

# State of South Dakota

## SEVENTY-SECOND SESSION LEGISLATIVE ASSEMBLY, 1997

400A0388

### SENATE BILL NO. 72

Introduced by: The Committee on Appropriations at the request of the Bureau of Finance and Management

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to state aid to education  
2 and to declare an emergency.

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

4 Section 1. That subdivision (4) of § 13-13-10.1 be amended to read as follows:

5 (4) "Per student allocation," for the period January 1, 1997, to June 30, 1997, inclusive,  
6 is \$1,675. For school fiscal year 1998, beginning on July 1, 1997, the per student  
7 allocation ~~shall be \$3,350 increased by the index factor~~ is \$3,451. Each school fiscal  
8 year thereafter, the per student allocation shall be the previous fiscal year's per student  
9 allocation increased by the index factor;

10 Section 2. That subdivision (4) of § 13-37-35 be amended to read as follows:

11 (4) "Allocation for a student with a mild disability," for the period January 1, 1997,  
12 through June 30, 1997, is \$807. For school fiscal year beginning July 1, 1997, the  
13 allocation for a student with a mild disability ~~shall be \$1,614 increased by the lesser~~  
14 ~~of the index factor or three percent~~ is \$1,663. For each school year thereafter, the  
15 allocation for a student with a mild disability shall be the previous fiscal year's

1 allocation for such child increased by the lesser of the index factor or three percent;

2 Section 3. That subdivision (5) of § 13-37-35 be amended to read as follows:

3 (5) "Allocation for a student with a severe disability," for the period January 1, 1997,  
4 through June 30, 1997, is \$9,682. For school fiscal year beginning July 1, 1997, the  
5 allocation for a child with a severe disability ~~shall be \$19,364 increased by the lesser~~  
6 ~~of the index factor or three percent~~ is \$19,945. For each school year thereafter, the  
7 allocation for a child with a severe disability shall be the previous fiscal year's  
8 allocation for such child increased by the lesser of the index factor or three percent;

9 Section 4. That subdivision (4) of section 1 of chapter 108 of the 1996 Session Laws be  
10 amended to read as follows:

11 (4) "Allocation for a student with a mild disability," for the period January 1, 1997,  
12 through June 30, 1997, is \$892. For school fiscal year beginning July 1, 1997, the  
13 allocation for a student with a mild disability ~~shall be \$1,785 increased by the lesser~~  
14 ~~of the index factor or three percent~~ is \$1,839. For each school year thereafter, the  
15 allocation for a student with a mild disability shall be the previous fiscal year's  
16 allocation for such child increased by the lesser of the index factor or three percent;

17 Section 5. That subdivision (5) of section 1 of chapter 108 of the 1996 Session Laws be  
18 amended to read as follows:

19 (5) "Allocation for a student with a severe disability," for the period January 1, 1997,  
20 through June 30, 1997, is \$10,707. For school fiscal year beginning July 1, 1997, the  
21 allocation for a child with a severe disability ~~shall be \$21,415 increased by the lesser~~  
22 ~~of the index factor or three percent~~ is \$22,058. For each school year thereafter, the  
23 allocation for a child with a severe disability shall be the previous fiscal year's  
24 allocation for such child increased by the lesser of the index factor or three percent;

25 Section 6. That § 13-13-73 be amended to read as follows:

1 13-13-73. The secretary of the Department of Education and Cultural Affairs shall compute  
2 state aid to education for each school district under the foundation program according to the  
3 following calculations:

- 4 (1) Determine each school district's average daily membership;
- 5 (2) Multiply the per student allocation by the adjusted average daily membership to arrive  
6 at the local need per district;
- 7 (3) State aid is (a) local need minus local effort, or (b) zero if the calculation in (a) is a  
8 negative number;
- 9 (4) If the state aid appropriation for the general support of education is in excess of the  
10 entitlement provided for in this section, ~~each eligible district shall receive a pro rata~~  
11 ~~share of such excess based on its adjusted average daily membership~~ the excess shall  
12 be used to fund any shortfall of the appropriation as provided for in §§ 13-37-36 and  
13 13-37-43.

14 Section 7. That § 13-37-45 be amended to read as follows:

15 13-37-45. Any funds appropriated as state aid for special education which are not distributed  
16 according to §§ 13-37-36 or 13-37-43 shall be used to fund any shortfall of the appropriation  
17 provided for in § 13-13-73. The remaining funds shall be allocated by the secretary of the  
18 Department of Education and Cultural Affairs for the purposes specified in §§ 13-37-38,  
19 13-37-39 or 13-37-40.

20 Section 8. Whereas, this Act is necessary for the support of the state government and its  
21 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full  
22 force and effect from and after its passage and approval.