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MINUTES  
SDHSAA Interim Committee

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Senator Craig Tieszen, Chair  
Representative Jim Bolin, Vice Chair

Second Meeting  
2015 Interim  
August 20, 2015

Room 412  
State Capitol  
Pierre, South Dakota

The second meeting of the South Dakota High School Activities Association Interim Committee was called to order by **Senator Craig Tieszen** at 10:00 a.m. (CDT) in room 412 of the State Capitol.

A quorum was determined with the following members answering the roll call: Senator Craig Tieszen, Chair; Representative Jim Bolin, Vice Chair; Senators Jim Bradford, Larry Tidemann, and Bill Van Gerpen; and Representatives Julie Bartling, Roger Hunt, Kris Langer, Tim Rounds, Tona Rozum (via telephone), and Kyle Schoenfish.

Staff members present included Ms. Roxanne Hammond, Legislative Attorney; Ms. Clare Charlson, Principal Research Analyst; Mr. Jason Simmons, Senior Fiscal Analyst; and Ms. Cindy Tryon, Senior Secretary.

*NOTE: For purpose of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents distributed at the meeting are attached to the original minutes on file in the Legislative Research Council office. This meeting was web cast live. The archived web cast is available at the LRC web site at <http://legis.sd.gov>.*

### Approval of Minutes

**REPRESENTATIVE ROUNDS MOVED, SECONDED BY SENATOR TIDEMANN, TO APPROVE THE MINUTES OF THE JUNE 26, 2015, MEETING OF THE SDHSAA INTERIM COMMITTEE. Motion prevailed on a voice vote.**

### Overview of Transgender Policies and Legal Issues throughout the Country

**Ms. Roxanne Hammond, Legislative Attorney**, distributed a document, "Understanding Transgender Protection and the Law," listing case law and detailing the NCAA policy regarding transgender participants ([Document #1](#)).

Ms. Hammond cited Title IX, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

In addition, Title VII of the Civil Rights Act of 1965, "Prohibits employment discrimination based on race, color, religion, sex, and national origin."

Ms. Hammond then went through examples of case law related to this issue which can be seen in more detail in Document #1:

*Price Waterhouse v. Hopkins (1989)* – established the Price Waterhouse Theory, which provides that discrimination based on sex can occur when the discrimination is based on gender non-conformity.

*Cruzan v. Special School District (2002), 8<sup>th</sup> Circuit* – Cruzan sued the school district because she did not feel it was appropriate to share the women's bathroom with a transgender female coworker. The court ruled against Ms. Cruzan.

*Glenn v. Brumby (2011), 11<sup>th</sup> Circuit* – Glenn sued when she was fired from the Office of Legislative Council while transitioning from male to female. The court found that discriminating against someone on the basis of his/her gender non-conformity constitutes sex-based discrimination under the Equal Protection Clause (but only applies to government entities).

Ms. Hammond explained that this finding applies to government entities, and schools have been considered government entities. The equal protection clause is probably the greatest tool a transgender student would have when suing a school.

**Representative Julie Bartling** asked if this determination only applies to the 11<sup>th</sup> Circuit. Ms. Hammond said that she assumes so as she is not aware of any such finding by the Supreme Court. However, the 8<sup>th</sup> Circuit could use this as precedent even though it was decided in the 11<sup>th</sup> Circuit.

*Wolfe v. Fayetteville, Arkansas School District (2011), 8<sup>th</sup> Circuit* – The court found in favor of the school district stating that Wolfe did not fulfill the requirements for proving he was harassed or discriminated against based on his sex or failure to conform with gender stereotypes.

*Eure v. Sage Corp (2014), TX District Court* – According to the judge, the courts have not determined that transgender is a protected class, but that does not prevent someone from filing a discrimination case under Title VII. However, under the Price Waterhouse doctrine, the plaintiff must show gender stereotyping based on discrimination is based on the perceived non-conformity with gender stereotypes. Because the plaintiff failed to prove the discrimination, the complaint was dismissed.

*Grimm v. Gloucester County School Board (2015) District Court, Virginia* – A transgender male, born as a female but presenting as a male, used the male restrooms for several weeks but was told that a new policy meant that he had to use the female or gender neutral bathrooms. He sued for discrimination. The Title IX claim was dismissed, but the Equal Protection claims are scheduled for hearing.

*Tooley v. Van Buren Public Schools, et al. (2015)* – A transgender male alleges that the defendants denied him equal treatment and benefits by denying him use of the men's restroom at school. Currently scheduled for a hearing.

*Johnston v. University of Pittsburgh (2015), Pennsylvania* – Transgender male using the male locker rooms and bathrooms was asked to stop doing so. He was expelled after continuing to use them and sued for discrimination under Title IX. The judge dismissed the case.

**Representative Jim Bolin** asked if transgender is mentioned in any federal law or statute. Ms. Hammond replied that thus far she has only seen it used in federal employment regulations.

**Senator Bill Van Gerpen** commented that there does not seem to be a definition of gender found with the federal or state government. He added that gender needs to have a definition.

**Representative Roger Hunt** pointed out that the U.S. Supreme Court has made a condition of right to privacy and asked Ms. Hammond if she sees that entering into the discussion regarding

transgender. Ms. Hammond responded that this could be an argument made on either side, but that she has not yet seen it used in any of these cases.

Ms. Hammond then presented the NCAA Policy on transgender student-athlete participation which can be found in Document #1.

**Representative Tim Rounds** asked if the SD Board of Regents has a policy regarding transgender athletes. Mr. John Krogstrand with the SD High School Activities Association said that the Board of Regents typically follows the NCAA guidelines regarding participation in athletics.

### **South Dakota High School Activities Association Presentation**

**Mr. John Krogstrand, Assistant Executive Director, SDHSAA**, gave an informational PowerPoint presentation regarding the SDHSAA's transgender policy ([Document #2](#)). The first part of Mr. Krogstrand's PowerPoint presentation explains how the SDHSAA's transgender policy was created and evolved to the policy they have today.

A question from a SDHSAA member school in 2013 regarding a transgender student who would soon be entering high school was the catalyst to the discussion on a transgender policy. The Chair and Vice Chair of the SDHSAA asked the staff to study the topic and make a presentation of their findings at the August 2013 Board of Directors meeting. At that meeting, the staff was directed to continue their research regarding transgender policies in other states and national organizations.

At the June 11, 2014, SDHSAA Board of Directors meeting, the policy allowing for a student to file an eligibility request for consideration to the Gender Identification Committee comprised of healthcare officials with training in transgender health was adopted. The second level of appeal could be made to the SDHSAA Board of Directors by the individual filing the original eligibility request, and/or the school.

This policy continues to evolve and a revised policy has been written based on a survey that was sent to all member schools in May of 2015. This proposed policy will be voted on at the next SDHSAA Board meeting, and proposes an independent hearing officer who would look at the legitimacy of the claim and then render a decision.

Mr. Krogstrand added that consistency for the student is important. The student should not be treated as one gender during the school day and then another gender for school activities taking place outside of the classroom. The revised policy would allow a school to submit an application that allows schools to have a consistent approach on the issue.

**Mr. Steve Morford, President of the SD Principal's Association, Vice Chair of the SD School Administrators Association, and Vice Chair of the SDHSAA**, Spearfish, talked to the committee about this issue from a Principal's viewpoint. Mr. Morford said that it is a top priority to make sure every student feels safe when they enter the school doors. He added that every student should be allowed to be involved in activities and feel safe doing so. He continued saying that sometimes personal beliefs have to be set aside in order to make sure every student is protected. There are policies set by law and all schools must abide by those. Mr. Morford believes the policy adopted by the SDHSAA regarding transgender students leads the schools to make sure all students are treated fairly.

Senator Van Gerpen mentioned the substance abuse policy set by the legislature that all schools must abide by and asked Mr. Morford if he would be open to the legislature also setting policy

regarding transgender students. Mr. Morford said that setting such policy through legislation makes his job easier because he has to follow the law.

**Ms. Julie Hewitt, Rapid City Christian School**, said that the Rapid City Christian School is the reason there is a religious exemption with SDHSAA. She said that they believe that gender should be defined by what is on the birth certificate. The school will play against schools with transgender students but will not allow a transgender student from their school to participate in school activities.

Ms. Hewitt asked for the committee's help in addressing what is for her a moral issue; she does not want her daughter in a locker room with a transgender student.

**Ms. Lindsey Riter-Rapp, Legal Counsel for the SDHSAA**, said that the Board had addressed the locker room issue but then decided to remove it from the policy and allow those types of decisions to be made on the local level. The competitive advantages/disadvantages are addressed in the policy. A new policy is in process of being drafted and that will include an independent officer who would look into each request made on behalf of a transgender student. In response to questions from Representative Hunt, Ms. Riter-Rapp explained that the details regarding the selection and requirements for the independent officer have not been finalized.

Representative Hunt presented a letter from Mr. Dale Bartscher, Executive Director, Family Heritage Alliance Action ([Document #3](#)). Representative Hunt asked if the SDHSAA would consider adopting the statement found in that letter, *"For purposes of participation in athletics sanctioned by the SDHSAA the sole determinant of a student's sexual identity is the student's sex. The student's sex is defined as the physical condition of being male or female, which is determined at conception, identified at birth by a person's anatomy, and recorded on their official birth certificate."*

Mr. Krogstrand said that the absence of a policy would mean that gender is determined by what is on the birth certificate. The SDHSAA developed a policy at the request of 77% of their membership.

**Representative Kyle Schoenfish** asked if there is no policy by the SDHSAA, would the decision be made by each individual school district. Mr. Krogstrand said that it would most likely revert back to what is on the birth certificate because there would be no due process for the schools to handle it any differently.

### **Public Testimony regarding Transgender Policy**

Senator Tieszen opened the floor to public testimony regarding the discussion on transgender students participating in school activities.

**Mr. Mark Chase, President, SD Family Policy Council**, Sioux Falls, testified that the SDHSAA did not act out of their scope but that the Council disagrees with the policy regarding transgender students. Mr. Chase said that they hope this committee will recommend clearly defining the limitations of the SDHSAA, especially when it comes to making decisions regarding transgender policies.

Mr. Chase said that he believes every student should be able to participate in school activities, but a boy is still anatomically a boy no matter how he feels and allowing him to participate as a girl would not be safe. Mr. Chase said that we need to avoid the possibility of the stronger boy playing as a girl and seriously hurting another participant who is of the weaker sex. According to Mr. Chase, teenagers live in a world of emotional roller coasters that cause them to be confused and a transgender teen should be treated as if they have a mental disorder.

**Ms. Linda Schauer, Concerned Women for America**, Leola, testified that she believes both girls and boys are at risk because of the transgender policy as showering together can be very upsetting, adding that safety and privacy are the real issues. Ms. Schauer added that the real impetus for youth claiming to be transgender is adults seeking attention and that this is a movement used to perpetuate adult deviancies. She asked the committee to not enable these adults to move these things along at the expense of the children's hearts, minds, and innocence.

**Mr. Tim Lors**, Pierre, distributed a paper he had written titled, "SDHSAA's Gender Equity/ Transgender Policy Remarks" ([Document #4](#)). Mr. Lors believes that science should be used in determining gender, not feelings and wishes. DNA is used in criminal cases and should be used in these types of situations. Mr. Lors added that one person should not be allowed to make ninety-nine people uncomfortable.

Mr. Lors pointed out that when it comes to concern about being sued, we must remember that what happens in California and New York does not apply to South Dakota and their court rulings do not apply in South Dakota.

**Ms. Laura DeRaad**, McPherson County, testified that she is concerned about her daughters' safety because of the SDHSAA transgender policy. She said that she believes her daughters should not have to suffer because of one student who needs help and counseling.

Representative Hunt presented a letter from Representative Steven Haugaard expressing Representative Haugaard's recommendation that the SDHSAA rescind its transgender policy and refrain from instituting any policy concerning this issue ([Document #5](#)).

Representative Hunt distributed copies of a letter addressed to the SDHSAA Board of Directors from John R. Hughes, Attorney, Sioux Falls ([Document #6](#)). In the letter, Mr. Hughes asks the SDHSAA Board of Directors to void the transgender policy and lists several reasons why he believes they should do so.

## Site Selection

Mr. Krogstrand, SDHSAA, continued his PowerPoint presentation turning to the slides regarding Site Selection ([Document #7 – starting with slide 24](#)). The history of events varies from the state track meet, which has been held for 110 years, to football tournaments held for 35 years, to a show choir competition which will be held for the first time this year.

Each event has a set of guidelines and an advisory committee. The guidelines are all listed on the [SDHSAA's website](#). There is not a bid process and SDHSAA pays for use of the facility. SDHSAA's only income from these events is the ticket sales. All other income, such as concessions and merchandising, goes to the host. One big factor when making the selection is South Dakota Public Broadcasting, which provides a service to the whole state by broadcasting many of the events.

Some events, such as track and field or tennis, have to be held in Sioux Falls or Rapid City because of the required size and/or number of facilities.

The new site selection committee was started in 2014. The committee consists of eight members: three SDHSAA board members and five school representatives from hosting communities. The board members cannot be from the same community as the five school representatives, so the membership is made up of eight individuals from eight different communities. The SDHSAA staff works with the committee as needed. The site selections are made three years prior to the event.

**Ms. Linda Whitney, Superintendent for Sanborn School District**, serves as a member of the site selection committee. Ms. Whitney described the steps followed by the selection committee in making their decisions. The committee meets several times and the discussions are quite thorough.

Representative Rounds mentioned attending a state athletic event where there was very little parking because there was another event going on at that same facility. Mr. Krogstrand said that this can be a challenge when the event is held in a multiple use facility, but SDHSAA cannot demand other events not be held. However, parking is considered when selecting the site.

Representative Bolin said that he had heard they were looking at holding all the basketball tournaments at one site and wondered if that rumor was true. Mr. Krogstrand said there is a new facility available now that could hold all the tournaments. The selection committee is talking to the member schools to get their input. Some sporting classes favor the concept, some think it should at least be tried, and others want to continue using various facilities. The selection committee will take all comments under consideration before making any decision.

Ms. Whitney added that a survey of the public was also conducted regarding this issue and those survey results will be considered along with the schools' comments, but their first responsibility is to do what is best for the students.

**Senator Larry Tidemann** asked how long the contract is with USD for hosting the state football tournaments. Mr. Krogstrand said that it is a 15-year contract, but a 2-year notice can be given for a site change if another facility should become available.

Senator Tieszen asked if the corporate sponsors have any say in the site selection and Mr. Krogstrand replied that they do not.

In response to a question from Senator Tieszen, Mr. Krogstrand explained that 70% of the SDHSAA operating budget comes from direct ticket sales for these events, but ticket sales is not their primary consideration. The students are always the primary consideration, even if it means costing more to provide better for the participants. Mr. Krogstrand then went through the list of events that make money and those events that actually cost the association money. That information can be found on the SDHSAA website.

**Senator Jim Bradford** asked if the teams that will be in the tournament are considered when making the selection. Mr. Krogstrand said that because the selection is done three years prior, there is no way of knowing which teams will be participating, but he did say that geography is taken into consideration because certain events have a bigger fan base in specific areas of the state.

Mr. Krogstrand commented that the officials' program that was set up on the Pine Ridge reservation has been very successful and people taking the course are now out officiating events. Governor Rounds started the program with a \$25,000 grant. Senator Bradford added that there are several young women, as well as young men, who have gone through the program and are highly qualified officials. The Senator said that the SDHSAA is to be applauded for providing this opportunity on the reservation for the young men and women.

### **Committee Discussion on Site Selection**

Seeing no public testimony regarding site selection, Senator Tieszen opened the meeting to committee discussion on site selection.

Representative Bolin thanked the Association for presenting this information to the committee and for including the general public in making these decisions. Representative Bolin said that he believes there would be a strong public reaction if they were to concentrate all the basketball tournaments in just Sioux Falls and/or Rapid City. He added that the current system of using Sioux Falls, Rapid City, and Aberdeen is a good system and hopes they continue to use that type of system.

Representative Bartling said that being from south-central South Dakota means they are going to drive no matter where the tournaments are held, but she agrees with Representative Bolin in that concentrating tournaments in just Sioux Falls would not sit well with most South Dakotans. Representative Bartling thanked the Association for all they do and for considering the participants' families when making the selections.

Senator Tidemann said that it could be beneficial to have the boys and girls basketball tournaments in the same location because there would be a larger audience for both and that would enhance the event for the students.

Representative Rounds commented that when it comes to these tournaments, he puts his faith in the SDHSAA and if he disagrees with the association he takes his concerns to his local school board.

Senator Tieszen complimented the SDHSAA for using different standards for different events and added that by using a logical process based on set standards makes the process about as good as is possible.

### **Committee Discussion on Transgender Policy**

Senator Tieszen opened the meeting to committee discussion on the SDHSAA's transgender policy.

Senator Van Gerpen commented that the transgender policy seems to be based on the fear of being sued and that he believes the State Legislature dropped the ball regarding this issue and they need to address it.

Representative Bolin said that he believes this decision is above the paygrade of the Activities Association and that it should be addressed by the Department of Health and the State Legislature.

Senator Tidemann pointed out that the schools have to abide by Title IX or they risk losing federal funding.

**Representative Tona Rozum** said that she disagrees with the idea that this should be a legislative issue. She said that the people in the schools are the ones who work with these issues day in and day out and they are familiar with every factor. She added that the legislature should not have the attitude that we know better than the schools when it comes to the students' activities.

Senator Bradford feels that these comments are critical of the SDHSAA's Board of Directors and that the committee is implying that the Legislature is smarter than any of the Board members. Senator Bradford added that this committee is not composed of enough people to make a legislative decision, and that the Association is in better position to deal with these issues.

Representative Bartling said that the SDHSAA was asked by a member school to give guidance on this issue and that is what started this discussion. This committee should not be here to discuss whether we believe in the idea of transgender. The school districts will do the best they can to make sure all students are treated fairly and are protected. She added that she is not comfortable with this committee proposing legislation.

Representative Rounds said that if the committee acts on this it should be to define the term gender so that the definition applies everywhere, not just to the SDHSAA. He added that writing legislation that is directed at the SDHSAA means that the law would only apply to that association, not to all entities that could fill that role.

Representative Schoenfish said that he would like more information on the possible consequences of the existing policy and find out what has happened in other states that have adopted a similar policy.

**Representative Kris Langer** reminded everyone that this is such a small amount of the student population, less than one-tenth of one percent. She said that the SDHSAA should rescind their policy and that there should be no policy regarding this issue.

Representative Hunt supports the policy that is suggested in the letter from the Faith Family Alliance. Representative Hunt added that he believes we need to stay consistent with our culture, that sex is determined at the time of conception.

**A MOTION WAS MADE BY REPRESENTATIVE HUNT, SECONDED BY SENATOR VAN GERPEN, THAT THE LRC STAFF BE DIRECTED TO DRAFT LEGISLATION BASED ON THE FAITH HERITAGE FAMILY LETTER FOR COMMITTEE CONSIDERATION AT THE NEXT MEETING.**

Representative Rounds said that the proposed legislation refers specifically to the SDHSAA and the law would not apply if the association should change its name or a new association be formed. Representative Rounds would like broader legislation that defines gender and that would then apply to all entities.

Senator Tieszen pointed out that the motion merely asks the staff to prepare legislation based on the letter, and the staff can be sure it is written in a manner that does not limit it to the SDHSAA.

Senator Tieszen passed the gavel to Representative Bolin for the purpose of offering comments as a committee member and not as the chair.

Senator Tieszen thanked the SDHSAA for taking the time to listen to the legislature regarding a variety of issues over the past few years. Senator Tieszen believed the association was doing a good job when this committee first started, but now knows they are doing an even better job than he had originally thought. The fact that this is a member-run organization is key to this discussion. Four out of five of the member schools asked the association to take the lead in developing a transgender policy.

Senator Tieszen said that there is a differing opinion amongst this committee as to who is in the best position to make these decisions. It is Senator Tieszen's belief that the people who are working in the schools are the best people to make these decisions because they put the interest of our children first. This committee is addressing after-school activities, but has to keep in mind these students are also in school from 8 a.m. to 3 p.m., and it would be crazy to say a child is one gender from 8-3 and a different gender after 3. Senator Tieszen concluded saying that he does not believe the legislature should solve this problem, but that it is best solved by those represented in the SDHSAA.

Representative Bolin returned the gavel to Senator Tieszen.

Senator Tiedemann commented that the SDHSAA will be meeting later in August and will discuss the transgender policy further at that time. Senator Tidemann pointed out that the SDHSAA has been working on this issue for over a year and a half and they should be allowed more time to work on the transgender policy before any committee action is taken.

**A SUBSTITUTE MOTION WAS MADE BY SENATOR TIDEMANN, SECONDED BY SENATOR BRADFORD, THAT THE COMMITTEE DELAY ACTION UNTIL AFTER THE SDHSAA HAS MET AGAIN TO FURTHER DISCUSS THE TRANSGENDER POLICY. The substitute motion failed on a roll call vote with 2 voting AYE and 9 voting NAY. Those voting AYE: Bradford, Tidemann. Those voting NAY: Van Gerpen, Bartling, Hunt, Langer, Rounds, Rozum, Schoenfish, Bolin, Tieszen.**

The committee then voted on the original motion, as follows:

**A MOTION WAS MADE BY REPRESENTATIVE HUNT, SECONDED BY SENATOR VAN GERPEN, THAT THE LRC STAFF BE DIRECTED TO DRAFT LEGISLATION BASED ON THE FAITH HERITAGE FAMILY LETTER FOR COMMITTEE CONSIDERATION AT THE NEXT MEETING. The motion prevailed on a roll call vote with 6 voting AYE and 5 voting NAY. Those voting AYE: Bradford, Van Gerpen, Hunt, Langer, Rounds, Bolin. Those voting NAY: Tidemann, Bartling, Rozum, Schoenfish, Tieszen.**

Representative Hunt said that he would like to see the SDHSAA be put under the legislative rule making authority. Representative Bolin commented that doing this would increase the level of scrutiny and public awareness, and that it would have eliminated the current circumstance.

Senator Tidemann asked if every policy or decision the SDHSAA makes would have to go through the rules process, including every site determination. Senator Tidemann added that this would create barriers for the association that should not be built.

**Mr. Doug Decker, Code Counsel**, was asked to address the proposal of putting the SDHSAA under the legislative rule making authority.

Mr. Decker explained that whether the SDHSAA is a state agency falls under a gray area. The association is recognized in statute but is a voluntary association. In order for the SDHSAA to be considered a state agency, the committee may want to consider legislation that would clearly identify them as such.

**A MOTION WAS MADE BY REPRESENTATIVE HUNT, SECONDED BY REPRESENTATIVE BOLIN THAT THE LRC DRAFT LEGISLATION THAT WOULD PLACE THE SDHSAA UNDER THE LEGISLATIVE RULE MAKING AUTHORITY OF 1-26. The motion failed on a roll call vote with 4 voting AYE and 7 voting NAY. Those voting AYE: Van Gerpen, Hunt, Langer, Bolin. Those voting NAY: Bradford, Tidemann, Bartling, Rounds, Rozum, Schoenfish, Tieszen.**

**A MOTION WAS MADE BY SENATOR BRADFORD TO RECONSIDER THE VOTE TO DRAFT LEGISLATION BASED ON THE FAITH HERITAGE FAMILY LETTER. The motion to reconsider was ruled out of order by the Chair.**

A brief recess was called to discuss procedure with LRC staff. The meeting was then called back to order.

**A MOTION WAS MADE BY SENATOR BRADFORD, SECONDED BY REPRESENTATIVE BARTLING, TO VOID THE PREVIOUS ACTION REGARDING THE DRAFTING OF LEGISLATION BASED ON THE FAITH HERITAGE FAMILY LETTER.**

**A SUBSTITUTE MOTION WAS MADE BY REPRESENTATIVE ROUNDS, SECONDED BY REPRESENTATIVE BOLIN, TO SET THE NEXT COMMITTEE MEETING DATE FOR NOVEMBER 5. The motion failed on a roll call vote with 5 voting AYE and 6 voting NAY. Those voting AYE:**

**Van Gerpen, Hunt, Langer, Rounds, Bolin. Those voting NAY: Bradford, Tidemann, Bartling, Rozum, Schoenfish, Tieszen.**

The committee then returned to discussion on Senator Bradford's original motion. Representative Hunt said that if the motion passes, the committee will come out with no action whatsoever. Senator Bradford said that bills can be drafted at any time at the request of any legislator and do not have to be done through committee action.

The committee then voted on the original motion, as follows:

**A MOTION WAS MADE BY SENATOR BRADFORD, SECONDED BY REPRESENTATIVE BARTLING, TO VOID THE PREVIOUS ACTION REGARDING THE DRAFTING OF LEGISLATION BASED ON THE FAITH HERITAGE FAMILY LETTER. The motion failed on a roll call vote with 5 voting AYE and 6 voting NAY. Those voting AYE: Bradford, Tidemann, Bartling, Rozum, Tieszen. Those voting NAY: Van Gerpen, Hunt, Langer, Rounds, Schoenfish, Bolin.**

Senator Tieszen said that he will select the next meeting date and send that information to the full committee.

### **Adjourn**

**REPRESENTATIVE BOLIN MOVED, SECONDED BY REPRESENTATIVE LANGER, THAT THE SDHSAA INTERIM COMMITTEE BE ADJOURNED. The motion prevailed on a voice vote.**

The SDHSAA Interim Committee adjourned at 3:45 p.m.

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