 school fiscal year. In addition, the school district to which the former contracting school district
2 is annexed may compensate the receiving school district for all or any portion of the
3 transportation or other costs associated with the students attending school in the receiving
4 school district. If the parent or guardian of a student assigned to a school district in a bordering
5 state pursuant to this section disapproves of the student's assignment, the school board shall
6 assign that student to an attendance center within the district. However, notwithstanding any
7 other provision of law, the school district is not required to provide transportation to that
8 student.

9 Section 2. The provisions of § 13-6-97 do not apply to any school district that is currently
10 contracting pursuant to § 13-15-11 and is seeking to dissolve and be annexed under the terms
11 of chapter 13-6, but has not completed the reorganization process.

12 Section 3. Section 2 of this Act is repealed on July 1, 2010.