

SOUTH DAKOTA School Law Notes



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10 Tips for New South Dakota School Board Members

With new South Dakota school board members coming “on board” after July 1, here are ten tips you may find helpful to share with your new board members:

1. Listen at first

Get an idea of the culture of your school district and fellow board members. Every district has a complex web of local history, laws, policies, negotiated agreements and more. New members should appreciate experienced board members sharing their knowledge!

2. Ask questions

There is no such thing as a “dumb question.” As a new board member, you may not be familiar with IEP, ESL, FAPE, IDEA, and FERPA. Don’t be afraid to ask questions.

3. Take new board member training ASAP

You may believe that you can’t spare the time for workshops and training. However, the things you learn ahead of time may allow you to avoid mistakes later.



4. Read the school district’s negotiated agreement

This document is sometimes lengthy and tedious. However, the wording of this agreement is often a useful guide to the many issues you’ll face as a board member

5. Read the school district’s policies

Same as #4

Continued on next page.

10 Tips continued.

6. Don't be a hero

This is another way of saying that your role as a board member is not to run the school district. Rather, your role is to make sure the school district runs well.

7. You now have a new role

Of course, you haven't changed, but your role has. In the past, you may have been a fiery advocate or parent representative. However, your new role is to step away from the school district's day-to-day activities and work as a member of a policy making organization.

8. Follow the open meeting requirements

As a board member, it's your job to make sure that your discussions and decisions are made in compliance with South Dakota's open meeting laws

9. You are an elected official

What you say matters. Any careless or negative remark you make about the school district now carries a lot of weight in the community.

10. Confidentiality is vital

In matters involving personnel, negotiations, or litigation, you must keep information absolutely confidential, or you can do real harm to your school district.

Being a school board member is a "big thing." It's definitely work - hours of meetings, reading, and learning. You won't be paid much and you'll rarely be thanked for your efforts. However, over time and with the desire to learn, you will feel like you're making a positive impact!



Q: What is the penalty in South Dakota for using a false academic degree?

A: In South Dakota, no person can knowingly use a false academic degree or falsely claim to have a valid academic degree for the following purposes:

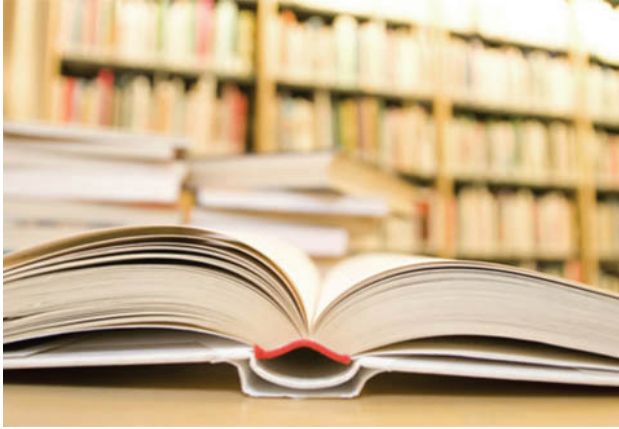
1. To obtain employment;
2. To obtain a promotion or higher compensation in employment;
3. To obtain admission to postsecondary education; or
4. In connection with any business, trade, profession, or occupation.

A violation of this section is a Class 1 misdemeanor and provides cause for the revocation of any license obtained in connection with the false degree.

Q: Can a South Dakota school district amend its budget to use unobligated resources?

A: **Yes.** In South Dakota, after the final adoption of a budget, the school board can adopt a resolution setting forth the source of funds and the intended purpose for their use and may amend the budget to use available unobligated resources.





Q: Who is responsible for the classification and accreditation of South Dakota's schools?

A: In South Dakota, the secretary of the Department of Education is responsible for the classification and accreditation of all public and nonpublic schools under the rules established by the South Dakota Board of Education.

Q: In South Dakota, when does a school district's proposed budget have to be published?

A: Under South Dakota law, a school district's proposed budget must be published in the designated official newspaper not later than July fifteenth along with a notice of hearing on the budget.



Swier Law Firm to Present at South Dakota School Administrators' "New Superintendent Workshop"

Scott Swier is scheduled to speak at the School Administrators of South Dakota's annual "New Superintendent Workshop" on Monday, July 20, 2015, at Cedar Shores Resort in Oacoma, South Dakota.

Scott leads Swier Law Firm's Education Law Practice Group and serves as an adjunct professor at the University of South Dakota School of Law where he teaches the popular "Education and the Law" course. He also serves as the SASD's legal counsel and authors the monthly newsletter - South Dakota School Law Notes.





Scott Swier



Brooke Schloss



Robert Burns



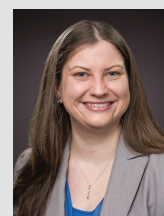
Jake Fischer



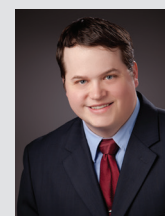
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