



TO: House Education Committee

FR: Logan Midthun, District Activities Director, West Fargo Public Schools

RE: House Bill 1491

I am writing to express my opposition to House Bill 1491. This bill would have a severe impact on education-based activities in the state of North Dakota as it would drastically change the rules for students looking to transfer schools for athletic or activity purposes.

The way House Bill 1491 is currently written, if it were to pass, it would open and de-regulate student transfers. The consequences of this bill would be felt in both rural and metro communities as it would allow a student to transfer schools at any point during the school year as long as they have proof of residency within that district. The issue lies with the removal of the "lock, stock, and barrel" transfer language that currently exists in NDHSAA by-laws, which requires the student and their family to make a complete move to the new school district and fully vacate the previous residency for a student to maintain varsity-eligibility. HB 1491 would allow a family to keep their primary residency while also having residency in another district and the student would have the ability to transfer back and forth between the two school districts and maintain eligibility. In the West Fargo-Fargo area where we have multiple high schools, this causes major concern.

The NDHSAA recently conducted a survey of member schools regarding our current transfer by-laws, and it came back with over 90% approval of the current language. The NDHSAA has a process for member schools to propose and make changes to the by-laws and regulations in which we abide by. This process was recently seen when our basketball system went from a 2-division to a 3-division basketball system. That change was driven by administrators and coaches of member schools. The NDHSAA rules and by-laws have been put in place by member schools and the NDHSAA staff is overseen by a Board of Directors made up of administrators of said member schools. We believe that our current transfer rules work and have a process if administrators of member schools want to make a change.

I grew up in a small Class B town and have worked in education for the last 14 years in both small and large school districts. I can see the potential issues that all size schools would face if HB 1491 were to pass. Not only would there be accusations of recruitment, but it would also hurt programs that may already be struggling for success as students would have an easier ability to transfer to a neighboring school. Because of that, participation overall would decrease as we would likely see more super-teams form. We have seen how the transfer portal has changed the landscape of collegiate athletics. A passing of this bill would erode the values we hold dear in education-based athletics and activities.

Respectfully,

Logan Midthun
District Activities Director
West Fargo Public Schools