

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

400Q0160

## HOUSE EDUCATION ENGROSSED NO. **SB 38** 2/25/2009

Introduced by: The Committee on Education at the request of the Department of Education

1 FOR AN ACT ENTITLED, An Act to require school districts to keep contiguous boundaries  
2 when reorganizing.

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

4 Section 1. That chapter 13-6 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Any proposed school district created as a result of reorganization shall consist of adjoining  
7 territory. However, any plan for reorganization approved by the secretary of education prior to  
8 July 1, 2009, is exempt from this requirement. The secretary of education may waive this  
9 requirement for any proposed school district if the secretary deems it appropriate after  
10 considering the following factors:

11 (1) The academic program opportunities that would be available to students in the  
12 proposed school district in comparison to the academic program opportunities that  
13 would be available to those students under other proposals;

14 (2) The buildings and equipment that exist in the proposed school district;

15 (3) The economic viability of the proposed school district;



- 1       (4)    The natural community areas that exist within the confines of the proposed school  
2            district;
- 3       (5)    Transportation issues relative to the proposed school district;
- 4       (6)    The variety of activities that would be available to students in the proposed school  
5            district;
- 6       (7)    Student enrollment projections for the proposed school district; and
- 7       (8)    Property valuations and other taxation issues relative to the proposed school district.