



**SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION
ANNUAL MEETING OF THE SDHSAA MEMBERSHIP
SDHSAA OFFICE BUILDING**

April 12, 2022

11:00 a.m.

Pierre, South Dakota

The SDHSAA membership held its annual meeting on April 12, 2022 at the SDHSAA office in Pierre, with a Zoom option for membership attendance. The meeting was called to order by SDHSAA Executive Director Dr. Daniel Swartos at 11:01 a.m..

Representing the SDHSAA staff in the SDHSAA office were Dr. Dan Swartos, Mr. Randy Soma, Ms. Jo Auch, Mr. Ryan Mikkelsen, and Mr. Aaron Magnuson.

Item #1-Determine that a quorum is present

Dr. Swartos took a count of represented schools and determined that the threshold of ten (10) member schools was present, with the following 22 schools represented:

- | | | | | |
|----------------------|------------------|---------------|--------------|---------------|
| Elk Point- Jefferson | Aberdeen Central | Wakpala | Avon | Groton |
| Harding County | Mt. Vernon | Huron | SF Lincoln | Spearfish |
| RC Central | Lakota Tech | SF IPC | Watertown | SF Roosevelt |
| Madison | Brookings | SF Washington | Sully Buttes | Irene-Wakonda |
| Hanson | RC Stevens | | | |

Item #2-Approval of the Agenda

It was moved by Terry Rotert, Huron High School seconded by Marty Weismantel, Groton High School to approve the agenda as presented.

The motion carried 22-0.

Item #3-Designate a parliamentarian for the meeting

Motion by Kelly Messmer, Harding County High School, seconded by Tom Culver, Avon High School, to designate Mr. Randy Soma of the SDHSAA as parliamentarian.

The motion carried 22-0.

Item #4-Approval of the minutes of the April 20, 2021 Annual Meeting

It was moved by Eric Denning, Mt. Vernon High School, seconded by Derek Barrios, Elk Point-Jefferson High School, to approve the minutes of the April 20, 2021 minutes of the SDHSAA Annual Meeting as presented.

Motion Carried 22-0.

Item #5- Financial Report:

Mr. Brad Reinke of Reinke-Gray Wealth Management presented an overview of the SDHSAA financial position to the membership.

It was moved by Tom Culver, Avon High School, seconded by Barry Mann, Wakpala High School, to approve the financial report as presented.

Motion carried 22-0.

Item #6- Accept Nominations from the floor for Board of Directors positions, beginning July 1, 2022

Dr. Swartos announced that he was ready to receive nominations for the **Division II Representative**- to be filled by a Superintendent. This position is currently held by Terry Rotert of Huron High School. The Division II representative may be nominated from any SDHSAA member school with a 2021-22 enrollment count of 1042 (Brandon Valley) to 543 (O’Gorman). The position must be filled by a Superintendent. **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 is unable to run for re-election.

Dr. Swartos recognized Mr. Craig Boyens, Watertown High School, who placed the name of Dr. Jeff Danielsen, Watertown School District, in nomination.

Hearing no more nominations, Dr. Swartos declared nominations closed.

Item #7- Introduction of one (7) proposed constitutional amendment as submitted by SDHSAA staff

Executive Director Dr. Daniel Swartos spoke in favor of all seven proposed amendments as published in the 2021 Annual Meeting agenda and bulletin.

It was moved by Marty Weismantel, Groton High School , seconded by Derek Barrios, Elk Point-Jefferson High School, to send the proposed constitutional amendment to the membership for vote.

Motion carried 22-0.

Item #8- Explanation of voting procedures and time frame to be followed.

Dr. Swartos explained the following voting procedures:

- The ballot pertaining to the Board of Directors positions will be e-mailed to the Superintendent of each member school within ten days following the Annual meeting- April 22, 2022.
- Deadline for return of all ballots is May 31, 2022.
- The ballots pertaining to the proposed constitutional amendment will be e-mailed to the Superintendent of each member school within ten days following the Annual Meeting- April 22, 2022.
- Deadline for return of all ballots is May 31, 2022.
- For a constitutional amendment to pass, it must receive a sixty percent favorable vote of the Association members who cast a ballot.

Item #9- Recognition of all past members of the SDHSAA Board of Directors and retiring administrators

Dr. Swartos asked all past members of the SDHSAA Board of Directors and any retiring administrators to be recognized.

Item #10-Member Comments

Dr. Swartos asked if there were any comments from member schools in the crowd. No comments were given.

Item #11- Any other business that the membership and/or Board of Directors might wish to consider

Dr. Swartos asked if there was any other business. No other business was raised.

Item #12- Adjournment

It was moved by Tom Culver, Avon High School, seconded by Mark Murphy, Aberdeen Central High School, to adjourn.

Dr. Swartos declared the Annual Meeting adjourned at 11:43 A.M.

Respectfully submitted,



Dr. Daniel Swartos
SDHSAA Executive Director



**SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION
2022 OFFICIAL ELECTION BALLOT
DIVISION II REPRESENTATIVE- SUPERINTENDENT
TERM: JULY 1, 2022 TO JUNE 30, 2027**

Division II Representative- To be filled by a SDHSAA member school Superintendent.

This position is currently held by Terry Rotert of Huron high School. The Division II representative may be a Superintendent from any SDHSDAA member school with a 2021-22 ADM from 1042 to 543. The Division II schools include Brandon Valley with a 2021-22 ADM of 1042 to O’Gorman with a 2021-22 ADM of 543. This position must be filled by a Superintendent. **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 is unable to run for re-election in the Division III Representative slot. Member schools in the Division III Representative group include: Brandon Valley, Aberdeen Central, Watertown, Brookings, Mitchell, Yankton, Sturgis Brown, Pierre TF Riggs, Douglas, Huron, Spearfish, and O’Gorman. Aberdeen Central is ineligible due to already having a member on the Board of Directors.

You may vote for one candidate.

The deadline for the return of this ballot is **May 31, 2022.**

Dr. Jeff Danielsen, Watertown

Name of Member School

Date

Signature (Superintendent or Principal)

Signature (School Board President)

Unless there are TWO signatures, this ballot will be unacceptable and declared void.



SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

2022 OFFICIAL AMENDMENT BALLOT

The deadline for the return of this ballot is **May 31, 2022**. In order to pass, a proposal must receive a 60% favorable vote. Please refer to the accompanying document for the text of the amendment and the rationale that was given at the Annual Meeting of the Board of Directors.

AMENDMENT NO. 1

Yes

No

Name of Member School

Date

Signature (Superintendent or Principal)

Signature (School Board President)

Unless there are TWO signatures, this ballot will be unacceptable and declared void.

BALLOTS DUE: May 31, 2022

**SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION PROPOSED
AMENDMENTS TO CONSTITUTION AND BYLAWS**

AMENDMENT NO. 1

Amend Article III, Section 1 of the SDHSAA Constitution as such:

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 Bylaws; (2) designating its official representative; ~~and~~ (3) having the ~~principal (or superintendent)~~ **Superintendent (or Chief Executive Officer) and Board of Education** of the high school subscribe in writing to this Constitution and Bylaws; ~~(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.

Rationale: This changes the language to reflect actual practice. We do not require any initial membership fee, and the annual resolution authorizing membership in the SDHSAA is signed by the School District Superintendent and Board of Education.



SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

2022 OFFICIAL AMENDMENT BALLOT

The deadline for the return of this ballot is **May 31, 2022**. In order to pass, a proposal must receive a 60% favorable vote. Please refer to the accompanying document for the text of the amendment and the rationale that was given at the Annual Meeting of the Board of Directors.

AMENDMENT NO. 2

Yes

No

Name of Member School

Date

Signature (Superintendent or Principal)

Signature (School Board President)

Unless there are TWO signatures, this ballot will be unacceptable and declared void.

BALLOTS DUE: May 31, 2022

**SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION PROPOSED
AMENDMENTS TO CONSTITUTION AND BYLAWS**

AMENDMENT NO. 2

Amend Article III, Section 3 of the SDHSAA Constitution as such:

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. (By Board Action in the 2020-21 school year, the SDHSAA has suspended membership dues and fees, beginning in FY2022.)

Rationale: Reflects board action, as recommended by SDHSAA staff, beginning in FY2022. If reinstatement of membership dues is financially necessary in the future, the membership and Board of Directors will have an opportunity by policy to decide on the structure of those dues.



SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

2022 OFFICIAL AMENDMENT BALLOT

The deadline for the return of this ballot is **May 31, 2022**. In order to pass, a proposal must receive a 60% favorable vote. Please refer to the accompanying document for the text of the amendment and the rationale that was given at the Annual Meeting of the Board of Directors.

AMENDMENT NO. 3

Yes

No

Name of Member School

Date

Signature (Superintendent or Principal)

Signature (School Board President)

Unless there are TWO signatures, this ballot will be unacceptable and declared void.

BALLOTS DUE: May 31, 2022

**SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION PROPOSED
AMENDMENTS TO CONSTITUTION AND BYLAWS**

AMENDMENT NO. 3

Amend Article VII, Section 3, Subsection J of the SDHSAA Constitution as such:

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 (87) any other circumstance of a similar serious nature.

Rationale: NCLB no longer exists, and there are no feasible reasons by which a student would need a waiver of the transfer rule due to ESSA. This was used in the past when students had completed the entirety of available course offerings within a school. With distance learning and dual credit possibilities due to technological advancements, this reason for hardship is no longer needed.



SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

2022 OFFICIAL AMENDMENT BALLOT

The deadline for the return of this ballot is **May 31, 2022**. In order to pass, a proposal must receive a 60% favorable vote. Please refer to the accompanying document for the text of the amendment and the rationale that was given at the Annual Meeting of the Board of Directors.

AMENDMENT NO. 4

Yes

No

Name of Member School

Date

Signature (Superintendent or Principal)

Signature (School Board President)

Unless there are TWO signatures, this ballot will be unacceptable and declared void.

BALLOTS DUE: May 31, 2022

**SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION PROPOSED
AMENDMENTS TO CONSTITUTION AND BYLAWS**

AMENDMENT NO. 4

Amend Article VII, Section 10 of the SDHSAA Constitution as Such:

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

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 **Superintendent/CEO or Board of Education of the** 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 **of the SDHSAA Board of Directors**, 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 n~~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 **Board of Education or the Superintendent/CEO** of the 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 of the decision of the~~ Appeals Committee shall be initiated by the member school and will be to the Board of Directors of the SDHSAA. **The three SDHSAA Board of Directors members involved in the Level Two appeal shall not participate in the Level Three appeal.** 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, **unless it is agreed upon by the Board of Directors to hear the appeal in a special meeting due to timeliness of the request.**

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: The Executive Director processes approximately 80-100 hardship requests per year, and a growing number are being appealed to levels two and three without knowledge of the school's Superintendent or Board of Education. In addition, the current level two process relies on a random sampling of three membership administrators to fully understand the SDHSAA constitution and by-laws and puts those administrators in a difficult position. Involving members of the Board of Directors in the Level Two process allows for participation from individuals with a deeper understanding of SDHSAA processes and involves individuals who have been voted in as a Board Member by the SDHSAA membership to represent their interests.



SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

2022 OFFICIAL AMENDMENT BALLOT

The deadline for the return of this ballot is **May 31, 2022**. In order to pass, a proposal must receive a 60% favorable vote. Please refer to the accompanying document for the text of the amendment and the rationale that was given at the Annual Meeting of the Board of Directors.

AMENDMENT NO. 5

Yes

No

Name of Member School

Date

Signature (Superintendent or Principal)

Signature (School Board President)

Unless there are TWO signatures, this ballot will be unacceptable and declared void.

BALLOTS DUE: May 31, 2022

**SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION PROPOSED
AMENDMENTS TO CONSTITUTION AND BYLAWS**

AMENDMENT NO. 5

Add Sub-Subsection 6 to Chapter I, Part IV, Section 1, Subsection D of the SDHSAA By-Laws as such:

6. Alternative Instruction Students: Students receiving alternative instruction satisfy the SDHSAA Scholastic/Academic Eligibility Rule (By-Laws Chapter 1, Part IV, Section 1, Subsection D) through compliance with SDCL 13-27-3 and submission of transcripts per SDCL 13-36-7.

Rationale: This brings us into compliance with changes to SDCL 13-36-7 from the 2021 Legislative Session.



SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

2022 OFFICIAL AMENDMENT BALLOT

The deadline for the return of this ballot is **May 31, 2022**. In order to pass, a proposal must receive a 60% favorable vote. Please refer to the accompanying document for the text of the amendment and the rationale that was given at the Annual Meeting of the Board of Directors.

AMENDMENT NO. 6

Yes

No

Name of Member School

Date

Signature (Superintendent or Principal)

Signature (School Board President)

Unless there are TWO signatures, this ballot will be unacceptable and declared void.

BALLOTS DUE: May 31, 2022

**SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION PROPOSED
AMENDMENTS TO CONSTITUTION AND BYLAWS**

AMENDMENT NO. 6

Amend Chapter I, Part IV, Section 3 of the SDHSAA By-Laws as such:

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. **7th and 8th grade students satisfy SDHSAA scholastic standards via compliance with SDCL 13-27-3 and submission of transcripts per SDCL 13-36-7.**

Rationale: This brings us into compliance with changes to SDCL 13-36-7 from the 2021 Legislative Session.



SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

2022 OFFICIAL AMENDMENT BALLOT

The deadline for the return of this ballot is **May 31, 2022**. In order to pass, a proposal must receive a 60% favorable vote. Please refer to the accompanying document for the text of the amendment and the rationale that was given at the Annual Meeting of the Board of Directors.

AMENDMENT NO. 7

Yes

No

Name of Member School

Date

Signature (Superintendent or Principal)

Signature (School Board President)

Unless there are TWO signatures, this ballot will be unacceptable and declared void.

BALLOTS DUE: May 31, 2022

SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION PROPOSED AMENDMENTS TO CONSTITUTION AND BYLAWS

AMENDMENT NO. 7

Submitted By: SDHSAA Native American Advisory Council and SDHSAA Staff

Proposal: Amend Article III, Section 2 of the SDHSAA Constitution as Such-

SECTION 2. BASIS FOR CLASSIFICATION BY ENROLLMENT. ~~When m~~Member schools are classified according to enrollment for participation in the various athletic or fine arts activities sponsored by the Association; reflective of actual figures collected by the South Dakota Department of Education on the last Friday in September of each reclassification/alignment year ~~will be utilized to establish classifications.~~ **In addition to actual figures collected by the South Dakota Department of Education, a Free and Reduced Lunch Multiplier shall be utilized to adjust enrollment counts dependent upon the reported percentage of students in grades 9-12 at each school who qualify for Free and Reduced Lunch according to the South Dakota Department of Education per Federal guidelines. The free and reduced lunch percentage shall be multiplied by 30%, and the resulting percentage will be used to reduce the enrollment count of the school, with a maximum multiplier reduction of 30%. The resulting enrollment count with multiplier shall be used as the official enrollment number of the school when determining classifications. Special programs utilized by the Federal Government whereby a school is classified on an other than annual basis may be considered by the Board of Directors (i.e.-Community Food Programs, etc).** Reclassification and alignments for all sports and fine arts activities shall be done at the same time so that the two-year periods are concurrent for all activities.

Rationale: We have a number of schools on the line between classifications with large populations of students who qualify for Free and Reduced Lunch. In general, those schools and students have severe discrepancies in access to equipment and school/personal access to outside training opportunities as compared to similar sized schools with low populations of students who qualify for Free and Reduced Lunch. This multiplier is used in several other states, and free and reduced lunch percentage has been widely accepted as a major factor in athletic/activity success. This multiplier would allow those schools to remain in a classification level that most appropriately reflects their opportunities.

Formula (example using FRLP of 85% and enrollment of 400):

- Step 1- multiply 30 by FRLP. (ex- $30 \times 0.85 = 25.5$)
- Step 2- subtract resulting number from 100 and change to a percentage (ex- $100 - 25.5 = 74.5$, change to 74.5% or .745)
- Step 3- Multiply Enrollment number by the Step 2 percentage (ex- $400 \times .745 = 298$)

Examples:

- School 1: 9-11 Enrollment 400, FRLP 100%, multiplier of 30%, adjusted enrollment 280.
- School 2: 9-11 Enrollment 400, FRLP 50%, multiplier of 15%, adjusted enrollment 340
- School 3: 9-11 Enrollment 400, FRLP 70%, multiplier of 21%, adjusted enrollment 316
- School 4: 9-11 Enrollment 400, FRLP 30%, multiplier of 9%, adjusted enrollment 364.
- School 5: 9-11 Enrollment 400, FRLP 85%, multiplier of 25.5%, adj. enrollment 298.