SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

CONSTITUTION AND BYLAWS

July 1, 2012
All Provisions of the Bylaws Effective to June 30, 2013

BOARD OF DIRECTORS

Chris Specht - School Board, Large School Group ..... Yankton
Term Ends June 30, 2013

Terry Nebelsick - Division II Representative ..... .Huron
Term Ends June 30, 2013

Darren Paulson - West River At-Large Representative ..... Rapid City
Term Ends June 30, 2014

Eldon Marshall - Native American At-Large Representative ..... White River
Term Ends June 30, 2014

Rick Weber - East River At-Large Representative ..... Flandreau
Term Ends June 30, 2015

Todd Trask - School Board, Small School Group ..... Wall
Term Ends June 30, 2015

Mike Ruth - Division III Representative ..... Miller
Term Ends June 30, 2016

Jason Uttermark - Division I Representative ..... Aberdeen
Term Ends June 30, 2017

SDHSAA HEADQUARTERS
804 North Euclid Avenue, Suite 102, P.O. Box 1217
Pierre, South Dakota 57501
Telephone: (605) 224-9261 FAX: (605) 224-9262

Web Site:
http://www.sdhsaa.com

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STATE OF SOUTH DAKOTA
IDENTIFYING STATUES
HIGH SCHOOL ACTIVITIES ASSOCIATION

13-36-4. **High School Interscholastic Activities Associations-Qualifications Power and Authority**. Delegation of control, supervision, and regulation of high school interscholastic activities to association. The school board of a public school, approved and accredited by the secretary of the Department of Education, may delegate, on a year to year basis, the control, supervision, and regulation of any high school interscholastic activities to any association which is voluntary and nonprofit if membership in such association is open to all high schools approved and accredited pursuant to this section, including any school that allows participation by students receiving alternative instruction as set forth in § 13-27-3, pursuant to the provisions of this title, and if the constitution, bylaws, and rules of the association are subject to ratification by the school boards of the member public school districts and the governing boards of the member nonpublic schools and include a provision for a proper review procedure and review board.

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

Any association which complies with this section may exercise the control, supervision, and regulation of interscholastic activities, including interscholastic athletic events of member schools. Such association may promulgate reasonable uniform rules, to make decisions and to provide and enforce reasonable penalties for the violation of such rules.
Amended 2011

13-36-5. Annual audit of high school activities association payment report. Any association exercising the grant of authority contained in SDCL 13-36-4 to regulate public and non-public schools shall be audited annually by the state department of legislative audit and a report of such audit shall be made to the Legislature. The association shall pay for the audit at the rate prescribed by SDCL § 4-11-18.

13-36-7. Participation in interscholastic activities--Accreditation--Eligibility. Any student enrolling in a South Dakota district pursuant to § 13-15-21 is eligible to participate in any interscholastic activity sponsored by the South Dakota High School Activities Association. If the school board or governing body of an accredited school approves, a student receiving alternative instruction pursuant to § 13-27-3 is eligible to participate in any interscholastic activity sponsored by the South Dakota High School Activities Association. Nothing in this section confers any vested right in any student wishing to participate in any interscholastic activity to be selected for competition in such activity. However, any accredited school student who leaves an accredited program during the course of the school year for any reason and enters an alternative instruction program is ineligible for participation in interscholastic activities for one year beginning on the date in which the student enters the alternative program.

CONSTITUTION OF THE SDHSAA

Preamble

The school districts of the state of South Dakota, acting by and through their duly elected school board members, having heretofore associated together in the creation and development of a voluntary, non-profit association organized for the advancement of both curricular and co-curricular interscholastic activities, do hereby jointly and in cooperation with each other, and with the nonpublic schools authorized by law to join therein, for the perpetuation of the Association, do hereby establish this Constitution and these By-Laws.

ARTICLE I
NAME

This Association shall be known as the South Dakota High School Activities Association, (Referred to herein as the Association or as the SDHSAA) and its duration shall be perpetual.

ARTICLE II
OBJECT

The purpose of this Association is to direct and coordinate interscholastic activities carried on by the member high schools of South Dakota.

It shall have the duty and obligation to control, coordinate, and direct the operation of the interscholastic activity programs of its member schools. Among these programs shall be those in athletics, speech, music, student council, publications, and such like or related programs as now or hereafter may be organized among member schools and which are recognized by the By-Laws.

It shall also attempt to equalize activity opportunity by standardizing qualifications for participants, coaching and directing procedures, and treatment of visiting teams and participants in connection with all activities.

ARTICLE III
MEMBERSHIP

SECTION 1. APPLICATION FOR MEMBERSHIP. Any high school approved and accredited by the secretary of the department of education and cultural affairs, except such schools as have been expelled and have not been reinstated under Art. VIII of this Constitution, may become a member of this Association by (1) submitting a statement signed by a proper school official to show that the governing board has taken action to approve the application for membership and, also, to approve this Constitution and these By-Laws; (2) designating its official representative; (3) having the principal (or superintendent) of the high school subscribe in writing to this Constitution and By-Laws; (4) paying the three dollar ($3.00) initial membership fee, and the dues for the current year. The Association's year shall begin on July 1 and end on June 30.

SECTION 2. BASIS FOR CLASSIFICATION BY ENROLLMENT. When member schools are classified according to enrollment for participation in the various athletic or fine arts activities sponsored by the Association, Average Daily Membership (ADM) based on enrollment in grades 9-11, as documented by member schools on the SD SIMS NET Average Daily Membership Report form. The ADM shall be the basis upon which schools are classified. Member schools shall submit the above referenced form on or before January 15 on an annual basis. The SDHSAA shall compile the enrollment data and said data shall be the basis for a two year classification with such enrollment figures being set forth in bulletins sent out annually by the SDHSAA.

SECTION 3. DUES. Each member school shall pay dues for each student enrolled in grades 9, 10, 11 and 12. The amount of dues per student and the minimum and maximum dues per school will be recommended by the Board of Directors. Each member school will have an opportunity to vote on the Board of Director's recommendation with the majority prevailing. Entry fees for all events shall be determined by the Board of Directors.

ARTICLE IV
FINANCE

SECTION 1. REVENUE. The revenue of this Association shall consist of dues paid as provided by Article III, receipts from paid admissions from activities sponsored by the Association**,** fees, ball contracts, television contract, corporate contracts and other revenues as may be established by the Board of Directors.

SECTION 2. BUDGET. The Board of Directors shall adopt a budget for the Association for its fiscal year, beginning July 1 and ending June 30.

ARTICLE V
ASSOCIATION MEETINGS

SECTION 1. TIME AND PLACE OF MEETINGS. The time and place of the regular annual meeting shall be established by the Board of Directors. The specific day, hour, and place shall be determined and timely notice thereof given by the Board of Directors through the office of the Executive Director. Special meetings may be held at times and places that may be determined by the Board of Directors.

SECTION 2. ONE VOTE ONLY. In the transaction of business of the Association each member school shall have one vote.

SECTION 3. OFFICIAL REPRESENTATION. Member schools shall be represented at the meetings by the principal of the high school or the superintendent of schools or a duly authorized faculty representative.

SECTION 4. QUORUM. Representatives from ten schools shall constitute a quorum at any regular annual or special meeting of this Association.

ARTICLE VI
ADMINISTRATIVE ORGANIZATION

SECTION 1. BOARD OF DIRECTORS. For the purpose of administering the affairs of the Association under the powers granted by this Constitution and the By-Laws of this Association there is hereby created a separate administrative entity designated as the Board of Directors of the South Dakota High School Activities Association. The Board of Directors shall consist of eight members.

Six of these shall be Superintendents, Principals, and Athletic/Activity Directors of member schools and two shall be members of the Board of Education of a member school. One member shall be a Native American Superintendent, Principal or Athletic/Activity Director from a Native American member school. The composition of the six administrative positions shall occur in such manner that at no time shall any of the three groups be represented by more than three persons. Representation will be in a ratio system with Superintendents, Principals, and Athletic/Activities Directors being rotated through the ratios.

The term of a Board of Directors member will be five years in length. No member of the Board of Directors will be eligible to be elected to consecutive terms. A Board of Directors member may be elected or appointed to fill an unexpired term.

NOTE: See Administrative Procedure Policy at the end of this document.

SECTION 2. ELECTION OF BOARD OF DIRECTORS MEMBERS. Members of the Board of Directors shall be elected to five-year terms. Nominations for membership on the Board of Directors shall be made orally at the annual meeting of the Association. An election shall be determined by a majority of votes cast. If no candidate receives a majority a run-off election shall be held between the top two vote getters.

Election of the members of the Board of Directors shall be governed as follows:

A. One member of the Board of Directors shall be elected as an At-Large member from the west river, and one member of the Board of Directors shall be elected as an At-Large member from the east river, with said position filled by either a superintendent, principal, or athletic/activity director from a member school. The west river At-Large Board of Directors member must be elected from the west river region, and the east river At-Large Board of Directors member must be elected from the east river region of the state. The Missouri River shall be the dividing line between the east and west regions. In the event that the boundaries of a school district are located on both sides of the Missouri River, the physical location of the high school shall determine whether said school district is east river or west river. Should the east or west river Board of Directors member move to a school on the opposite side of the river, membership on the Board of Directors shall be forfeited.
B. Three members of the Board of Directors shall be elected according to three divisions of school enrollment (9-11).
C. Two members of the Board of Directors shall be Board of Education Members. One Board of Education member shall be from the large-school group which comprises approximately one-half of the school enrollment (Grades 9-11). The other Board of Education member shall be from the small-school group which comprises approximately the other half of the school enrollment (Grades 9-11).
D. One member shall be elected as an At-Large member from a SDHSAA member Native American school. Native American school shall be defined as any SDHSAA member school with a Native American student population of at least 50% in grades 9-12 as determined by the SD Department of Education. The At-Large position shall be filled by a Native American Superintendent, Principal or Athletic/Activity Director

The Board of Directors shall be empowered to determine the three divisions of school enrollment (9-11), such divisions to be outlined as follows:

1. Division I shall be from the larger schools which have approximately one-third of the school enrollment in grades 9-11.
2. Division II shall be from the middle size schools which have approximately one-third of the school enrollment in grades 9-11.
3. Division III shall be from the smaller schools which have approximately one-third of the school enrollment in grades 9-11.

Enrollment figures shall be from the previous school year and shall be the Average Daily Membership enrollment figures for Grades 9-11 as submitted to the Executive Director.

Election of Board of Directors members shall in all cases be by ballot sent to all member high schools within ten days after the Annual Meeting. To be valid, ballots shall be presented to the Board of Education for official action to be attested to by the Board Chairman. The deadline for the return of ballots shall be set by the Board of Directors and shall be no earlier than 30 days, and no later than 35 days after the date of the Annual Meeting of the Association.

SECTION 3. FILL VACANCIES. The Board of Directors will have the power to fill any vacancy occurring on the Board of Directors by the appointment or election of some eligible person of the same classification as the member to be replaced. The member selected to fill the vacated position will serve until the end of the term of the member being replaced.

SECTION 4. OFFICERS OF THE BOARD OF DIRECTORS. The Board of Directors shall elect from its own membership, each year at its June Board of Directors meeting, a chairman and vice-chairman for the ensuing school year. The Board of Directors shall appoint the Executive Director as the Treasurer who shall have charge of all funds of the Association, under the direction of the Board of Directors, and shall give such bond as the Board of Directors shall demand, the premium for which shall be paid from the funds of the Association.

SECTION 5. ASSOCIATION OFFICERS. The officers of this Association shall be the officers of the Board of Directors of the Association, including the Executive Director, and shall have all the powers, privileges and obligations expressed or implied in this Constitution and By-Laws.

SECTION 6. EXECUTIVE DIRECTOR. The Board of Directors shall employ a full-time Executive Director and fix the salary. The Board of Directors shall employ such other and necessary professional and clerical assistance as may be necessary and shall have authority to fix their salaries. The Executive Director shall be the official executive for the Board of Directors and shall carry on the activities and discharge the duties, including those of the Treasurer, that naturally accrue to such office, but at all times be guided in his decisions and actions by this Constitution and By-Laws and by the policies established by the Board of Directors and by any special instructions given him from time to time by the Board. Decisions of the Executive Director that may aggrieve a member or members concerned may be appealed to the Board of Directors and the resultant action of the Board of Directors shall hold precedence over any deviating decision of the Executive Director.

SECTION 7. HEADQUARTERS. The Board of Directors shall establish an Association headquarters and shall rent or otherwise provide a suitable office for the Executive Director and shall provide equipment for such clerical help and for organizing and protecting the official records of the Association including records of its activities, decisions, and regulations.

SECTION 8. MEETINGS OF THE BOARD OF DIRECTORS. There shall be as many meetings of the Board of Directors as necessary to take care of the business of the Association. Meetings may be called by the chairman, or a subsequent meeting may be arranged by action of the board at any meeting. The expenses of the Board of Directors members in attending the meetings of the board shall be paid from Association funds. Five members shall constitute a quorum for the transaction of business at any properly called meeting of the Board of Directors. A majority of the elected members present must vote in favor for passage of any measure.

SECTION 9. NATIONAL FEDERATION. The Association shall hold a membership in the National Federation of State High School Associations and may hold a membership in such other national high school associations as the Board of Directors may designate or determine. The constitution, By-Laws, regulations and playing rules of such national organization, upon approval by the Board of Directors shall apply to all members of this Association in all high school interscholastic activities to which regulations of the national association or associations are designed to apply, excepting cases of conflict in By-Laws or rules, if any, between such national associations and this Association.

ARTICLE VII
ADMINISTRATION BY THE
BOARD OF DIRECTORS

(Functions, Powers, Duties)

SECTION 1. CONTROL OF FUNDS. The Board of Directors shall:

A. Determine all necessary expenditures of Association funds.
B. Make available the books and records for audit by the state.
C. Present a full report of such audited accounts to the annual meeting of the Association.

SECTION 2. CONTROL OF ACTIVITY DATES. All interscholastic events and dates for such events shall be approved, cleared or arranged for by the Board of Directors.

SECTION 3. POWERS CONNECTED WITH ELIGIBILITY OF STUDENTS. In connection with the eligibility of students representing member high schools in all South Dakota high school activities, including athletics, music, speech, and all other competitive events, the Board of Directors, or its designee, shall have the following powers:

A. To receive, investigate as may be necessary, and pass judgment upon complaints made by one member about the eligibility or the alleged ineligibility of participants from another member school.
B. To investigate on its own initiative doubtful cases of eligibility among participants in a member school.
C. To declare ineligible such participants as in its judgment do not meet the eligibility requirements of the Association.
D. To investigate on its own initiative alleged violations of the Association's Constitution, By-Laws, and regulations.
E. To suspend or discipline a member school that has violated the Constitution and By-Laws of the Association by using participants in inter-school competition who do not conform to the regulations of the Association.
F. To issue, when requested in writing by a member, declaratory rulings on questions of general interest involving the applicability of the Constitution or a Bylaw to factual situations.

G. To bar a student from participating in any high school contests as a penalty for violating the Constitution or any of the By-Laws of the Association as herein after provided.
H. To reinstate any student who has been suspended from participation in activities for violation of the Constitution and By-Laws, after one school year of such suspension, if the conclusion of the board from evidence is that the violation was due to ignorance of a rule or Bylaw or its full meaning.
I. To rectify any error made by anyone that results in depriving a student of rightful eligibility under this Constitution and By-Laws to participate in interschool activities or that results in granting such eligibility undeservedly.
J. The Board of Directors, or the Executive Director, as hereinafter provided in Section 10, shall have authority to waive the enforcement of the transfer rule when it appears that an individual student would be unjustly penalized because of (1) death of a parent; (2) divorce; (3) court adjudicated separation of the parents; (4) change in economic status of the parents beyond the control of the student's family which forces the transfer. A waiver under this sub-section shall only be granted when the economic change is a foreclosure, bankruptcy, or parents loss of job which would require documentation by the parents; (5) assignment, by any governmental agency of a student to a particular school or school district; (6) assignment, by any governmental agency, of a student to a facility such as McCrossan Boys Ranch; (7) No Child Left Behind—NCLB; and (8) any other circumstance of a similar serious nature.
K. The eligibility rule in regards to age may not be waived under any circumstances.
L. The scholastic or eight-semester rule may be waived if the student loses eligibility because of serious illness, injury and/or other circumstances of a similar serious nature. In such cases the illness, injury or other circumstances of a similar serious nature must be verified in writing by a licensed health professional or other professional personnel as per request from the SDHSAA office.
M. Upon completion of the eighth grade or the ninth grade at an organized, structured junior high school, the student shall be eligible at the first senior high school where the student chooses to enroll regardless of the location of the senior high school.
N. Any waiver request that is submitted to the Board of Directors or Executive Director must be initiated by a member school. If a request is received, the student and his/her parents or guardian, shall be advised immediately of the requested ruling and shall be given an opportunity to submit information.

SECTION 4. CONTROL OF CONTESTS, TOURNAMENTS AND MEETS. In connection with tournaments and meets the Board of Directors shall have the following powers:

A. To decide the rules and regulations which shall govern, within the limits of this Constitution and By-Laws and within the restrictions imposed by an established Association plan or policy for any contests, all tournaments, and meets, including district, division, region, and state tournaments and meets.
B. To standardize, if it so elects, the awards to be used in state, district, and region contests.

SECTION 5. CONTROL OF OTHER ACTIVITIES. The Board of Directors shall have the power to adopt such rules and regulations in connection with any and all high school activities not inconsistent with the Constitution and By-Laws of the Association as it may feel necessary. In order to organize, plan and supervise the operation of the various activity programs, the Board of Directors shall appoint advisory committees consisting of not less than three nor more than seven members, who shall be either administrators or persons qualified to teach or coach the activities in the committee's charge. These advisory committees shall be responsible to the Board of Directors and their decisions shall be subject to the approval of the Board of Directors.

SECTION 6. REGISTRATION OF OFFICIALS. The Board of Directors shall have power to register athletic officials, provided such official can meet the qualifications as established.

The SDHSA shall annually publish, for the information of the member schools, a list of such officials who successfully meet the established qualifications.

NOTE: SEE OFFICIALS REQUIREMENTS IN THE GENERAL SECTION OF THE ATHLETIC HANDBOOK.

SECTION 7. EMERGENCY POWERS. In case of a national emergency the Board of Directors shall have the power to waive or modify sections of the Constitution and By-Laws to fit any exigencies growing out of such emergency.

SECTION 8. DETERMINE PENALTIES. For any violation of this Constitution and By-Laws for which the penalty is not stated the Board of Directors shall determine a proper penalty.

SECTION 9. PUBLICITY. The Board of Directors, through its Executive Director, shall present information about the activities of the Board of Directors and the Association to the press and to other news media, and shall publish bulletins, newsletters, and booklets adequate to the information needs of the members.

SECTION 10. CONTROL OF ELIGIBILITY OF STUDENTS. Since it is important that eligibility cases be processed as rapidly as possible, the number of days indicated at each level should be considered as maximum, and every effort should be made to expedite the process. The time limits specified may, however, be extended by mutual agreement in writing. The term "days" when used in this policy will mean working days. (Monday-Friday except holidays)

The eligibility of students of member high schools to participate in South Dakota High School Activities Association events will rest with the Board of Directors of the Association under the powers of Section 3 above.

LEVEL ONE: EXECUTIVE DIRECTOR

Initial rulings on request for interpretations regarding eligibility based on the Association Constitution and By-Laws, including rulings on all hardship cases, will be made by the Executive Director. Once the request is received in the SDHSAA office, the Executive Director will render a decision in writing to the aggrieved party within fourteen (14) days.

LEVEL TWO: APPEALS COMMITTEE

Any party aggrieved by a decision of the Executive Director in eligibility cases may appeal such decision to an Appeals Committee of the SDHSAA within seven (7) days after receiving notification of the Executive Director's decision. Such requests will:

A. be made in writing
B. be signed by the party requesting the appeal
C. include a detailed explanation of the factual situation as per the particular question or questions involved and
D. be directed through the office of the Executive Director of the SDHSAA.

The Appeals Committee will be appointed by the Executive Director and will consist of three (3) members, one of whom will be designated as the chairman of the committee. All members of such an Appeals Committee will be Superintendents, High School Principals, Athletic/Activities Directors, or Board of Education members of member schools but no representative will be named from a school which is involved in the decision. The Executive Director of the SDHSAA will establish a date and conduct a hearing within seven (7) days and will advise all interested parties and committee members of the time, place and purpose of the hearing.

The hearing conducted by the Appeals Committee will be fair, impartial and in accord with due process of law. The Appeals Committee will have the authority to investigate the factual situation as per each request and require that additional, specific information be submitted. The aggrieved party and the Board of Directors will have the right to be represented by counsel; to examine and cross-examine witnesses; and to present evidence of all relevant nature in the matter before the Committee. The Appeals Committee will render a decision within seven (7) days following the hearing. Any decision made by the Appeals Committee may be appealed to the Board of Directors. Such requests will:

A. be made in writing
B. be signed by the party requesting the appeal
C. include a detailed explanation of the factual situation as per the particular question or questions involved and
D. be directed through the office of the Executive Director of the SDHSAA.

LEVEL THREE: BOARD OF DIRECTORS

Appeals from the three member Appeals Committee will be to the Board of Directors of the SDHSAA. The request will be filed within seven (7) days after receiving notification of the decision of the Appeals Committee. The decision of the Board of Directors will be final. The Executive Director and/or the Board of Directors will have the authority to investigate the factual situation as per each request and require that additional specified information be submitted. The Board of Directors will hear appeals during their next regularly scheduled meeting.

Written notification of the decision of the Board of Directors will be rendered through the office of the Executive Director within seven (7) days following the Board of Directors hearing.

Nothing herein contained will prohibit the Executive Director or the Board of Directors from initiating investigations of cases of eligibility, including the right to require that information pertinent to such investigations be submitted. The Board of Directors can issue rulings resulting from such investigations in the same manner and with the same force and effect as decisions rendered pursuant to written requests.

All decisions of the Board of Directors rendered pursuant to this section shall be final.

ARTICLE VIII
LOCAL ADMINISTRATION OF CONTESTS

SECTION 1. PRINCIPAL RESPONSIBLE. The principal of the high school or the superintendent of schools or the athletic/activities director, or his authorized faculty representative shall be the official representative for each member school, and such principal or superintendent shall be responsible to the Association for all matters pertaining to the activity relations of the school.

SECTION 2. CONTESTS APPROVED BY PRINCIPAL. No contest shall be arranged with another school without the sanction of the high school principal, superintendent, or athletic/activity director.

SECTION 3. LOCAL RULES. Local rules pertaining to eligibility of student players and performers in inter-school competition may be made and enforced by the local school officials, provided such rules are not inconsistent with the Constitution and By-Laws of the Association.

SECTION 4. SCHOOL OFFICIALS AT CONTESTS. The home school shall always have one or more faculty members present at an inter-school contest. The home school representatives shall be responsible for the conduct of their fans, treatment of visitors, including officials for the contest, while in the contest venue. Representatives of the visiting school should supervise the conduct of their fans at the contest venue.

SECTION 5. NO CONTESTS WITH SUSPENDED OR EXPELLED SCHOOLS. No contest shall be held by a member school with a school that has been expelled from the Association until or unless such school is reinstated. No contest shall be held by a member school with a school that has been suspended, for the duration of the suspension. Suspension in one activity does not necessarily mean suspension in all activities. Competition may be forbidden with the suspended school in the various activity programs at the discretion of the Board of Directors.

SECTION 6. CONTESTS WITH NON-MEMBER SCHOOLS. No contest shall be held or scheduled with a school that is eligible to membership in this Association and which at the time is not a member, and no contest of any kind shall be

scheduled or held with a non-member school without specific approval of each such contest from the Executive Director. In all such approved contests with non-member schools all By-Laws and rules of this Association shall apply.

SECTION 7. NO SUNDAY CONTESTS. There shall be no inter-school contests of any kind sponsored or participated in by member schools held on Sundays.

ARTICLE IX
PROHIBITED ACTS AND PENALTIES

SECTION 1. RECRUITMENT PROHIBITED. No school may become or continue to be a member school if it gives or awards scholarships, free tuition, free bus transportation, free school lunch, or any other inducements, directly or indirectly, to persuade a student to attend its school.

Nor shall any other undue influence be exerted by either school personnel or non-school individuals whereby an attempt is made to persuade or inspire a prospective student to attend a particular school for athletic purposes. Confirmation of any such undue influence shall cause the student to be rendered ineligible pursuant to the provisions set forth in Article VI, Section 3, Sub-section (g), page 4 of the Constitution.

SECTION 2. SUSPENSION. Violation of the Constitution, By-Laws, or any rule of the Association, whether the penalty is specified in connection with the statement of the Bylaw or rule or not, renders the violating member school liable to suspension from the Association for not to exceed one school year, by action of the Board of Directors. Suspension in one activity does not necessarily mean suspension in all activities.

SECTION 3. EXPULSION. A member high school may be expelled from the Association for willful or persistent violation of the Constitution or By-Laws of the Association by a two-thirds vote of the member high schools represented at a regular annual meeting. When so expelled, a high school cannot be reinstated as a member except by a two-thirds vote of the members represented at any subsequent regular annual meeting.

SECTION 4. UNAPPROVED CONTESTS, MEETS, OR TOURNAMENTS. A member school shall not sponsor nor enter a team or contestants in any contest, meet, or tournament that has not been sanctioned by the Board of Directors. Any member school that violates this regulation shall be liable to discipline, including reprimand, monetary fine, or temporary suspension, by the Board of Directors.

SECTION 5. CANCELING ELIGIBILITY FOR CAUSE. For violating a Bylaw or rule of the Association a student of a member school may be barred from all further inter-school competition as a representative of any member school. The Board of Directors, however, may reinstate a suspended student, for good reason, after one school year of suspension.

SECTION 6. CHARGES AND INFORMAL DISPOSITIONS. Charges against a student or a member school for alleged violation of the Constitution and By-Laws, or a rule of the Association shall be filed in writing with the Executive Director, who shall within five days from their receipt, submit copies to all members of the Board of Directors and to the allegedly offending student or school. Within ten days from the time of the receipt of such copy of the charges the accused student or school shall file a reply with the Executive Director who shall transmit copies of the reply promptly, along with any other pertinent data or evidence, to the Board of Directors.

Each Board of Directors member shall examine the case carefully and each shall send the Executive Director as promptly as possible his conclusion about the matter. The Executive Director shall determine from the replies from the Board members what the majority decision is and that shall be the decision of the Board of Directors as a whole and it shall be reported back to the school or schools concerned by the Executive Director.

SECTION 7. HEARINGS. The Board of Directors, however, shall, if a hearing is demanded in writing, or upon its own motion may, in any case it deems such procedure essential, call and conduct a hearing on an official complaint against a student or a school, giving due notice and sufficient time to the student and the school or schools concerned to prepare for such a hearing.

SECTION 8. WITHHOLDING EVIDENCE. It shall be considered contrary to good sportsmanship for a member school to withhold evidence against a player from another member school or against a member school by failing to present such evidence to the principal or superintendent of the school concerned or to the Executive Director of the Association, concerning apparent violation of the Association By-Laws or Rules.

ARTICLE X
AMENDMENTS

SECTION 1. METHOD OF PROPOSING. Amendments to this Constitution or any set of By-Laws hereinafter included may be proposed by the Board of Directors, or by member schools through presentation of a petition signed by the administrators of thirty or more member schools. Proposed amendments must be submitted in writing to the Executive Director thirty days or more prior to the Annual Meeting or Special Meeting in order to be considered at that meeting.

SECTION 2. AMENDING PROPOSED AMENDMENTS. Proposed amendments may themselves be amended by the majority vote of the member schools represented at a meeting considering amendments, provided such amendments to proposed amendments do not tend to negate the amendment as originally proposed or to create what is essentially a new and different proposal. The Board of Directors shall have power in such a case to decide the issue.

SECTION 3. VOTING ON AMENDMENTS. All voting on amendments to this Constitution or these By-Laws shall be by referendum vote with all member schools given an opportunity to vote. Amendments presented at a meeting of the Association, as amended at the meeting if amended, shall be submitted by mail to the member schools within ten days

following such meeting. The Board of Directors shall provide arguments for and against each proposed amendment to be included with the amendment when it is mailed to the member schools for voting thereon.

SECTION 4. RETURNING BALLOTS ON AMENDMENTS. The deadline for return of ballots shall be set by the Board of Directors and shall be no earlier than 30 days, and no later than 35 days, after the date of the Annual or Special Meeting of the Association. To be valid, ballots shall be presented to the Board of Education for official action, with such action to be attested to by the board chairman.

SECTION 5. SIXTY PERCENT REQUIRED. To repeal any provision or to become an amendment, a proposed repealer or amendment must be voted upon favorably by sixty percent of the members voting on it.

SECTION 6. DATE AMENDMENTS BECOME EFFECTIVE. All amendments passed by vote of Association members shall become effective on July 1 following their being passed.

SECTION 7. AMENDMENT OF CONTEST REGULATIONS. Contest or meet regulations for the various activity programs may be amended by proposal of the advisory committee for the particular activity involved, with approval by the Board of Directors. (See Art. VII, 5.) A majority vote of the fine arts and athletic advisory committees involved is required.

ARTICLE XI
DISSOLUTION

SECTION 1. TERMINATION. This Association and the agreement which is made in the form of a Constitution and By-Laws can only be terminated upon sixty percent vote of the total membership upon resolution of the Board of Directors upon the same notice to the membership and using the same voting procedure as set forth in Article X for amendments to the Constitution or By-Laws.

SECTION 2. DISPOSITION OF PROPERTY. Upon termination of this agreement the property of the Association shall be sold by the Board of Directors as soon as may conveniently be done at public or private sale. The proceeds of such sale after payment of all the Association's obligations shall be distributed equally among the then current members of the Association.

BY-LAWS
OF THE SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

CHAPTER I - GENERAL PROVISIONS

PART I - SCOPE OF BY-LAWS

These By-Laws constitute the rules and regulations governing all approved interscholastic activity programs and the provisions of this chapter shall be applicable to all such activities except as may be otherwise provided as to certain specific programs.

PART II - ADVISORY COMMITTEES

The Advisory Committees authorized by Article VII, Section 5, page 4 of the Constitution of this Association shall include, but shall not be limited to, advisory committees on girls' athletics, boys' athletics, athletic directors, speech, music, journalism, and student council activities. The Board of Directors shall fix the terms of the members to afford continuity and provide for such meetings of the committees as it deems necessary. It shall be the duty of each respective advisory committee to plan and recommend to the Board of Directors, for its approval, a program of activities for its assigned activity.

PART III - SCHOOL PARTICIPATION

Any high school which is a member of this Association is eligible to participate in the activities sponsored by the Association.

PART IV - STUDENT ELIGIBILITY FOR FINE ARTS AND ATHLETIC PARTICIPATION

SECTION 1. GENERAL REQUIREMENTS.

A. **Age.** The student must be under 20 years of age at the time of participation. Age to be determined by birth **DATE**.

B. **Enrollment.** The student must have enrolled not later than the sixteenth school day of the current semester.

C. **Eight Semester Rule.** A student shall be eligible for four first semesters and four second semesters of interscholastic competition. For the purpose of this subsection, enrollment and attendance in school or participation in one or more contests shall count as a semester of eligibility. Once a student enrolls as a ninth grader, all semesters must be consecutive unless waived as per Article VII, Section 3 (l), page 4 of the Constitution.

NOTE: Attendance Defined: If the student is used in the ADM count, full or partial day, they are considered to have attended school.

D. **Scholastic/Academic Eligibility Rule.**

1. **Preceding Semester**. The student, unless they are entering high school for the first time, shall have successfully earned a minimum of two (2) units of credit which are used in the issuance of a diploma, for the preceding or for the most recent semester of attendance in any accredited high school. For the purposes of this subsection, enrollment and attendance in school or participation in one or more contests shall constitute a semester in determining eligibility. However, the Board of Directors or the Executive Director shall have the authority to waive the attendance rule when and if a student withdraws from school as a result of an injury or illness and does not return to any school for the remainder of the semester and the student does not receive any high school course credits.

NOTE: Failure to earn two (2) units of credit the previous semester causes the student to become ineligible the entire following semester.

NOTE: Only credits accepted by the school for graduation may be used in determining whether a student successfully earned two (2) units of credit. Source: Minutes of the January 10-11, 2001 Board of Directors Meeting.

2. **Current Semester.** The student shall (a) be enrolled in an accredited high school and attend courses for which a minimum of two (2) units of credit may be earned towards the issuance of a diploma, (b) be receiving alternative instruction as set forth in **SDCL § 13-27-3** or (c) any student in grades ten, eleven, or twelve may apply to an institution of higher education or a postsecondary vocational education institution as a special student in a course or courses offered at the institution of higher education or postsecondary vocational education institution. Correspondence/college courses approved in advance by the high school principal for which credits earned are used in the issuance of a high school diploma may count towards the two (2) units of credit eligibility requirement. **(Refer to SDCL § 13-28-37)**

3. A student's grades which are dependent upon completion of a project such as a vocational education project after the close of the academic school year shall be determined by the grade averages of record assuming satisfactory completion of the project.

4. **Credit recovery.** Students who have been declared ineligible because of academic deficiencies from the previous semester/trimester may earn scholastic/academic eligibility by taking an academic course(s) via the options approved by the SD Department of Education. Examples include, but not limited to, on-line courses, in-district credit recovery courses, alternative education settings, digital courses, etc. The principal must monitor the successful completion of the course(s) and reinstate eligibility only after the successful completion of 2 units of credit as per Chapter I, Part IV, Section 1, Subsection D., page 8 of the By-Laws.
5. **Beginning and ending of a Semester.** For the purpose of this subsection, the first semester shall be considered as ending on midnight on the day before the second semester begins and the second semester shall be considered as starting on the first day classes are held in said semester. The actual ending of the first/second semester or school year, rather than the date of graduation exercises or diploma date, controls the determination when eligibility terminates.

NOTE: Eligibility is extended to all students:

- **Who choose to graduate at the conclusion of the first semester until the first day of classes of the second semester.**
- **Including those graduating students whenever a sub-state/state event is held after the school year has been completed at the local level.**

SECTION 2. GRADES OF TRANSFERRED STUDENT. In the case of a student just transferred from another school the scholastic record from the former school shall be used for determining eligibility. The student shall not participate in any interscholastic contests until the official transcript of grades is received from the former school and academic eligibility is verified. **See also Section F, page 10**

SECTION 3. SEVENTH AND EIGHTH GRADE CONTESTANTS. Member schools may use seventh and eighth grade students on high school teams for high school contests provided they meet scholastic standards fully equivalent to those required for students in grades 9-12 by the Association.

SECTION 4. POST GRADUATE PARTICIPATION. Not-withstanding Section 1 of this chapter, high school graduates may be permitted to participate in inter-school meets or tournaments sponsored by the Association during summer months immediately following such graduation, unless the Board of Directors rules otherwise in the case of any such tournament or meet.

SECTION 5. LAPSE OF ATTENDANCE. Eligibility for the remainder of the semester ceases when:

A. school attendance has lapsed for more than ten (10) consecutive school days in a SDHSAA member school which operates a five (5) day week, or
B. when school attendance has lapsed for more than eight (8) consecutive school days in a SDHSAA member school which operates a four (4) day week

The exception to the Lapse of Attendance Policy as stated above would be in the case of student illness or in the case of death in the immediate family that forces the student to be absent from school.

SECTION 6. ELIGIBILITY AFTER ABSENCE. Students forced to leave school for personal illness or because of a death in the immediate family can be eligible upon return to school when they (1) have been fulfilling the scholastic requirements for eligibility at the time of leaving school, (2) file with the Executive Director an affidavit from the attending physician certifying that the illness was of such a nature as to prevent school attendance during any and all of the absence period, and (3) have made up the school work at least to the extent of having secured passing marks in four full courses including the parts of such courses missed during the absence.

PART V - PROTESTS - REVIEW OF DECISIONS

SECTION 1. DECISIONS OF THE JUDGES FINAL. Judges' decisions in any contest are by their nature necessarily regarded as final and shall not be considered as the basis for protest.

SECTION 2. BASIS AND PROCEDURE FOR PROTEST. Protests based upon a challenge to the interpretation given to a contest regulation or administrative ruling thereon must be submitted in writing within 24 hours after the contest, to the chairman of the district or region committees. The committee shall render its decision promptly to the Executive Director of the Association, and shall notify the protester, by telephone, to be followed by a written notice of its decision sent by first class mail to the protester. An appeal from the decision of the district or regional committee shall go directly to the Board of Directors. The decision of the Board of Directors shall be final. The appeal must state the decision of the district or region committee and the basis for the request to overrule that decision.

Any protest lodged prior to a district or region tournament or meet pertaining to the athletic eligibility status of a student, contest regulation or administrative ruling must be submitted to the district or region committee at least ten days prior to the event. The district or region committee shall render its decision promptly. An appeal from the decision of the district or region committee shall go directly to the Board of Directors. The decision of the Board of Directors will be final.

In cases where the protest is lodged less than ten days prior to a district or region tourney or meet, any appeal of a district or region committee decision shall go directly to the Executive Director. The decision of the Executive Director shall be final.

CHAPTER II - BY-LAWS FOR ATHLETICS
PART I
FURTHER ELIGIBILITY REQUIREMENTS
FOR ATHLETIC CONTESTS

SECTION 1. CHANGE OF SCHOOLS EFFECT ON ELIGIBILITY. Freshmen enrolling in high school for the first time are eligible at any high school of their choice regardless of where their parents or legal guardians might live. Whenever a student transfers from one high school and/or attendance center to another, eligibility for athletic competition is affected, or not affected, according to the following regulations:

A. To be eligible at the beginning of a semester for participating in interscholastic athletics of the SDHSAA, a transfer student must be enrolled at the beginning of the semester. For students not enrolled at the beginning of the semester:
   - Transfer students enrolled in a SDHSAA member school which operates a five (5) day week shall become eligible on the eleventh scheduled day of school provided all other SDHSAA regulations are met.
   - Transfer students enrolled in a SDHSAA member school which operates a four (4) day week shall become eligible on the ninth scheduled day of school provided all other SDHSAA regulations are met.

The first day of attendance is the first day included in the count to determine the ninth and eleventh day. However, if a student participates in one or more SDHSAA tournaments or play-off games at the sub-state level at the school previously attended, said student would be ineligible at the new school in that sport even though the parents move.

B. If the parents of a student move to the district of a different high school, a student's eligibility is not affected by a transfer to that high school. When two or more public high schools are operated within the same district, the attendance boundaries set up by the board of education of the district shall be considered the boundaries of the public schools within the district for the application of this rule. Students shall be eligible at the first school they choose to enroll in following a bona-fide move. All eligibility rules, age, enrollment, eight semester rule, and scholastic/academic eligibility rules shall apply.

C. The eligibility of a student remaining in a school district is not affected when his/her parents move to another district.

D. The eligibility of a student is not affected by a transfer from a non-accredited to an accredited high school.

E. A student cannot transfer from:
   1. a high school in another state to a high school in this state, or
   2. a member school to another member school, or
   3. a non-member school to member school

   and be eligible for athletic/fine arts participation if he/she were not eligible due to personal conduct violations (i.e. training rule violations, code of conduct violations, activities violations, etc.) for such participation in the state/member school from which he/she transferred. This provision also includes those students who transfer under sub-section (m)---open enrollment students.

   A student who would be ineligible at their previous school may not become eligible for competition at any level by transferring. The school at which the ineligibility occurred determines the period of ineligibility. A transfer at the beginning of a school year does not decrease or eliminate the period of ineligibility.

   A transfer student will be eligible for athletic and fine arts participation provided he/she meets the eligibility requirements as set forth by Part IV. Student Eligibility For Fine Arts and Athletic Participation, Section 1 of the By-Laws of the SDHSAA and has completed any suspension for activities violations from the school they are transferring from.

   NOTE: **As these are student penalties and not penalties against the school, the penalty follows the student. A change in schools does not erase the violation or the penalty for the violation.**

F. A student transferring from one high school to another must have the school (s)he leaves file a transcript of credits with the principal of the school to which (s)he is transferring. This transcript must contain his/her complete high school attendance and scholastic record and must be certified by the principal of the school (s)he is leaving. Until such a transcript is filed the student is ineligible. **See also Section 2, page 9**

G. Any student who changes high schools without a corresponding, bona fide change in the physical residence of the parents shall not be eligible for athletic competition in the high school to which (s)he transferred for a period of one year. A student who transfers to a new school in advance of the parents move will become eligible the day the parents complete a bona fide change in the physical residence into the new district, providing all other Association requirements have been met. **Revised 2008**

   EXCEPTIONS:
   1. Those students transferring under the open enrollment provisions of Chapter II, Part I, Section 1, sub-section (m) of the By-Laws, or
   2. Those students enrolled in an approved CSIET (Council on Standards for International Educational Travel) exchange program.

   A student who participated in athletic competition under the CSIET exemption, returning for a second year and not living with their parent(s), will be treated as a transfer student. These students may be declared eligible for athletics as per the transfer and residency rules stated in the SDHSAA Constitution and By-Laws. Like all students, the transfer and residency rules do not apply to those students involved in fine arts and activities.

NOTE: This provision also applies to any student who transfers because he/she has been declared emancipated.

NOTE: In order to be determined "bona-fide", the following minimum conditions must be met:

1. The original residence must be abandoned as a residence; that is sold, rented or disposed of as a residence, and must not be used as a residence by any member of the family.
2. The entire family, including minor siblings, must make the change and take with them the household goods and furniture appropriate to the circumstances.
3. The change must be made with the intent that it be permanent.
4. The entire family must physically reside at the residence for the duration of the student's enrollment.
5. In school districts with multiple high schools; if the parents/legal guardians and the student move back, within one year, to the residence in the school district from whence they moved, the student will be eligible only at the high school which the student attended prior to any change of residence**. Revised 2008**

NOTE: Students shall be eligible at the first school they choose to enroll in following a bona-fide move. All eligibility rules, age, enrollment, eight semester rule, and scholastic/academic eligibility rules shall apply.

H. GUARDIANSHIP. A student who transfers under guardianship from a school out-of-state or from one high school to another within the state, shall become eligible for interscholastic athletics provided the following criteria is met:

1. There is a legal transfer of guardianship.
2. The named guardian resides in the school district.
3. The court has ruled that the parents are not competent to care for the student.
4. There has been a judicial termination of parental rights.

I. As far as residence is concerned, a student is considered eligible at a high school in a district in which the student's parents reside, with one exception. The exception: When a student transfers from one accredited high school to another accredited high school in the same district the student shall not be eligible for athletic competition for a period of one year without a move of the parents to the corresponding attendance area. Should the parents currently reside in the corresponding attendance area, the student would gain their athletic eligibility through athletic open enrollment. NOTE: This regulation does not apply to students who transfer pursuant to the provisions set forth in sub-section (N).

J. The eligibility of a student is not affected by a transfer from a school that closes. A student living in a district that does not support and maintain a high school may be declared eligible at a high school that regularly serves that district to which the student commutes daily.

K. DUAL RESIDENCE Under no circumstances can a student have more than one residence for eligibility purposes. In cases where parents establish dual residency, a student's eligibility shall be at the first school enrolled at the onset of the 9th grade year.

L. DIVORCED – SEPARATED PARENTS: In cases of legal divorce, court ordered legal separation, or court ordered separate maintenance pending a legal divorce or court ordered placement, the student shall be eligible at:

1. The school that is located in the district where the residency exists of the parent with court ordered legal custody of the student.
2. In the event of joint custody, the student shall be eligible at the school that is located in the district where the residency exists of the parent with court ordered physical custody of the student or court ordered placement of the student.
3. If neither parent has court ordered legal or physical custody of the student, "parent" means the person with legal or permanent custody or the person or entity the student is placed with by the government agency with legal or permanent custody.
4. If no person or government agency has court ordered legal custody, "parent" shall mean the first parent the student chooses to live with after the legal divorce, court ordered legal separation or court ordered separate maintenance pending a legal divorce**. Revised 2008**

M. OUT-OF-STATE TUITION STUDENTS. Students who transfer from an adjacent state whose school district has a common border with a South Dakota school district, pursuant to the provisions set forth in SDCL 13-36-7, for whom tuition is paid by either the student's home school district or state, shall be eligible for interscholastic athletics even though there is no corresponding move by the student's parents or legal guardian. In such cases, eligibility is applicable to the initial transfer only. Any subsequent transfer shall render the student ineligible for one year.

N. TRANSFER OF ATHLETIC ELIGIBILITY FOR SDHSAA OPEN ENROLLMENT STUDENTS. Any student who transfers from a member high school to another member high school shall be eligible to participate in interscholastic athletics provided such student has met the standards for SDHSAA athletic open enrollment as defined in the following paragraph:

1. **SDHSAA athletic open enrollment students transferring from one high school to another must have the school (s)he leaves file a transcript of credits with the principal of the school to which (s)he is transferring. Until such transcript is filed the student is ineligible.**

   In order for SDHSAA athletic open enrollment students to be eligible immediately for participation in interscholastic athletics of the SDHSAA, the student must have been enrolled on the first day of the school year at the school they are open enrolling to. Member schools must have the necessary athletic open

enrollment papers filed with the SDHSAA office prior to allowing athletic open enrollment students the opportunity to play. Until such athletic open enrollment paperwork is filed, the student is ineligible.
For students not enrolled on the first day of the school year at the school they are open enrolling to:

2. **SDHSAA athletic open enrollment students enrolled in a SDHSAA member school which operates a five (5) day week shall become eligible on the forty-sixth (46th) scheduled day of school provided all other SDHSAA regulations are met. Member schools must have the necessary athletic open enrollment papers filed with the SDHSAA office prior to allowing athletic open enrollment students the opportunity to play. Until such athletic open enrollment paperwork is filed, the student is ineligible.**
3. **SDHSAA athletic open enrollment students enrolled in an SDHSAA member school which operates a four (4) day week shall become eligible on the thirty-seventh (37th) scheduled day of school provided all other SDHSAA regulations are met. Revised 2005 Member schools must have the necessary athletic open enrollment papers filed with the SDHSAA office prior to allowing athletic open enrollment students the opportunity to play. Until such athletic open enrollment paperwork is filed, the student is ineligible.**
4. In addition, all such students must meet all other eligibility requirements.
5. For purposes of this Bylaw "standards for open enrollment" shall mean such standards authorized by a public school board as required by SDCL §13-28-40 through and including SDCL §13-28-47. In the case of a non-public school, such comparable standards and time-lines, as set forth in SDCL §13-28-40 through and including SDCL §13-28-47 would be applicable to such school.
6. In such cases, eligibility is applicable to the initial SDHSAA athletic open enrollment transfer only. Any subsequent SDHSAA athletic open enrollment transfer to another high school shall render the student ineligible for one year with one exception.

The exception: In the event a student returns to:

1) his/her former school; or
2) where his/her parents reside,

the student will not be eligible until the beginning of the following school year.

NOTE: The open enrollment statutes SDCL §13-28-40 through §13-18-47 do not change the By-Laws of the SDHSAA. Thus Chapter II, Part I, Section 1, Sub-Sections (a) and (f) apply to sports eligibility for all open enrollment students.

- **Once enrolled in a nonresident district or non-assigned school, the student may remain enrolled and is not required to resubmit annual applications.**
- **Students who open enroll from one school in a cooperative to the other school(s) in the same cooperative will not have to sit out the 45 school day waiting period providing all school (s) in the cooperative coop in all athletic activities in the same gender. Minutes-November 25, 2002**

NOTE: See State Statutes section of Athletic Handbook for Open Enrollment Options between North Dakota and Minnesota.

O. Any student granted eligibility pursuant to Article VII, Section 3, sub-section (j), page 4 (waiver of the transfer rule due to hardship) would not be eligible until the beginning of the following school year should the student return to his/her school or where his/her parents/guardians reside.

SECTION 2. PARENTS' CONSENT. Each school year each candidate for membership for any high school athletic team for interschool athletics shall have on file with the high school principal the written consent of the parents for athletic participation.

SECTION 3. HEALTH STATEMENT. Every student before being allowed to participate in interscholastic athletics must have passed a physical examination of a duration no longer than triennial. A pre-participation Interval Health History report must be completed annually.

Certification as to the adequacy of a student's health for athletic participation shall be restricted to a duly licensed doctor of medicine, doctor of osteopathy, doctor of chiropractic, physician's assistant or nurse practitioner, on official blanks furnished by the Executive Director. The date of such required health certification shall be one of the entries on the annual report of student athletic participation made to the Executive Director by each member school.

SECTION 4. STUDENT'S OWN NAME. To be eligible a student must have always participated under his/her own name in all his/her athletic competition.

SECTION 5. HIGHER INSTITUTION PARTICIPATION. No student who has ever participated in athletics in any institution of learning of higher rank than standard secondary schools shall be eligible for athletic competition in a member school of this Association. **NOTE:** "High school seniors who have completed their high school eligibility in a sport may participate in try-outs held on a college campus in that sport without jeopardizing remaining eligibility in other high school sports."

SECTION 6. AMATEUR STANDING. A student shall be a true amateur in all recognized sports of this Association in order to compete in any sport so recognized. A student is governed by the amateur eligibility rules of that sport.

A student may be declared ineligible if he/she:

A. Accepts cash, merchandise, compensation or illegal awards when competing in a sport sponsored by the Association beyond the monetary limits set in the SDHSAA Athletic Handbook.

B. Enters into an agreement or contract to compete in professional sports.
C. Received remuneration for coaching any SDHSAA approved sport during the season of the sport in his/her school.
D. Received remuneration for the use of name, picture and/or personal appearance as an athlete in the promotion of a commercial or profit making event.

Amateur eligibility status is not affected under the following:

A. If a student receives a stipend/fee for officiating a sport recognized by the SDHSAA.
B. If his/her name or picture, or a team picture appears on a commercial profit making venture as long as the athlete receives no remuneration of any kind.
C. If a student accepts an athletic scholarship to any institution of higher learning.

Should a student lose his/her amateur standing; he/she may be reinstated by the Board of Directors after the lapse of one year.

SECTION 7. NON-SCHOOL TEAM/INDIVIDUAL PARTICIPATION. A student who is a member of a high school team may not participate in that particular sport during the "in-season" time period on an independent or non-high school team or as a member of any "All-Star" team, or completely unattached on an individual basis.

NOTE: The penalty for violation of this Bylaw is loss of eligibility for the remainder of that sports season.

SECTION 8. INTERSTATE COMPETITION. A student participating in a contest against a team from a school in another state, whether the contest is held in South Dakota or not, must be eligible under the Constitution and By-Laws of the SDHSAA, in addition to any other requirements in the way of eligibility that the contest may involve. In interstate high school athletic contests involving teams from member schools of this Association, however, the rules of the National Federation of State High School Associations shall have precedence over the Constitution and By-Laws of the SDHSAA.

SECTION 9. STUDENT/COACH EJECTION FROM A CONTEST. Any student or coach ejected from an interscholastic contest by game officials will be ineligible for the next regularly scheduled game/meet at that level of competition and all other games/meets in the interim at any level of competition.

The second violation in a sport's season carries a four regularly scheduled game/meet ineligibility.

If penalties are imposed at the end of the sport season and no contest remains, the penalty is carried over in that particular sport until the next school year. In the case of a senior, the penalty will continue to the next sport season.

Student: Anytime a student-athlete is ejected from a game/meet, he/she does not participate the remainder of that day. The student is also suspended from the next scheduled, rescheduled, or contracted date at that level of competition and all games/meets in the interim at other levels of competition. If the ejection occurs during the last regular season contest at the sub-varsity level, the student is suspended from all competition that day plus the next regular season contest at the varsity level or the first post-season contest, which ever occurs first.

NOTE: A suspended player may travel with the team, be in the locker room, sit on the sidelines, etc.; but may not be in uniform during the suspension.

Appeal: A student may appeal his/her disqualification to the SDHSAA if it can be verified that his/her actions did not contribute to the disqualification. A complete report must be sent to the Association for review. The decision of the Board of Directors, or its designee, shall be final.

When an ineligible athlete is allowed to participate in violation of this Bylaw, forfeiture of the contest is mandatory.

NOTE: In cases where an appeal has been requested by a student, the clause "his/her actions did not contribute to the disqualification" applies only to a student-athlete who was wrongfully ejected due to the recording of an incorrect number by the officials. Source: Minutes of the November 9, 1996 Board of Directors Meeting.

NOTE: If a change in schools occurs prior to the student or coach sitting out the one game suspension, it is expected that the new school will enforce the one-game suspension even in cases when said move does not occur until the next school year. Source: Minutes of the January 10-11, 2001 Board of Directors Minutes.

Coach: Anytime a coach is ejected for a game/meet, he/she does not coach the remainder of that day. The coach is also suspended from the next scheduled, rescheduled, or contracted date at that level of competition and all games/meets in the interim at other levels of competition. If the ejection occurs during the last regular season contest at the sub-varsity level, the coach is suspended from all competition that day plus the next regular season contest at the varsity level or the first post-season contest, which ever occurs first. **NOTE: Suspended coaches may not travel with the team or be at the venue during any contest(s) while under suspension.**

Appeal: A coach may appeal the penalty only when he/she is disqualified as a result of indirect unsportsmanlike conduct penalties being assessed and his/her actions did not contribute to the disqualification. The appeal will be heard by the SDHSAA. A complete report must be sent to the Association for review. The decision of the Board of Directors, or its designee, shall be final.

When an ineligible coach is allowed to participate in violation of this bylaw, forfeiture of the contest is mandatory.

SECTION 10. TERMINATION OF A CONTEST. If the head coach is ejected from the contest and an assistant coach or school administrator is not available to assume the coaching duties, the contest is terminated and forfeited to the opponent.

SECTION 11. CONTEST SUSPENDED BY OFFICIALS. When a contest ends prematurely because of unsportsmanlike conduct or behavior and the on-site officials award the game on the basis of the score or on the basis of forfeiture, one or both schools may be subjected to any, but not limited to, the following as determined by the Board of Directors: monetary fine, written censure, forfeiture, probation with competition, suspension.

PART II
REGULATIONS GOVERNING LOCAL ADMINISTRATION OF ATHLETICS

SECTION 1. LICENSED OFFICIALS MANDATORY. No official shall be eligible to officiate in any SDHSAA inter-school varsity contests unless (s)he has met the licensing standards as established by the SDHSAA Board of Directors.

NOTE: SEE OFFICIALS REQUIREMENTS IN THE GENERAL SECTION OF THE ATHLETIC HANDBOOK.

SECTION 2. COACHES EDUCATION REQUIREMENTS. All athletic coaches in grades 9-12 in member schools are required to meet the educational standards as established by the Board of Directors.

SECTION 3. MANDATED TEAM PRACTICE. No member school shall participate in an athletic contest, in any sport, unless the team has had two full weeks of practice. This regulation does not apply to individuals.

In the sports of fall golf and fall tennis member schools may commence interscholastic competition with one full week of practice. This regulation does not apply to individuals.

NOTE: Two full weeks of practice is interpreted to mean ten practice days counting Monday through Saturday prior to the first contest. One full week of practice is interpreted to mean five practice days counting Monday through Saturday prior to the first contest.

SECTION 4. RECORDS OF ATHLETIC PARTICIPATION. Each member school must keep in a record book provided by the Association a complete record of the athletic participation of each of its students and shall also enter such related data as may be specified by the Executive Director. On or before June 30 of each year each member shall submit to the Executive Director on blanks provided by him a complete report of the athletic participation of all students for the year. Failure to comply with this regulation suspends membership, and reinstatement requires the filing of the required report. Athletic contests with a school that had its membership suspended under this Bylaw are forbidden unless and until reinstatement is effected**.**

SECTION 5. AWARDS. The Board of Directors shall annually set the monetary value of awards which may be accepted by the athletes of member schools. A member school shall not give awards for athletic participation of any kind that have a value more than the amount set by the Board of Directors. Any student who accepts an award from any source for athletic participation that has a value of more than the amount set by the board, except in the case of medals or other awards given or approved by the Association in connection with tournaments, meets, and other athletic contests, shall be ineligible for any further participation in athletic contests under the jurisdiction of this Association. This Bylaw has no bearing on sweaters or jewelry or other athletic trophies that may be purchased by the athlete's parents or bought by the student with money earned by the student.

The Board of Directors may waive the awards rule for non-school athletic events held during the summer months after school closes in the spring and before school opens in the fall. A student is restricted by the closing and opening dates of the school which the student attends.

SECTION 6. ANNUAL ELIGIBILITY REPORT. Prior to the start of any sport or fine arts activity, the high school principal or his/her designee shall verify to the coaching staff in each sport respectively and to the director of each fine arts activity respectively, that the students participating in those activities meet all the eligibility requirements set forth in Chapter I, Part IV, page 8 and Chapter II, Part I, page 10 of the By-Laws.

In the event an ineligible student is allowed to participate in an interscholastic contest, forfeiture will be automatic. Additionally, the Board of Directors shall determine other penalties as deemed appropriate.

On or before June 15, each high school principal or his/her designee shall submit to the Executive Director the Annual Athletic Eligibility Report Form listing the names and other pertinent data of all students who participated in interscholastic athletics for the school year just completed.

On or before June 15, each high school principal or his/her designee shall submit to the Executive Director the Annual Fine Arts Eligibility Report Form listing the names and other pertinent data of all students who participated in interscholastic fine arts activities for the school year just completed.

In the event a student becomes ineligible at any time during the school year, it shall be the duty of the high school principal or his/her designee to so inform the athletic coach or fine arts director at which time the student will be immediately withdrawn from all interscholastic competition.

SECTION 7. NO WAIVING OF BY-LAWS OR RULES. None of the By-Laws or rules of this Association shall be waived by mutual agreement, or otherwise, for athletic contests between member schools or between a member school and a non-member school.

SECTION 8. EXPENSES FOR A VISITING TEAM. The amount of reimbursement to a visiting team shall be arranged between the officials of the schools concerned but must be decided upon in advance and made a part of the contract for the game or contest.

SECTION 9. NO UNIFORM ON NON-ELIGIBLES. In the vicinity of an athletic contest in which any member of this Association is participating, no ineligible student of a member school shall be permitted to wear an athletic uniform for the sport involved.

NOTE: It is a violation of this Bylaw whenever an ineligible player suits up for a contest regardless if the athlete does or does not play.

SECTION 10. BYLAWS AND RULES APPLY TO ALL ATHLETIC CONTESTS. The Bylaws and rules of this Association shall apply to all inter-school athletic contests of any and every kind sponsored or participated in by member schools.

SECTION 11. CANCELING CONTESTS. No school shall fail to have its team play or participate in a scheduled athletic game or contest without full agreement of the other school concerned or without, in case of failure in mutual agreement, getting the approval of the Executive Director for the cancellation. Except for bad weather or other emergency cause for a request for cancellation of a contest from the Executive Director such request shall be made at least one week in advance. Violation of this Bylaw forfeits the game or contest for the violating school and that school may be barred, by Board of Directors action, from athletic participation in the Association for one year.

PART III
RULES AND PROVISIONS FOR TOURNAMENTS AND MEETS

SECTION 1. SANCTIONED MEETS. Sanction for all athletic and fine arts meets or tournaments involving non-member schools or out-of-state schools must be approved by the Executive Director of the SDHSAA.

For all out-of-state athletic and fine arts activities, the SDHSAA shall follow the standards and procedures as established by the National Federation of State High School Associations and the SDHSAA Board of Directors.

SECTION 2. ELIMINATION TOURNAMENTS AND MEETS. The Board of Directors shall have jurisdiction over all Association district and region tournaments and meets and shall divide the state appropriately for such tournaments and meets. The Board of Directors shall have the right to levy percentage assessment upon the gate receipts of any or all classes of elimination tournaments, the money from which shall be placed in the treasury of the Association.

SECTION 3. DELEGATED MANAGEMENT OF TOURNAMENTS AND MEETS. The Board of Directors shall delegate the immediate management of district and region tournaments and meets to committees of school officials from the schools concerned with each; and shall give such committees power to handle all details connected with each; provided the tournament or meet in each case shall be operated in accordance with these By-Laws and rules.

SECTION 4. BASIC PLANS FOR CONTESTS LEADING TO STATE CHAMPIONSHIPS. The basic plans for dividing the schools into more than one class and providing tournaments and meets leading to state championships shall be determined by the association and may be amended by the same methods as used in amending other By-Laws. The basic plans shall be published by the Board of Directors in appropriate bulletins and copies sent to all member schools. These bulletins shall include, in addition to the details of the basic plans, the supplementary rules and regulations of the Board of Directors for implementing the basic plans.

When dividing the membership into classes for the purpose of competition, the Board of Directors shall use Average Daily Membership figures based upon the ADM in grades 9, 10 and 11. A copy of the enrollment data will be filed by the member schools with the Executive Director of the South Dakota High School Activities Association on or before the 15th day of January each year. Reclassification for all sports or fine arts activities shall be done at the same time so that the two-year periods are concurrent for all activities.

In the years of reclassification the Executive Director will take the ADM on January 15th and formulate plans of alignments and disseminate to the membership on or before the 15th day of February to receive input into the staff alignment plans. The Board of Directors will make its final decision at the regular meeting held in February/March. In the years that end in 3, 5, 7 and 9 the plans will be addressing minimum change and equal numbers, provided the classification formula remains unchanged and in the year that ends in 1 the plans will address geography and equal numbers.

For activities in which there is no basic plan included in these Bylaws, the Board of Directors shall have authority to set up classifications and make assignment of schools to districts, sections or regions as it deems necessary.

TRACK AND FIELD PLAN. For track and field meets that lead to and include state meets of the Association, the schools shall be divided into classes known as Class “AA”, Class “A”, and Class “B”.

The assignment of Class “B”, “A” and “AA” schools to regions shall be done by the Board of Directors for a two year period in each class respectively.

SECTION 5. STATE TOURNAMENTS AND MEETS. The Board of Directors and the Executive Director shall have immediate charge and control of all state tournaments and meets of the association and shall place in the treasury of the association the receipts there from and shall pay form the treasury of the association the necessary expenses involved.

SECTION 6. TEAMS NOT TO BE WITHDRAWN. Any member school that has a team qualified to enter an association tournament, or which has entered such a tournament, to which tournament team expenses are paid from the receipts, cannot withdraw such team from the tournament, except for causes beyond the school’s control. The penalty for violation of this Bylaw shall be expulsion from the Association.

SECTION 7. TOURNAMENTS AND MEETS INVOLVING NON-MEMBERS. Member schools may sponsor dual contests, tournaments and meets; and eligible students from member schools may participate in said dual contests, tournaments and meets in which there are participating pupils from non-member schools provided said duals, tournaments or meets are approved in advance by the Executive Director.

SECTION 8. PARTICIPATING SCHOOL RESPONSIBILITY. Member schools shall use all reasonable precaution to insure precaution to insure proper conduct on the part of all respective students attending tournaments and shall assume definite responsibility toward the conduct of such students both at large and individually.

TRANSFERS TO CHEYENNE-EAGLE BUTTE, CROW CREEK, FLANDREAU INDIAN, MARTY INDIAN, PINE RIDGE, ST. FRANCIS, TODD COUNTY
Addendum to Chapter II, Part I, Section I
Adopted by the Board of Directors on June 8, 2005

A student who transfers to a twenty-four (24) hour B.I.A./O.I.E.P. boarding school which is partially or wholly funded by ISEP (Indian Student Equalization Program): Cheyenne-Eagle Butte, Crow Creek, Flandreau Indian, Marty Indian, Pine Ridge, St. Francis or Todd County High School, from an SDHSAA non-member school, would be eligible for participation after ten (10) school days provided they meet all eligibility requirements as per SDHSAA Constitution and By-Laws, Part IV-Student Eligibility for Fine Arts and Athletic Participation, pages 8-9. This would apply to the initial transfer only.

ADMINISTRATIVE PROCEDURE POLICY
PERTAINING TO ARTICLE VI, SECTION 1
ADOPTED July 1, 1988
ADMINISTRATORS WITH DUAL RESPONSIBILITY

The seats on the Board of Directors representing the school administrative positions must be represented by a person from the appropriate administrative position; a superintendent/CEO in any combination is considered a superintendent and would be eligible for only those seats open to superintendents; a principal/ assistant or vice principal is considered a principal and would be eligible only for those seats open to principals; an assistant or vice principal/athletic or activities director who devotes time to athletics/activities would be eligible for the seats open to athletic/activities directors; athletic/activities directors who teach would be eligible for those seats open to athletic/activities directors. The intent of this procedure is to assume that all administrative levels will be fairly represented on the Board of Directors pursuant to the ratio system set forth in Article VI, Section 1.

ROTATION FOR FILLING FUTURE ADMINISTRATIVE VACANCIES ON THE BOARD OF DIRECTORS

1. Division II Representative
   - Currently held by – Terry Nebelsick
   - Election to be held during 2012-13 school year
   - Term: July 1, 2013 - June 30, 2018
   - To be filled by an athletic director
2. Large School Group Board of Education
   - Currently held by – Chris Specht
   - Election to be held during the 2012-2013 school year
   - Term: July 1, 2013 - June 30, 2018
   - To be filled by a large-school group board of education member
3. West River At-Large
   - Currently held by – Darren Paulson
   - Election to be held during 2013-14 school year
   - Term: July 1, 2014 - June 30, 2019
   - To be filled by a principal
4. Native American At-Large
   - Currently held by – Eldon Marshall
   - Election to be held during 2013-04 school year
   - Term: July 1, 2014 – June 30, 2019
   - To be filled by a superintendent
5. East River At-Large
   - Currently held by – Rick Weber
   - Election to be held during 2014-2015 school year
   - Term: July 1, 2015 - June 30, 2020
   - To be filled by a athletic/activities director
6. Small School Group Board of Education
   - Currently held by – Todd Trask
   - Election to be held during the 2014-2015 school year
   - Term: July 1, 2015-June 30, 2020
   - To be filled by a small school group board of education member

7. Division III Representative
    - Currently held by – Mike Ruth
    - Election to be held during 2015-2016 school year
    - Term: July 1, 2016 - June 30, 2021
    - To be filled by a superintendent
8. Division I Representative
    - Currently held by – Jason Uttermark
    - Election to be held during 2016-2017 school year
    - Term: July 1, 2017-June 30, 2022
    - To be filled by a superintendent

PROCEDURE FOR FILLING A VACANCY

When filling a vacancy on the Board of Directors, should the length of term to be filled:

A. equal or exceed two (2) years, the position will be filled via election with the elected person unable to run for re-election,
B. be less than two (2) years and more than one (1) year, the position will be filled by appointment with the appointed person able to run for election should his/her position on the Board of Directors be the vacant position,
C. be less than one (1) year, the position may be filled by appointment with the appointed person able to run for election should his/her position on the Board of Directors be the vacant position.

IMPLEMENTATION OF THE RATIO SYSTEM

RATIO: **First digit represents Superintendents/CEO's**
Second digit represents Principals
Third digit represents Athletic/Activity Directors

YEAR	Ratio	Div. I	Div. II	Div. III	E. River	W. River	Native American
2012-13	2:2:2	*Prin.	Prin.	Supt.	Supt.	A.D.	A.D.
2013-14	2:1:3	Prin.	*A.D.	Supt.	Supt.	A.D.	A.D.
2014-15	3:2:1	Prin.	A.D.	Supt.	Supt.	*Prin.	*Supt.
2015-16	2:2:2	Prin.	A.D.	Supt.	*A.D.	Prin.	Supt.
2016-17	2:2:2	Prin.	A.D.	*Supt.	A.D.	Prin.	Supt.
2017-18	3:1:2	*Supt.	A.D.	Supt.	A.D.	Prin.	Supt.
2018-19	3:2:1	Supt.	*Prin.	Supt.	A.D.	Prin.	Supt.
2019-20	2:2:2	Supt.	Prin.	Supt.	A.D.	*A.D.	*Prin.
2020-21	2:3:1	Supt.	Prin.	Supt.	*Prin.	A.D.	Prin.
2021-22	1:3:2	Supt.	Prin.	*A.D.	Prin.	A.D.	Prin.
2022-23	1:3:2	*Supt.	Prin.	A.D.	Prin.	A.D.	Prin.
2023-24	2:2:2	Supt	*Supt	A.D.	Prin.	A.D.	Prin.
2024-25	3:1:2	Supt.	Supt.	A.D.	Prin.	*Supt.	*A.D.
2025-26	3:1:2	Supt.	Supt.	A.D.	*Prin.	Supt.	A.D.
2026-27	3:2:1	Supt.	Supt.	*Prin.	Prin.	Supt.	A.D.
2027-28	2:2:2	*****A.D.	Supt.	Prin.	Prin.	Supt.	A.D.
2028-29	1:2:3	A.D.	*A.D.	Prin.	Prin.	Supt.	A.D.
2029-30	1:3:2	A.D.	A.D.	Prin.	Prin.	*Prin.	Supt.

*** The asterisk indicates the beginning of a new term.**