

## 2017 Legislature: Bill Summary

Updated: March 15, 2017

### Funding Summary

**SB 35\*** – SB 35 covers both state aid to general education and state aid to special education. It does the following:

General education:

- Sets the maximum levy at \$6.978/thousand dollars of taxable valuation (subject to limitations noted below)
- Sets the maximum ag levy at \$1.507/thousand
- Sets the maximum owner occupied at \$3.372/thousand
- Increases the target teacher salary to \$48,645.50 (.3 percent increase)
- Changes the overhead rate in the formula from 31 percent to 31.04 percent
- Eliminates the distribution percentages of the half-penny sales tax, since these percentages are now established in the state's base budget
- Funds the state animal disease research and diagnostic laboratory bond redemption fund established in SB 172 through savings generated by increasing the general fund ag levy for taxes payable in 2018 by .073 percent above what it would have been set at under statute

Special education:

- Sets the maximum special education levy at \$1.461/thousand dollars of taxable valuation
- Sets the local formula levy at \$1.261/thousand
- Increases funding for the disability levels by .3 percent

Sparsity (not in SB 35; increase reflected in general budget bill):

- Increases by .3 percent

**SB 178\*** – This is the general budget bill for all of state government. Regarding funds for education, the bill does the following:

- Eliminates funds to DOE to support the Learning Power AP program; however, NSU's E-Learning Center has indicated that these AP courses will still be offered and available via SD Virtual School
- Eliminates \$1 million to fund Classroom Innovation grants (moving forward)
- Eliminates \$600,000 to fund Shared Services; some funding remains
- Eliminates *ongoing* funding for DOE's online reading intervention program – allowing those currently in the pilot to continue participation for three years

NOTE: SB 33\* was the original state aid to special education bill. However, the final changes related to special education were incorporated into SB 35, making SB 33 unnecessary.

### **K-12 Bills**

**SB 30** – This bill cleaned up existing laws to consistently refer to high school equivalency. South Dakota now will recognize both the GED and TASC (Test Assessing Secondary Completion) assessments as paths to high school equivalency. The Department of Labor and Regulation testing centers will continue to administer approved assessments.

**SB 103\*** – SB 103 makes changes to the juvenile justice reform bill from 2015. Among the changes, the bill allows for schools to proceed directly with the local state’s attorney with truancy concerns, rather than having to go through law enforcement. The bill also clarifies for states’ attorneys when they can refer students to diversion programs, including making some adjustments to language around citations. Basically, the bill provides more discretion for states’ attorneys related to addressing truancy issues and choosing which options work best for the student and situation at hand.

**SB 140** – SB 140 requires schools to provide instruction in hands-only CPR and use of an AED as part of the school curriculum. A certified teacher is not required to be an authorized CPR or AED instructor to oversee this instruction. However, any CPR course that results in the students earning a completion card *must* be taught by an authorized CPR or AED instructor. DOE is required to conduct an annual survey to determine compliance.

**HB 1021** – This bill changes how the payment is made for the education program of children in certain residential treatment centers. Currently, tuition for these children not in state custody is paid by two sources: half is paid by the resident school district and half is paid by the Department of Education. This bill allows for DOE to pay the full tuition amount directly to the treatment center, and it brings reimbursement rates in line with the rates used by the Department of Social Services for children in state custody, to help ensure that children receive the services that they need.

**HB 1022** – HB 1022 repeals the statutory authority for Education Service Agencies, as they are no longer being funded. Further, the work being done by ESAs is already allowed under the authority of the educational cooperative statutes.

**HB 1122** – HB 1122 changes language in some of the alternative instruction (homeschool) statutes. Primarily, it changes the reference from “application” to “notification” when referencing the process for filing with the local school board.

**HB 1170** – This bill revises certain provisions regarding conflicts of interest for certain authority, board or commission members – providing further clarity to last year’s conflicts bill. It attempts to address some of the unforeseen issues that school districts

faced under the new law. It also requires a written conflict of interest policy for each district.

### **Technical Institutes Bills**

**SB 35** – SB 35 contains a provision for increasing teacher salary enhancement at the Technical Institutes by the index factor (.3 percent). There will not be an increase in per-pupil funding at the TIs for FY 2018.

**SB 65** – SB 65 follows through on the actions set forth by passage of Amendment R in fall 2016. It provides for the establishment of the SD Board of Technical Education to serve as the oversight group for the four technical institutes, rather than the current SD Board of Education. It maintains the current arrangement of local school board control and changes the title of the SD Board of Education to the SD Board of Education Standards. It also changes the SD Board of Education Standards to a seven-member board.

**HB 1013** – This bill revises certain provisions regarding the payment of tuition for eligible members of the SD National Guard who are working on a program of study at one of the four technical institutes. Under HB 1013, these individuals pay just 16.5 percent of their tuition charges.

**HB 1184** – HB 1184 exempts certain persons working in the postsecondary technical institutes from collective bargaining provisions.

\*Bills not yet signed by the Governor