

**SOUTH DAKOTA HIGH SCHOOL
ACTIVITIES ASSOCIATION
Annual Meeting Minutes**

April 19, 2016

T.F. Riggs High School

Pierre, South Dakota

Chairman Dr. Jason Uttermark called the meeting to order at 2:00 p.m. and declared that a count of the delegate cards indicated that a quorum (ten schools) was present and the meeting was declared officially open. This was followed by the Pledge of Allegiance.

Delegate cards presented showed representation from the following schools:

Aberdeen Central	Faith	Parkston	Spearfish
Avon	Harding County	Rapid City Central	St Thomas More
Baltic	Huron	Sanborn Central	Sturgis Brown
Belle Fourche	Jones County	SF Lincoln	Tri-Valley
Brandon Valley	Langford Area	SF New Tech	Watertown
Brookings	Lemmon	SF Roosevelt	West Central
Canton	Madison	SF Washington	White River
Dakota Valley	Mitchell	Sioux Valley	

Dr. Uttermark was present to represent the SDHSAA Board of Directors. Representing the SDHSAA staff were Wayne Carney, Jo Auch, John Krogstrand, and Brooks Bowman.

Chairman Uttermark designated John Krogstrand as parliamentarian for the 2016 Annual Meeting.

Approval of Minutes of the April 21, 2015 Annual Meeting

Minutes from the April 21, 2015 Annual Meeting were reviewed.

It was moved by Mr. Larry Ball, Jones County High School, seconded by Mr. Kelly Messmer, Harding County High School, to approve the minutes as presented.

A voice vote indicated unanimous approval.

Financial Report from Reinke Gray Wealth Management and Audit Report based upon the 2014-2015 Audit

Mr. Bob Gray of Reinke Gray Wealth Management presented a financial report to the membership. The test results of 2014-2015 audit report disclosed one (1) written audit finding. The finding can be found on pages 3 and 4, in the June 30, 2015, Audit Report which is available on the SDHSAA website. In conjunction with Mr. Dave Schlosser and Mr. Tim Flannery of the SD Department of Legislative Audit, the finding was addressed with an approved corrective action plan.

Following discussion, the Financial Report and Audit Report were unanimously accepted.

Finance Committee Report

Dr. Uttermark, representing the SDHSAA Finance Committee, presented a Finance Committee Report to the membership. Dr. Uttermark emphasized the fact that the Finance Committee recommendations may vary from year to year based on the number of corporate partners and the dollars available for distribution at the end of the current fiscal year.

The report included the following Finance Committee recommendations:

- Pay the catastrophic insurance, dues, and subscription and postage for the 2016-17 school year, and
- Place the remaining amount in the SDHSAA Foundation.

It shall be the goal of the Finance Committee to ensure the CFTF equal 60% of the current operating budget.

The Committee recommends member schools continue to budget in the future for dues, subscription and postage, and catastrophic and participant liability insurance.

It was moved by Superintendent Mike Lodmel, Tri-Valley High School, seconded by Terry Gerber, Canton High School:

To reject the Finance Committees recommendation to “place the remaining amount into the SDHSAA Foundation” and inform the SDHSAA Board of Directors and the SDHSAA Executive Director that it is the intention of the membership that no new dollars be placed into the SDHSAA Foundation for the 2016-17 school year.

Those speaking towards the motion were: Mike Lodmel, Tri-Valley High School, Terry Gerber, Canton High School, Jeff Danielsen, West Central High School, Shayne McIntosh, Parkston High School, Jim Dorman, SF Lincoln High School, and Sandy Klatt, Brandon Valley High School.

Following further discussion, the motion by Mike Lodmel, and the second by Terry Gerber were rescinded.

It was moved by Jeff Danielsen, West Central High School, seconded by Tom Culver, Avon High School, that no ongoing SDHSAA dollars, to include corporate dollars, be put into the SDHSAA Foundation. Sandy Klatt, Brandon Valley High School clarified that donor dollars may still be placed into the Foundation.

The motion passed 26-5.

It was moved by Terry Nebelsick, Huron High School, seconded by Mark Meile, Sioux Falls Public Schools, to accept the recommendation that catastrophic insurance, subscription, postage, and dues be paid for the 2016-2017 school year.

The motion passed unanimously.

Accept Nominations for one position on the SDHSAA Board of Directors

Chairman Uttermark announced that the Chair was ready to receive nominations for the **Division IV Representative**—Representative to be filled by a principal. A principal/ assistant or vice principal is considered a principal and would be eligible only for those seats open to principals. This position is currently held by Ms. Linda Whitney, Superintendent at Sanborn Central High School. The Division IV Representative member may be nominated from any SDHSAA member school with a 2014-2015 ADM from 125.085 to 1.0. The Division IV schools include Hamlin High School with a 2014-2015 ADM of 125.085 to School for the Blind/VI with an ADM of 1.0. Any member school may nominate a person for this position and all member schools have the opportunity to vote. The person elected will serve a five year term on the SDHSAA Board of Directors and unable to run for reelection.

DIRECTORS MEMBERS: “Members of the Board of Directors shall be elected to one five-year term. 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.” This complete section may be found on page eight (8) of the Constitution and Bylaws.

Chairman Uttermark recognized Mr. Tom Culver, Avon High School, who placed the name of Mr. Kelly Messmer, Harding County High School, in nomination.

Chairman Uttermark recognized Mr. Steve Gunderson, Baltic High School, who placed the name of Mr. Jim Aisenbrey, Baltic High School, in nomination.

(UNLESS NOTED OTHERWISE) DIRECTORS MEMBERS: “Members of the Board of Directors shall be elected to one five-year term. 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.” This complete section may be found on page eight (8) of the Constitution and Bylaws.

Introduction of one (1) proposed constitutional amendments as submitted by SDHSAA Board of Directors

Chairman Uttermark spoke in favor of the amendment as published in the 2016 Annual Meeting Bulletin.

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 Bylaws, 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~~ The member school 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~~ **member school** 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~~ **member school** 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 **shall be initiated by the member school** and 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.

Rationale:

- 1) The member school is keenly aware of the facts of the situation and is in a better position to determine if an appeal is warranted.
- 2) This would reduce the emotional side of the appeal brought by someone other than the member school.
- 3) Due process is afforded the individual requesting the appeal and the member school which the student attends.
- 4) As the SDHSAA is a member school organization, the member school should be the party requesting the appeal, not an individual.
- 5) Requests for waivers: eight semester, academic, transfer, athletic open enrollment, etc. must be requested by a member school, not an individual.

Mr. Danielsen requested clarification relative to the member school then making the determination as to whether an appeal should be filed or not. The constitutional amendment clarifies that any appeal, either Level II or Level III, must be requested by the member school.

Hearing no further discussion, Chairman Uttermark explained the following voting procedure:

Explanation of voting procedure and time frame to be followed:

- A. The ballot pertaining to the Board of Directors positions will be mailed to the superintendent of each member school within ten days following the Annual Meeting, April 29, 2016.
- B. Deadline for return of all ballots is Friday, May 25, 2016.

- C. In order to be elected to the Board of Directors, a candidate must receive a majority of the votes cast in the election. If none of the candidates receive a majority, a runoff election will be held immediately following May 25, 2016, between the top two vote getters.
- D. The ballots pertaining to the proposed constitutional amendment will be mailed to the superintendent of each member school within ten days following the Annual Meeting, April 29, 2016.
- E. Deadline for return of all ballots is Wednesday, May 25, 2016.
- F. For a constitutional amendment to pass, it must receive a sixty percent favorable vote of the Association members who cast a ballot.

Past members of the SDHSAA Board of Directors and retiring administrators recognized.

Chairman Uttermark asked all past members of the SDHSAA Board of Directors to please stand and be recognized by those in attendance. Those recognized were Mr. Terry Nebelsick of Huron High School, Mr. Craig Nowotny of St. Thomas More High School, Mr. Larry Ball, Jones County High School, Mr. Gene Brownell, Aberdeen Central High School, Mr. Eldon Marshall, White River High School, Mr. Darren Paulson, Rapid City Central High School, and Mr. Clay Anderson of Belle Fourche High School.

Chairman Uttermark asked all retiring school administrators, to please stand and be recognized by those in attendance. Mr. Jim Dorman, SF Lincoln High School and Ms. Linda Whitney, Sanborn Central High School were recognized for their years of service to the youth of the state.

It was moved by Terry Nebelsick, Huron High School, seconded by Larry Ball, Jones County High School, to thank Linda Whitney for her years of service on the SDHSAA Board of Directors.

A voice vote indicated unanimous approval.

Other Business

Being no further business, it was moved by Mr. Darren Paulson, Rapid City Central High School, seconded by Mr. Craig Nowotny, St. Thomas More High School, to adjourn at 3:15 p.m.

A voice vote indicated unanimous approval.

Respectfully submitted,



Wayne Carney
Executive Director