

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

299W0188

SENATE BILL NO. 125

Introduced by: Senator Rave and Representatives Westra and Otten (Herman)

1 FOR AN ACT ENTITLED, An Act to revise the minimum suspension requirements for
2 students participating in extracurricular activities.

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

4 Section 1. That § 13-32-9.2 be amended to read as follows:

5 13-32-9.2. If a suspension is reduced pursuant to § 13-32-9, a suspension for a first offense
6 shall make the student ineligible for a minimum of two South Dakota High School Activities
7 Association sanctioned events ~~upon completion of the reduced suspension period.~~ If two
8 sanctioned events for which the student is ineligible do not take place within the reduced
9 suspension period, the student's suspension remains in effect until two sanctioned events for
10 which the student is ineligible have taken place. If a suspension is reduced pursuant to § 13-32-
11 9, a suspension for a second offense shall make the student ineligible for a minimum of six
12 South Dakota High School Activities Association sanctioned events ~~upon completion of the~~
13 ~~reduced suspension period.~~ If six sanctioned events for which the student is ineligible do not
14 take place within the reduced suspension period, the student's suspension remains in effect until
15 six sanctioned events for which the student is ineligible have taken place. To count toward the



1 minimum number of events, the student must participate in the entire activity season and may
2 not drop out or quit the activity to avoid suspension and the failure of a student to complete the
3 entire activity season shall result in the student being ineligible for one year from the date of
4 adjudication, conviction, the subject of an informal adjustment or court approved diversion
5 program, or the subject of a suspended imposition of sentence or suspended adjudication of
6 delinquency. A suspension that is not completed by the student during one activity season shall
7 carry over to the next activity season in which the student participates. In addition, a suspension
8 that is reduced pursuant to § 13-32-9 is only in effect during the South Dakota High School
9 Activities Association's activity year, which begins on the first day of its first sanctioned event
10 and concludes on the last day of its last sanctioned event. A reduced suspension that is not
11 completed by the end of one activity year shall carry over to the next activity year.

12 A suspension begins on ~~the~~:

13 (1) The day following the notification to a school administrator by the Unified Judicial
14 System that a student has been adjudicated, convicted, the subject of an informal
15 adjustment or court approved diversion program, or the subject of a suspended
16 imposition of a sentence or a suspended adjudication of delinquency for possession,
17 use, or distribution of controlled drugs, substances, or marijuana as defined in chapter
18 22-42, or for ingesting, inhaling, or otherwise taking into the body any substance
19 prohibited by § 22-42-15 and the school administrator gives notice to the South
20 Dakota High School Activities Association and the students; or

21 (2) The day following the student's admission to a school administrator that the student
22 committed an offense enumerated in subdivision (1), which shall be made with the
23 student's parent or guardian present if the student is an unemancipated minor, and the
24 school administrator gives notice to the South Dakota High School Activities

1 Association.