

2018 Legislature: Bill Summary

Updated: April 11, 2018

NOTE: This list of education-related bills is not all inclusive. To access all bills from the 2018 session, visit the South Dakota Legislature's website at sdlegislature.gov

Funding Summary

HB 1056 – HB 1056 provides a 1 percent increase for state aid to general education – bringing the target for statewide average teacher salaries to \$49,131.96 for FY 2019. It increases the overhead rate in the formula to 31.67 percent. The bill also provides a 1 percent increase for state aid to special education by increasing funding per disability level. Finally, the bill sets levies as follows:

General education:

- Maximum levy of \$7.001/thousand dollars of taxable valuation (subject to limitations noted below)
- Maximum ag levy of \$1.512/thousand dollars of taxable valuation
- Maximum owner occupied levy of \$3.383/thousand dollars of taxable valuation

Special education:

- Maximum levy of \$1.567/thousand dollars of taxable valuation
- Local formula levy of \$1.367/thousand dollars of taxable valuation

K-12 Bills

SB 46 – This bill requires school districts to adopt (or revise) a policy on the use of restraint and seclusion. The policy must contain the following provisions:

- Procedure for notifying the parent or guardian of the student of an incident requiring the use of restraint or seclusion
- Prohibition on the use of prone restraint, except when necessary and reasonable
- Prohibition on the use of involuntary confinement of a student locked alone in a room, unless there is a clear and present danger

SB 66 – SB 66 requires school boards to report certain information regarding school elections (eg., percentage of registered voters who voted) in the board's minutes.

SB 83 – SB 83 authorizes certain patriotic organizations access to public schools. The bill defines patriotic organizations as those listed in Title 36 of the U.S. Code as of July 1, 2018 (eg., Big Brothers-Big Sisters, Boy Scouts and Girl Scouts, Naval Seal Cadet Corps)

The bill provides some parameters for the organizations to speak with students and allows principals to determine the time, place and manner of the opportunities.

SB 100 – SB 100 makes changes to certain statutes related to audits and grants awarded by the state to non-state entities. Among its requirements, school districts are responsible for disseminating copies of audits to each school board member; making audits available on their websites; and, for any grant recipient or sub-recipient, disclosing conflicts of interest to the state agency awarding the grant.

SB 148 – This bill expands the list of accrediting bodies accepted by the High School Activities Association for participation in that organization's activities. Specifically, it adds the Commission for Oceti Sakowin Accreditation.

SB 212 – This bill provides tribal and Bureau of Indian Affairs schools the opportunity to access state-provided communication and information systems at the school's expense.

HB 1099 – HB 1099 codifies the state's popular low-cost dual credit program. It sets the tuition rate for these dual credit courses at the equivalent of 43 percent of the Board of Regents' undergraduate off-campus tuition rate. The student taking the dual credit course is responsible for 33.3 percent of the cost; the state is responsible for 66.7 percent of the cost. A school district may pay any portion of the student's share.

HB 1100 – This bill requires that any contract entered into by a public agency, including school districts, includes the *printed name* of any individual signing the contract.

HB 1114 – HB 1114 requires the parent or guardian of a student who has open enrolled out of the district to notify the resident district if the student plans to re-enroll in the resident district. It sets an annual deadline of Aug. 1 for this notification to take place, but gives school boards the discretion to allow a transfer to take place after the deadline if they determine special circumstances exist.

HB 1166 – This bill has to do with the process for reviewing waivers of penalties under the school finance accountabilities outlined in 13-13-73.6. It adds language clarifying that the legislative committee responsible for reviewing waivers recommended by the School Finance Accountability Board has the option of approving, amending or denying any waiver recommended by the SFAB. It also lays out a process when the legislative committee suggests changes to waivers.

HB 1172 – This bill adds language to SDCL 1-25, Meetings of Public Agencies. It requires the chair of the public body, including school boards, to reserve time at every official meeting for a period of public comment, to be limited at the chair's discretion.

HB 1178 – HB 1178 provides for a penalty to be assessed for a school district's failure to submit a timely audit report as required under SDCL 4-11-7.1. The penalty is \$10/day. The attorney general is responsible for imposing the penalty and has the ability to waive the

penalty for good cause. The provisions of the bill are effective for audit periods ending on or after June 30, 2018.

HB 1215 – This bill provides an additional exemption to the requirement that a district reorganize if its fall enrollment is 100 or below. The exemption applies to a district that is the only district in the county with an existing attendance center and whose attendance center is at least 20 miles away from any other attendance center.

HB 1221 – HB 1221 expands the partners in education tax credit program to include tribal schools on reservations in South Dakota. The program provides tax credits to insurance companies that contribute funds to organizations that grant scholarships for qualifying students to attend qualifying nonpublic schools.

HB 1252 – This bill bars the state, and any of its political subdivisions (school districts), from prohibiting the wearing of tribal regalia or items of cultural significance at school honoring or graduation ceremonies.

HB 1297 – HB 1297 makes changes to capital outlay caps that were put into place as part of the Blue Ribbon legislative package passed in 2016. The new language allows districts with obligations existing prior to July 1, 2016, to raise enough taxes to fund the existing obligations *and* to garner additional funding for up to \$2,800/student. However, in no year may a district's annual tax levy exceed the levy authorized under 13-16-7.