

Milnor Public School District No. 2

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Chris Larson, Superintendent and Activities Director

Ryan Weber, High School Principal

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1 Updated Testimony in Opposition to House Bill 1491

2 Sixty-Ninth Legislative Assembly of North Dakota

3 Presented by Dr. Chris Larson

4 Superintendent, Milnor Public School

5 February 11, 2024

6 Chairperson Heinert, members of the committee, my name is Dr. Chris Larson, and I serve as the
7 Superintendent of Milnor Public School. I appreciate the opportunity to testify in **opposition** to House
8 Bill 1491.

9 At the heart of this discussion is a fundamental question: What is the purpose of high school activities?
10 The North Dakota High School Activities Association (NDHSAA) governs education-based activities,
11 which are meant to be an extension of the classroom, reinforcing values such as teamwork, discipline,
12 perseverance, and sportsmanship. This bill threatens that foundation by shifting the focus from
13 education to athletic success and school-shopping for competitive advantage.

14 Concerns Regarding HB 1491

15 1. Shifts the Focus from Education to Athletics

- 16 ○ NDHSAA activities are not just about winning games; they are a key part of a student's
17 educational experience.
- 18 ○ Current transfer rules are designed to ensure that athletics remain an extension of the
19 classroom, fostering personal growth, responsibility, and school loyalty.
- 20 ○ This legislation prioritizes athletic success over educational stability, allowing students to
21 transfer schools based on sports opportunities rather than academic or personal reasons.

22 2. Encourages Athletic Transfers & Recruitment

- 23 ○ NDHSAA's current one-year ineligibility rule for transfers is designed to prevent
24 students from switching schools purely for sports.
- 25 ○ HB 1491 removes this safeguard, presuming that all transfers are legitimate, regardless of
26 whether recruitment or athletic motives are involved.
- 27 ○ Without enforcement, schools with strong athletic programs could actively recruit top
28 athletes, creating an unfair playing field and compromising the integrity of high school
29 sports.

30 3. Weakens Residency Verification & Oversight

- 31 ○ Under existing rules, NDHSAA requires substantial proof of a bona fide move, such as
32 selling a home or ending a lease.
- 33 ○ HB 1491 lowers this standard to a single document (utility bill, lease, ID, etc.), making it
34 easy to claim residency without truly relocating.

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- 1 ○ Furthermore, NDHSAA would be prohibited from requiring proof that the previous home
2 was vacated, opening the door for students to claim dual residency and switch schools
3 purely for athletic reasons.

4 **4. Unlimited Transfers Between Joint Custody Parents**

- 5 ○ Under current rules, NDHSAA has reasonable limits on student-athletes switching
6 between parents' homes in joint custody cases.
7 ○ This bill removes all restrictions, allowing students to transfer between parents at any
8 time, for any reason, with immediate eligibility.
9 ○ Without limits, students could switch schools multiple times a year, strategically
10 choosing teams based on seasonal athletic opportunities rather than academic needs.

11 **5. Harms Small & Rural Schools**

- 12 ○ Schools like Milnor rely on multi-sport athletes to sustain programs. If larger schools can
13 easily recruit talent, rural teams will lose key players, forcing some schools to cut
14 programs altogether.
15 ○ Unlike large schools with deep rosters, rural programs depend on participation from all
16 students, and increased transfers will create instability and inequity across the state.

17 **6. Removes NDHSAA's Ability to Regulate Transfer Frequency**

- 18 ○ NDHSAA currently monitors frequent transfers to ensure that school changes are made
19 for valid reasons.
20 ○ HB 1491 prohibits NDHSAA from restricting transfers based on how many times a
21 student moves, creating a free agency system where students can move from school to
22 school purely for sports.

23 **Conclusion**

24 High school activities are meant to be education-based, teaching students valuable life lessons that
25 extend beyond the playing field. House Bill 1491 undermines that mission by prioritizing athletics over
26 education, encouraging transfers for competitive advantage, and weakening the integrity of North
27 Dakota high school sports.

28 I urge the committee to **oppose HB 1491** and preserve the **core values of high school activities as an**
29 **extension of the classroom.**

30 Thank you for your time, and I welcome any questions.

31 Respectfully submitted,

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