

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

853Z0901

SENATE EDUCATION ENGROSSED NO. **SB 213** - 2/20/2018

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senator Heinert

1 FOR AN ACT ENTITLED, An Act to revise certain education funding provisions.

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

3 Section 1. That § 13-13-73.6 be amended to read:

4 13-13-73.6. The Department of Education shall calculate the following for each school
5 district:

6 (1) The average teacher salary, based on data collected pursuant to §§ 13-8-47 and 13-3-
7 51;

8 (2) The increase in local need pursuant to § 13-13-10.1, excluding any effect due to
9 change in the school district's fall enrollment and less the amount of revenue
10 generated in school fiscal year 2016 pursuant to § 13-10-6 as a percentage increase,
11 from fiscal year 2016 to fiscal year 2017; and

12 (3) The increase in average teacher compensation as a percentage increase, as defined in
13 § 13-8-47, from fiscal year 2016 to fiscal year 2017.

14 For each school district, the district's increase in average teacher compensation from fiscal



1 year 2016 to 2017 shall be equal to at least eighty-five percent of the district's increase in local
2 need, as defined in subdivision (2), from fiscal year 2016 to fiscal year 2017 and,
3 notwithstanding any negotiated agreement, at least eighty-five percent of the increase in state
4 aid to general education funding the school district receives for fiscal year 2017 less the amount
5 of revenue generated in fiscal year 2016 pursuant to § 13-10-6 shall be used to increase
6 instructional salaries and benefits for certified instructional staff.

7 If a district fails to comply with the requirements of this section, state aid to general
8 education funding to the district in fiscal year 2018 shall be decreased by an amount equal to
9 fifty percent of the amount calculated in subdivision (2). For fiscal years 2019, 2020, and 2021,
10 if a district's average teacher compensation is less than the district's average teacher
11 compensation in fiscal year 2017, state aid to general education funding to the district in the
12 following fiscal year shall be reduced by an amount equal to five hundred dollars for each
13 teacher employed in the school district. However, if the Legislature fails in any fiscal year to
14 increase the average teacher salary by the index factor outlined in § 13-13-10.1, the
15 accountabilities under this section are suspended for that fiscal year but may not fall below the
16 2017 level.

17 A school district may request a waiver from any penalty imposed under this section from
18 the School Finance Accountability Board.