

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

316E0498

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

HB 1158 - 02/02/2001

Introduced by: Representatives Broderick, Abdallah, Brown (Richard), Eccarius, Flowers, Gillespie, Hennies (Thomas), Madsen, and Teupel and Senators Albers and Apa

1 FOR AN ACT ENTITLED, An Act to reallocate a certain portion of state aid to education.

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

3 Section 1. Notwithstanding the provisions of chapter 13-13, if a student is enrolled pursuant
4 to § 13-28-43, and the nonresident school district in which the student is enrolled does not
5 receive state aid to general education, the Department of Education and Cultural Affairs shall
6 pay state aid to education to the nonresident district in which the student is enrolled. For each
7 student, the amount of state aid paid shall be the per student allocation as defined in subdivision
8 13-13-10.1(4). The payment shall be prorated per the number of days the student was enrolled
9 in the nonresident district compared to the number of days the nonresident district was in session.

10 The payment shall be made in the succeeding fiscal year.

11 Section 2. That chapter 13-28 be amended by adding thereto a NEW SECTION to read as
12 follows:

13 Notwithstanding the provisions of § 13-28-40, any student who enrolls in another school
14 district pursuant to the provisions contained in §§ 13-28-40 to 13-28-47, inclusive, from a

1 district that does not receive state aid pursuant to chapter 13-13 in the succeeding fiscal year
2 remains the financial obligation of the resident district. For each student, the resident district shall
3 pay tuition to the nonresident district in the succeeding fiscal year per the following calculation:

4 (1) Multiply the nonresident district's adjusted average daily membership calculated
5 pursuant to subdivision 13-13-10.1(2) by the per student allocation as defined in
6 subdivision 13-13-10.1(4);

7 (2) Divide the result of (1) by the nonresident district's average daily membership
8 calculated pursuant to subdivision 13-13-10.1(1);

9 (3) Multiply the result of (2) by the number of days the student was enrolled in the
10 nonresident district;

11 (4) Divide the result of (3) by the number of days the nonresident district was in session.