

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

894V0554

SENATE APPROPRIATIONS ENGROSSED NO. **SB 90** - 02/13/2014

Introduced by: Senators Brown, Holien, Lederman, Maher, Novstrup (Al), Peters, Rave, Tidemann, Tieszen, Van Gerpen, and White and Representatives Gosch, Bolin, Cronin, Hoffman, Lust, Mickelson, Novstrup (David), and Romkema

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the High School
2 Activities Association.

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

4 Section 1. That § 13-36-4 be amended to read as follows:

5 13-36-4. The school board of a public school, approved and accredited by the secretary of
6 the Department of Education, may delegate, on a year to year basis, the control, supervision, and
7 regulation of any high school interscholastic activities to any association which is voluntary and
8 nonprofit if ~~membership~~:

9 (1) Membership in such association is open to all high schools approved and accredited
10 pursuant to this section, including any school that allows participation by students
11 receiving alternative instruction as set forth in § 13-27-3, pursuant to the provisions
12 of this title, ~~and if the~~:

13 (2) The constitution, bylaws, and rules of the association are subject to ratification by the
14 school boards of the member public school districts and the governing boards of the



1 member nonpublic schools and include a provision for a proper review procedure and
2 review board;

3 (3) The report of any audit required by § 13-26-5 is made public on the association's
4 website as well as the Department of Legislative Audit's website;

5 (4) Any such association complies with the provisions of chapter 1-25 and chapter 1-27;
6 and

7 (5) Any such association shall report to the Government Operations and Audit
8 Committee annually, or at the call of the chair.

9 The governing body of a nonpublic school, approved and accredited by the secretary of the
10 Department of Education, or the North Central Association Commission on Accreditation and
11 School Improvement (NCA CASI), or the Association of Christian Schools International
12 (ACSI), or the Association of Classical and Christian Schools (ACCS), or Christian Schools
13 International (CSI), or National Lutheran School Accreditation (NLSA), or Wisconsin
14 Evangelical Lutheran Synod School Accreditation, may also delegate, on a year to year basis,
15 the control, supervision, and regulation of any high school interscholastic activities to any
16 association which is voluntary and nonprofit if membership in such association is open to all
17 high schools approved and accredited pursuant to this section, including any school that allows
18 participation by students receiving alternative instruction as set forth in § 13-27-3, pursuant to
19 the provisions of this title, and if the constitution, bylaws, and rules of the association are
20 subject to ratification by the school boards of the member public school districts and the
21 governing boards of the member nonpublic schools and include a provision for a proper review
22 procedure and review board.

23 Any association which complies with this section may exercise the control, supervision, and
24 regulation of interscholastic activities, including interscholastic athletic events of member

- 1 schools. Such association may promulgate reasonable uniform rules, to make decisions and to
- 2 provide and enforce reasonable penalties for the violation of such rules.