

2015 Legislature: Summary

Updated: March 30, 2015

Funding Summary

K-12 Education

- Per-student allocation: \$4,876.76 (2% increase) (SB 53)
- Levies: Commercial \$8.727/thousand; Ag \$1.568/thousand; Owner Occupied \$4.075/thousand
- K-12 special education: 2% increase in funding per disability level (SB 54)
 - Level 1: \$4,896.58
 - Level 2: \$12,037.48
 - Level 3: \$16,002.36
 - Level 4: \$14,288.28
 - Level 5: \$21,634.78
 - Level 6: \$7,796.66
- Special education levies: Formula levy \$1.209; Maximum levy \$1.409

Postsecondary Technical Institutes:

- Funding per student: \$3,395.71 (2% increase) (HB 1208)
- Bonding: Additional \$183,077 for total of \$2.7 million
- One-time funds: \$1 million (SB 55)

Other Funding Highlights:

- Additional \$150,000 to support the Critical Teaching Needs Scholarship (SB 92)
- Increase the amount of the SD Opportunity Scholarship from \$5,000 to \$6,500 for students first receiving a scholarship after July 1, 2015 (HB 1147)
- Additional \$250,000 to support the Jobs for America's Graduates program (HB 1191)
- Additional \$1.19 million to expand support for low-cost dual credit program (HB 1208)

Bill Summary

SB 53 – SB 53 sets the per-student allocation for FY 16 and the levies for Pay 2016 for the state aid to general education funding formula. SB 53 includes sparsity, technology in schools, and assessment funding when calculating the **statewide** total need used in determining the statewide levy. **It's important to note this change does not count sparsity, technology in schools, or assessment as part of the per-student allocation.** These dollars have always been, and will continue to be, outside of the per student allocation. So, although the funding source will change, school districts would not experience changes in the way these services are performed or in the sparsity funding they receive.

SB 54 – SB 54 sets the funding per disability level for FY 16 and the levies for Pay 2016 for the state aid to special education formula. SB 54 includes funding for the School for the Blind and Visually Impaired summer program when calculating the statewide total need used in determining the statewide levy.

SB 70 – SB 70 requires that a mandatory reporter who witnessed the disclosure or evidence of child abuse or neglect be available to answer questions when the initial report is made. For example, if a teacher witnessed the disclosure and reported it to his/her principal, that teacher must be available to answer questions.

SB 73 – This is the Juvenile Justice bill. One primary piece of the bill is an expansion of proven youth and family-based community services for helping certain children who are running into trouble with the law. It calls for a fiscal incentive program to encourage county use of “diversion” opportunities. It also allows for the creation of “community response teams” in each judicial circuit; this team may assist judges by making recommendations for viable community-based interventions. School personnel may be asked to be a part of these teams. Finally, truancy will now be a cited violation, rather than bringing certain youth into court.

SB 90 – This bill adds school districts to the list of entities required to provide veterans a preference in employment and promotion, as per SDCL 3-3-1.

SB 92 – This bill provides an additional \$150,000 to support the Critical Teaching Needs Scholarship.

SB 124 – This bill requires that, in the case of a minor boundary change petition, that petition must include the final plan of detachment and annexation.

SB 125 – SB 125 makes revisions to the minimum suspension requirements for students who have violated controlled substance laws and are participating in extracurricular activities. The bill also adds to the definition of when the timing of a suspension begins.

SB 132 – This bill provides districts with the flexibility to pay a signing bonus, moving expenses or tuition reimbursement to a teacher employed in the district. This amount is considered *in addition to* any amount paid under the negotiated contract. The bill further states that a district may, but is not required to, negotiate this type of payment with the teacher’s collective bargaining representative.

SB 134 – This bill prohibits minor boundary changes for approximately one year and sets up a task force to study the issue. Task force members include three members of the House, three from the Senate, and three appointed by the Governor. A report is due Dec. 1, 2015.

SB 191 – SB 191 allows districts to pledge future state aid payments when issuing capital outlay certificates through the Health and Educational Facilities Authority. The benefit to districts that choose to issue bonds under this program is that it may result in lower issuance costs and a better bond rating than the district could receive if issuing the bond on their own. This program is voluntary.

SCR 6 – This Senate Concurrent Resolution came about as a result of a national effort to raise awareness regarding the importance of civics education. It should be noted that the Social Studies standards currently up for adoption in South Dakota have been cross-walked to the items in the U.S. Citizenship Civics Test referenced in SCR 6 and show strong alignment.

HB 1005 – HB 1005 is a clean-up bill that removes outdated language referring to a foundation program fund. This fund was created in 1959 for the funding formula in place at that time. This fund is no longer used. In addition, statutes were cleaned up to reference the existing funding formula instead of the foundation program.

HB 1043 – HB 1043 repeals outdated statutes related to education including, for example, the teacher compensation assistance program (TCAP) and consolidation incentives.

HB 1044 – This bill cleans up and streamlines certain processes in SDCL 13-42 and 13-43 regarding the certification and discipline of educational personnel. The changes bring the processes in line with those of other professional licensing boards.

HB 1050 – HB 1050 repeals four different funds that aren't necessary because the revenue deposited in these funds is transferred to the general fund each year. Instead, the revenues will be directly deposited into the general fund. The four funds are: the Property Tax Reduction Fund, the Education Enhancement Tobacco Tax Fund, the Health Care Tobacco Tax Fund, and the Tax Relief Fund. In addition, the bill creates a General Revenue Replacement Fund to allow a transfer of funds if there is a shortfall of revenue.

HB 1072 – Currently, per SDCL 13-28-50, school districts are required to provide a list of student names (grades 7-12) and mailing addresses annually to the Board of Regents. This bill requires that the same information be provided to each of the four technical institutes. As with current law, districts are prohibited from sharing the name of any student whose parent has directed the district *not* to release this directory information.

HB 1097 – This bill creates an exception to SDCL 13-6-97 (minimum school size requirement of 100 students) for a South Dakota district that contracts with an adjoining district in Minnesota to educate its resident high school students. The minimum enrollment for this district is a pro-rated share of 100 based upon the number of grades offered within the school district.

HB 1100 – HB 1100 offers clarification as to how a school board vacancy is to be filled in particular situations.

HB 1101 – This bill adds language to existing law SDCL 13-1-12.1, making it clear that the South Dakota Board of Education has no authority to require the use of specifically designated curriculum or methods of instruction.

HB 1117 – This bill makes clear that students in nonpublic and tribal schools must receive approval from their respective institutions prior to enrolling in a postsecondary course for dual credit purposes.

HB 1125 – This bill makes a slight change regarding the requirement for providing notice of the meeting of a public body. Notice must be provided for a “continuous” 24 hours “immediately preceding” any such meeting.

HB 1137 – This bill adds “passing time between classes” for students in grades 6-12 to the definition of “intermission” in SDCL 13-26-1, meaning that this passing time cannot be counted towards meeting the minimum number of hours required for the school term.

HB 1148 – Under current statute, districts are required to file an annual report with the Department of Education. This bill expands the requirement, indicating that the report must also contain, for each month of the fiscal year, the month-end cash balances of the district's general fund, capital outlay fund, pension fund, and special education fund.

HB 1191 – HB 1191 provides \$250,000 in one-time funding to expand the Jobs for America’s Graduates (JAG) program in South Dakota.

HJR 1003 – House Joint Resolution 1003 calls for a proposed amendment to the State Constitution. The amendment addresses Article XIV, Section 3, of the constitution. It would add language which indicates that the state’s four technical institutes are to be “separately governed as determined by the Legislature.” It would also more clearly outline the types of degrees to be offered by Board of Regents’ institutions and the types of degrees to be offered by the technical institutes.