

# State of South Dakota

NINETY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2017

943Y0501

## SENATE BILL NO. 125

Introduced by: Senators Heinert, Bolin, Frerichs, Killer, Maher, Nesiba, and Rusch and  
Representatives Bordeaux, Bartling, Lesmeister, May, Otten (Herman), and  
Schaefer

1 FOR AN ACT ENTITLED, An Act to revise the list of organizations that may approve and  
2 accredit a nonpublic school.

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

4 Section 1. That § 13-36-4 be amended to read:

5 13-36-4. The school board of a public school, approved and accredited by the secretary of  
6 the Department of Education, may delegate, on a year to year basis, the control, supervision, and  
7 regulation of any high school interscholastic activities to any association which is voluntary and  
8 nonprofit if:

9 (1) Membership in ~~such~~ the association is open to all high schools approved and  
10 accredited pursuant to this section, including any school that allows participation by  
11 students receiving alternative instruction as set forth in § 13-27-3, pursuant to the  
12 provisions of this title;

13 (2) The constitution, bylaws, and rules of the association are subject to ratification by the  
14 school boards of the member public school districts and the governing boards of the



1 member nonpublic schools and include a provision for a proper review procedure and  
2 review board;

3 (3) The report of any audit required by § 13-26-5 is made public on the association's  
4 website as well as the Department of Legislative Audit's website;

5 (4) The association complies with the provisions of chapter 1-25 and chapter 1-27.  
6 However, ~~any such~~ the association, and its employees, meetings, and records, are  
7 afforded the same exemptions and protections as a political subdivision or public  
8 body is provided under chapter 1-25 and chapter 1-27; and

9 (5) The association shall report to the Government Operations and Audit Committee  
10 annually, or at the call of the chair.

11 The governing body of a nonpublic school, approved and accredited by the secretary of the  
12 Department of Education, or the North Central Association Commission on Accreditation and  
13 School Improvement (NCA CASI), or the Association of Christian Schools International  
14 (ACSI), or the Association of Classical and Christian Schools (ACCS), or Christian Schools  
15 International (CSI), or National Lutheran School Accreditation (NLSA), or Commission for  
16 Oceti Sakowin Accreditation (COSA), or Wisconsin Evangelical Lutheran Synod School  
17 Accreditation, may also delegate, on a year to year basis, the control, supervision, and regulation  
18 of any high school interscholastic activities to any association which is voluntary and nonprofit  
19 if membership in ~~such~~ the association is open to all high schools approved and accredited  
20 pursuant to this section, including any school that allows participation by students receiving  
21 alternative instruction as set forth in § 13-27-3, pursuant to the provisions of this title, and if the  
22 constitution, bylaws, and rules of the association are subject to ratification by the school boards  
23 of the member public school districts and the governing boards of the member nonpublic  
24 schools and include a provision for a proper review procedure and review board.

1 Any association which complies with this section may exercise the control, supervision, and  
2 regulation of interscholastic activities, including interscholastic athletic events of member  
3 schools. ~~Such~~ The association may promulgate reasonable uniform rules; to make decisions and  
4 to provide and enforce reasonable penalties for the violation of ~~such~~ the rules.