

Parkston School District #33-3

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9.15.11

Dear parent;

Several weeks ago you may have read an article in the Daily Republic regarding a school's ability to charge for preschool. At that time, the Parkston School District took the position that we felt that we were operating within the boundaries of the law and that we would wait for the Supreme Court to rule on the funding case where we had hoped they would address the topic. They did not. We also knew that if the high court failed to address the topic, an Attorney General opinion would be issued on the matter. Today, the South Dakota Attorney General office issued an opinion that clearly states that in their opinion, schools in the State of South Dakota are unable to charge tuition for resident preschool children or for drivers' education. While this is only an opinion, it is the intent of the Parkston School District not to challenge the opinion in court and to stop charging for the aforementioned activities as of today.

As mentioned earlier, we felt that we were operating within the scope of the law and that the State of South Dakota was actually providing us with the supporting evidence needed to maintain our belief. All schools in the State are required to use the South Dakota Accounting Manual for schools. As a part of this system, the state created a specific line item that requires schools to enter the amount of "Preschool Tuition" received. Each year, the State of South Dakota audits these results and they have never once indicated that we could not charge "Preschool Tuition" even though it was clearly included in all of our reports. Thus, not only do they ask us to tell them how much we collect, they also approve the reports. Nonetheless, the Attorney General felt otherwise.

I am sure this letter will spark many questions and I will certainly do my best to answer them. However, this information came just today and the Parkston School Board has not had a chance to discuss it. I will ask that they take the matter up at their October board meeting. In the mean time, we will continue to operate as usual with the exception of our collecting tuition.

After speaking with legal counsel, I have instructed our business office to stop collecting preschool tuition as of today. Furthermore, they have been instructed to either bill or refund money with today being the last allowable billing day. Thus, if you have not paid thru today, you will be asked to do so, but not beyond today. On the other hand, if you have paid in advance you will receive a refund of that portion of your payment made to cover days beyond today.

Thank you for your time and understanding regarding this matter. If you have any questions, please call.

Shayne McIntosh

Superintendent