

Dear Chairman, and House Education Committee Members,

I am writing in support of the Bill 1149. The North Dakota High School Athletics Association has somehow become deeply off track and is no longer acting in the best interest of children when it comes to a myriad of issues. I had not realized the heartache and duress they were causing families and children in hardship cases until after our family experienced this issue first hand.

In May 2020 we sold our house. We had no place to live, but rapidly bought a place to live on the lake we recreate at. Being uncertain of where we would permanently build at the time, we ended up narrowing our build to 2 spots: Turtle Lake or build a permanent home at the lake. We didn't want to disrupt our children's learning so they continued to commute to school 38 miles away until our build was complete and we were fully established in our new home. Then we would transfer the kids to their new district school.

Our reasoning.

We knew we were making the right decisions. Covid made life so uncertain. Their school staying the same was good for the kids that first year. But the second year, and in particular the winter of 2022, it got tough for all of us. That winter resulted in a myriad of accidents covering the ditches on the kids route to school. Towards the end of 2022 the kids were often driving 2 vehicles for their differing sports and our freshman was a new driver. With an 80 mile round trip, it was getting extremely costly, unsafe and increasingly risky to keep this commute up forever. At the end of the 2022 school year, we transferred our kids to their district school.

Reaching the NDHSAA is nearly impossible:

Starting the winter of 2022, we tried multiple times to reach the Executive Director of the NDHSAA via phone. We left several messages over several months. No message was ever returned. So we moved forward with transferring our kids under the assumption that the NDHSAA was a good faith organization and operating in good faith. But we began hearing from others that the NDHSAA was going to make our children varsity ineligible for 1 full year if they did not remain at their old school outside of our district. My husband and I filled out a hardship form explaining the reason for the transfer and why we hadn't transferred sooner and sent it in. Both school's administrations had recommended "YES" that the children be transferred and had filled out their portions as well.

During the summer we decided to try to call as many times as it took for us to reach the Executive Director of the NDHSAA. We wanted to make sure we had done things right, and needed to

verify our children would not be penalized by the NDHSAA for the transfer. If they had any questions we wanted to be available to answer. When we finally were able to reach the Executive Director and ask if our senior and sophomore children were good to go? We were told our file had not been looked at and would not be ruled on by executive director until after our children had been competing on their new team or after the first day of school. By waiting this was ensuring that the kids would be trapped and varsity ineligible at both schools and unable to transfer back to their old school. This was also ensuring that any team competition they had won would be taken away from them and their whole team. The end result by waiting to rule would be a modern public flogging of the child and public humiliation of the family for transferring their child.

We asked and petitioned Executive director and the entire board to help us and let us know this ruling early. Repeatedly we were refused and told once the transfer was completed then our case would be ruled on. I asked who was helping the Executive Director make these life altering hardship decisions for children. It was indicated to me this was a decision made solely by the executive director position. This is indeed the only one ruling or investigating the hardships that come in unless appealed. I indicated this was too much power being placed in one person's hands. We were not asked one inquisitive question about our family or our situation the entire call. No interest was displayed in finding the truth out.

Our senior athlete was being recruited to play a sport in college. We knew sacrificing his senior varsity year of athletics would destroy his future aspirations of college athletics. But none of this seemed to make any difference. The best interest of the child was nowhere on the radar from our perspective. We wrote letters to the entire board. We sent DOT reports of the many accidents. We sent letters from various family members. Not one board member of the NDHSAA replied.

The Executive Director wrote me an email telling us to have our attorney call their attorney right after our call. We then hired an attorney. We had no attorney nor had I said this on the call. I had mentioned we asked several attorneys if they had ever heard of a situation like ours and they had not. This apparently was upsetting. We soon found out that attorneys don't even know what to do with the NDHSAA. The refusal to look out for the best interest of children transferring schools is stunning. By the end, our attorney suggested we send our children to their district school they were now enrolled at and hope for the best. He was 80% certain all would be ok.

I have often grappled with if it is right to speak so candidly about what happened to our family given the facts. But because children across this state are paying the price for adults being silenced or not having the ability gather enough people to enact legislation, I felt this warranted my efforts and honesty. That is why I am submitting my testimony and will give the rest of the story in person.

