

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

187Z0672

## SENATE EDUCATION ENGROSSED NO. **SB 148** - 2/6/2018

Introduced by: Senators Heinert, Cronin, Frerichs, Kennedy, Killer, Nelson, Nesiba, Peters, Stalzer, and Sutton and Representatives Bordeaux, Ahlers, Bartling, Hawley, and Lesmeister

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