



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

April 17, 2024

11:00 a.m.

Pierre, South Dakota

The SDHSAA membership held its annual meeting on April 17, 2024 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 11:00 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 23 schools represented:

Mt. Vernon	Harding County	Groton Area	Watertown	Madison
Pierre TF Riggs	Harrisburg	Ipswich	Lead-Deadwood	McCook Central
Sioux Valley	Huron	West Central	Beresford	Dakota Valley
Elk Point-Jefferson	Tea Area	Lakota Tech	Lemmon	Rapid City Central
Douglas	Lower Brule	St. Francis		

Item #2-Approval of the Agenda

It was moved by Adam Shaw, Madison High School seconded by Marty Weismantel, Groton Area High School to approve the agenda as presented.

The motion carried 23-0.

Item #3-Designate a parliamentarian for the meeting

Dr. Swartos designated Randy Soma of SDHSAA as the meeting parliamentarian.

Item #4-Approval of the minutes of the April 12, 2023 Annual Meeting

It was moved by Kelly Messmer, Harding County High School, seconded by Eric Denning, Mt. Vernon High School, to approve the minutes of the April 12, 2023 minutes of the SDHSAA Annual Meeting as presented.

Motion Carried 23-0.

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 Dr. Jeff Danielsen, Watertown High School, seconded by Dani Walking Eagle, St. Francis High School, to approve the financial report as presented.

Motion carried 23-0.

Item #6- Accept Nominations from the floor for Board of Directors positions, beginning July 1, 20204

Dr. Swartos announced that he was ready to receive nominations for the **West River At-Large Representative**- to be filled by a Superintendent. This position is currently held Kelly Messmer of Harding County High School. The West River At-Large representative may be nominated from any SDHSAA member school with a high school physically located West of the Missouri River. 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 Marty Weismantel, Groton Area High School, who placed the name of Chris Long, Lyman School District, in nomination.

Dr. Swartos recognized Kelly Messmer, Harding County High School, who placed the name of Kelly Daughters, Faith School District, in nomination.

Dr. Swartos recognized Paul Nepodal, Lead-Deadwood High School, who placed the name of Dr. Erik Person, Lead-Deadwood School District, in nomination.

Dr. Swartos recognized Dr. Jeff Danielsen, Watertown High School, who placed the name of Mark Naugle, Custer School District, in nomination.

Dr. Swartos recognized Jordan Bauer, Rapid City Central High School, who placed the name of Cory Strasser, Rapid City School District, in nomination.

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

Dr. Swartos announced that he was ready to receive nominations for the **Native American At-Large Representative**- to be filled by an Athletic/Activity Director. This position is currently held by Dani Walking Eagle of St. Francis High School. The Native American At-Large Representative may be nominated from any SDHSAA member school with a student population made up of at least 50% students who are Native American. **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 Lance Witte, Lower Brule High School, who placed the name of Chuck Wilson, Todd County High School, in nomination.

Dr. Swartos recognized Marty Weismantel, Groton Area High School, who placed the name of Rich Crow Eagle, Tiospa Zina High School, in nomination.

Dr. Swartos recognized Trent Osborne, Ipswich High School, who placed the name of Francis Big Crow, Lakota Tech High School, in nomination.

Dr. Swartos recognized Kelly Messmer, Harding County High School, who placed the name of Tre'voun Buffalo, Wakpala High School, in nomination.

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

Sample ballots are found in Appendix A

Item #7- Introduction of one (1) proposed constitutional amendment as submitted by SDHSAA staff

Executive Director Dr. Daniel Swartos spoke in favor of the proposed amendment as published in the 2024 Annual Meeting agenda and bulletin.

It was moved by Adam Shaw, Madison High School, seconded by Randy Hartmann, Pierre TF Riggs High School, to send constitutional amendment #1 to the membership for vote.

Motion carried 23-0

Sample ballot can be found in Appendix B

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 27, 2024.
- Deadline for return of all ballots is May 31, 2024.
- 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 27, 2024.
- Deadline for return of all ballots is May 31, 2024.
- 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 further comments from the membership were offered.

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 Marty Weismantel, Groton Area High School, second by Eric Denning, Mt. Vernon High School, to adjourn. *Motion carried 23-0.*

There being no further business, Dr. Swartos declared the Annual Meeting adjourned at 11:35 A.M..

Respectfully submitted,

A handwritten signature in cursive script that reads "Daniel Swartos".

Daniel Swartos, Ed.D.
SDHSAA Executive Director



**SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION
2024 OFFICIAL ELECTION BALLOT
West River At-Large Representative
TERM: JULY 1, 2024 TO JUNE 30, 2029**

West River At-Large Representative- To be filled by a **Superintendent.**

This position is currently held by Kelly Messmer of Harding County High School. The West River At-Large Representative may be a Superintendent from any SDHSAA member school whose high school is physically located west of the Missouri River. 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 West River At-Large Representative slot.

You may vote for **one** candidate.

The deadline for the return of this ballot is **May 31, 2024.**

- Kelly Daughters, Faith School District**
- Chris Long, Lyman School District**
- Mark Naugle, Custer School District**
- Erik Person, Lead-Deadwood School District**
- Cory Strasser, Rapid City School District**

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
2024 OFFICIAL ELECTION BALLOT**

**Native American At-Large Representative
TERM: JULY 1, 2024 TO JUNE 30, 2029**

Native American At-Large Representative- To be filled by an **Activities Director**.

This position is currently held by Dani Walking Eagle of St. Francis High School. The Native American School representative may be an Athletic/Activity Director from any SDHSAA member school with a student population made up up at least 50% Native American student population. This position must be filled by an Athletic/Activities Director. **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 Native American At-Large Representative slot.

You may vote for **one** candidate.

The deadline for the return of this ballot is **May 31, 2024**.

- Francis Big Crow, Lakota Tech High School**
- Tre’voun Buffalo, Wakpala High School**
- Rich Crow Eagle, Tiospa Zina High School**
- Chuck Wilson, Todd County High School.**

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.



APPENDIX B

SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

2024 OFFICIAL AMENDMENT BALLOT

The deadline for the return of this ballot is **May 31, 2024**. 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

To Amend Chapter II, Part I, Section 6 (Amateur Standing) of the SDHSAA By-Laws

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, 2024

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

Amend Chapter II, Part I, Section 6 of the SDHSAA By-Laws as such:

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~~ **sanctioned** 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. Receiveds remuneration for coaching any SDHSAA ~~approved~~ **sanctioned** 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.~~

Name, Image, and Likeness: A student may receive remuneration for the use of their name, picture, likeness, and/or personal appearance provided that:

- 1. The activities do not interfere with the student's academic obligations.
- 2. The remuneration is not tied to athletic performance (pay for play).
- 3. The remuneration is not used as an inducement to attend a particular school or transfer to a particular school.
- 4. The remuneration is not provided by the school or agents associated with the school (i.e.- Booster Clubs, Foundations).
- 5. SDHSAA or member school marks or logos may not be used in any activity where the student receives remuneration for the use of name, picture and/or personal appearance, nor shall the SDHSAA or member school name/mascot be referenced in the activity.
- 6. Member school uniform may not be used (worn, displayed, or otherwise) in the activity.
- 7. Clothing or equipment with the member school or SDHSAA logo may not be used in the activity.
- 8. Member school facilities may not be used in the activity.
- 9. SDHSAA or member school awards/trophies may not be displayed or referenced in the activity.
- 10. The student shall not promote or endorse activities associated with alcohol, tobacco, vaping, controlled substances, gambling, banned athletic substances, or other illegal substances/activities.
- 11. Member schools may not arrange, develop, or promote the relationship between the student and the involved entity.

Further considerations:

- International students are advised to consult US Visa and immigration laws, as well as laws in their home country, prior to engaging in any agreement.
- It is recommended that students and families seek legal counsel and tax advice on any remuneration received.
- It is the responsibility of the student and student's family to contact the NCAA, NAIA, NJCAA, or any other applicable post-secondary institution they may be considering to review the rules and ensure they are not jeopardizing post-secondary eligibility.
- Students may use professional NIL services for advice, representation, and marketing. However, that professional service may not be an employee or private contractor of the member school or school affiliated organization (i.e.- Booster Clubs, Foundations).

Amateur eligibility status is not affected under the following:

- A. If a student receives a stipend/fee for officiating a sport ~~recognized~~ **sanctioned** by the SDHSAA.
- B. If his/her name or picture, or a team picture appears on a commercial profit-making venture so 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.

Rationale: Current SDHSAA rules declare that a student cannot profit from their name, picture, and/or personal appearance “as an athlete”. This attempts to clarify the phrase “as an athlete” and set clear delineations for what is and is not allowed. This is a mix of policies from states surrounding South Dakota. In addition, we have replaced the terms “sponsored”, “approved”, and “recognized” elsewhere in the policy with the term “sanctioned” for consistency.