

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

730E0581

HOUSE BILL NO. 1243

Introduced by: Representatives Jaspers, Abdallah, Brown (Richard), Heineman,
McCaulley, Peterson (Bill), Richter, and Smidt and Senators Koetzle and
Munson

1 FOR AN ACT ENTITLED, An Act to revise the definition of adjusted average daily
2 membership in the state aid to education formula.

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

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

6 If a school district has an increase in average daily membership as defined in § 13-13-10.1
7 of at least 0.75% for each of the three previous school fiscal years, the average increase in
8 average daily membership for the three year period is the increased enrollment factor.

9 Section 2. That § 13-13-10.1 be amended to read as follows:

10 13-13-10.1. Terms used in this chapter mean:

11 (1) "Average daily membership," the increased enrollment factor plus the average number
12 of resident and nonresident kindergarten through twelfth grade pupils enrolled in all
13 schools operated by the school district during the previous regular school year, minus
14 average number of pupils for whom the district receives tuition, except pupils

1 described in subdivision (1A) and pupils for whom tuition is being paid pursuant to
2 § 13-28-42 and plus the average number of pupils for whom the district pays tuition;

3 (1A) Nonresident students who are in the care and custody of the Department of Social
4 Services, the Unified Judicial System, the Department of Corrections, or other state
5 agencies and are attending a public school may be included in the average daily
6 membership of the receiving district when enrolled in the receiving district. When
7 counting a student who meets these criteria in its general enrollment average daily
8 membership, the receiving district may begin the enrollment on the first day of
9 attendance. The district of residence prior to the custodial transfer may not include
10 students who meet these criteria in its general enrollment average daily membership
11 after the student ceases to attend school in the resident district;

12 (2) "Adjusted average daily membership," calculated as follows:

13 (a) For districts with an average daily membership of two hundred or less, multiply
14 1.2 times the average daily membership;

15 (b) For districts with an average daily membership of less than six hundred, but
16 greater than two hundred, raise the average daily membership to the 0.8293
17 power and multiply the result times 2.98;

18 (c) For districts with an average daily membership of six hundred or more,
19 multiply 1.0 times their average daily membership;

20 (3) "Index factor," is the annual percentage change in the consumer price index for urban
21 wage earners and clerical workers as computed by the Bureau of Labor Statistics of
22 the United States Department of Labor for the year before the year immediately
23 preceding the year of adjustment or three percent, whichever is less;

24 (4) "Per student allocation," for the period January 1, 1997, to June 30, 1997, inclusive,

1 is \$1,675. For school fiscal year 1998, beginning on July 1, 1997, the per student
2 allocation shall be \$3,350 increased by the index factor. Each school fiscal year
3 thereafter, the per student allocation shall be the previous fiscal year's per student
4 allocation increased by the index factor;

5 (5) "Local need," the per student allocation multiplied by the adjusted average daily
6 membership;

7 (6) "Local effort," the amount of ad valorem taxes generated in a school fiscal year by
8 applying the levies established pursuant to § 10-12-42.