



**SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION
SPECIAL MEETING OF THE BOARD OF DIRECTORS
SDHSAA OFFICE**

February 4, 2014

1:00 PM

Pierre, South Dakota

Call the meeting to order followed by the Pledge of Allegiance.

ACTION ITEMS:

1. Discussion on potential State Legislative Action, Open Meeting Statutes & Open Records Statutes
2. Executive Session to confer with SDHSAA legal counsel
3. Adjournment

Respectfully Submitted,

Wayne Carney
Executive Director

**SDHSAA BOARD OF DIRECTORS SPECIAL MEETING
Pierre, South Dakota
February 4, 2014**

ITEM NO. 1

SUMMARY STATEMENT:

Discussion on potential State Legislative Action, Open Meeting Statutes & Open Records Statutes

Since the January 15, 2014 SDHSAA Board of Directors Regular Meeting, much discussion has taken place regarding the SDHSAA Organizational structure, including status of regulation and subjectivity to Open Meeting & Open Records Statutes.

In an effort to clarify the position of the SDHSAA, a Membership Organization of 181 South Dakota High Schools, it is recommended that the SDHSAA Board of Directors hold discussion on the following action items:

- SDHSAA Board of Directors Draft a Constitutional Amendment to be ratified by the Member Schools & their respective School Boards that will:
 - Clearly state that the SDHSAA will adhere to Open Meetings & Open Records statutes voluntarily
 - Continue to strive to create policy that directs staff to provide adequate, timely, accurate and definitive information to the public on the policies and procedures of the organization
- SDHSAA Board of Directors draft (a) Resolution(s) to immediately clarify and address concerns of the Public and Membership on ability and desire to voluntarily follow South Dakota Codified Law as it pertains to Open Meeting & Open Records statutes during the interim prior to any Constitutional Amendment(s) taking effect
- SDHSAA Board of Directors further discuss and take steps to educate the membership on other actions that can be of assistance in clarifying all SDHSAA Board of Directors' policy and procedure
- SDHSAA Board of Directors shall discuss clarification of position on all items with SDHSAA Legal Counsel

NO. 2

**SDHSAA BOARD OF DIRECTORS SPECIAL MEETING
Pierre, South Dakota
February 4, 2014**

ITEM NO. 2

SUMMARY STATEMENT: Enter Executive Session to consult with SDHSAA Legal Counsel on pending issues of the Association.

NO. 3

**SDHSAA BOARD OF DIRECTORS SPECIAL MEETING
Pierre, South Dakota
February 4, 2014**

ITEM NO. 3

SUMMARY STATEMENT: Adjournment

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

894V0554

SENATE BILL NO. 90

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 § 13-36-5 be amended to read as follows:

5 13-36-5. Any association exercising the grant of authority contained in § 13-36-4 to regulate
6 public and nonpublic schools shall be audited annually by the State Department of Legislative
7 Audit and a report of such audit shall be made to the Legislature and shall be made public on
8 the association's website as well as the State Department of Legislative Audit's website. The
9 association shall pay for the audit at the rate prescribed by § 4-11-18.

10 Section 2. That chapter 13-36 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 Any meeting conducted by an association exercising the grant of authority contained in § 13-
13 36-4 to regulate public and nonpublic schools shall comply with all open meeting and open
14 records laws in this state.



1 Section 3. That chapter 13-36 be amended by adding thereto a NEW SECTION to read as
2 follows:

3 Any association exercising the grant of authority contained in § 13-36-4 to regulate public
4 and nonpublic schools shall annually, or at the call of the chair, report to the Government
5 Operations and Audit Committee.

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

564V0677

HOUSE BILL NO. **1141**

Introduced by: Representatives Hoffman and Cronin and Senators Holien and Peters

1 FOR AN ACT ENTITLED, An Act to require the South Dakota High School Activities
2 Association to comply with the open meeting laws.

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

4 Section 1. That chapter 13-36 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The South Dakota High School Activities Association shall comply with the provisions of
7 chapter 1-25 requiring meetings of the association to be open to the public.

