



1 **NDCEL Testimony in Opposition to House Bill 1491**

2 Thank you for the opportunity to testify today in opposition to House Bill 1491. I appreciate the  
3 opportunity to highlight the significant protections currently in place within the North Dakota  
4 High School Activities Association (NDHSAA) rules that safeguard schools, students, and  
5 families from undue influence, recruitment concerns, and eligibility uncertainties.

6 **Current Protections Provided by NDHSAA**

7 The NDHSAA has long served as the governing body overseeing interscholastic athletics and  
8 activities in our state. The association has implemented well-defined eligibility guidelines that  
9 ensure fairness, prevent recruitment, and promote integrity within school-based athletics and  
10 activities. These rules are designed to provide clarity and stability for students and families while  
11 preventing disruptions to school communities.

12 The existing framework ensures that student-athletes are not unfairly influenced or recruited and  
13 that transfers occur in a manner that maintains competitive balance. These rules protect the  
14 integrity of high school sports by discouraging external pressures that could lead to an  
15 environment where students are moved solely for athletic advantage. This framework benefits all  
16 stakeholders: schools, parents, coaches, and—most importantly—students who participate in  
17 extracurricular activities.

18 **Concerns with House Bill 1491**

19 This legislation significantly weakens the guardrails currently in place, opening the door for  
20 unintended consequences that could undermine fair play, equitable competition, and student  
21 well-being.

- 22 1. **Weakening Recruitment Safeguards** – HB 1491 presumes no recruitment or undue  
23 influence has occurred, effectively stripping NDHSAA of its ability to properly  
24 investigate and address potential violations. This could lead to unchecked recruitment,  
25 where schools or external entities actively seek to attract athletes under the guise of  
26 school transfers, creating an unfair and unregulated environment.
- 27 2. **Erosion of Residence Verification Standards** – The bill lowers the threshold for  
28 verifying student residence, making it easier to manipulate addresses for athletic  
29 eligibility purposes. By removing the requirement for families to vacate a previous  
30 residence, there is potential for abuse where families maintain multiple residences to  
31 facilitate athletic transfers.
- 32 3. **Unrestricted Transfers and Competitive Imbalance** – HB 1491 allows students to  
33 move between parents or guardians with joint custody without limits on the number of  
34 times such moves occur. While we recognize the importance of considering family  
35 circumstances, removing all restrictions on transfer frequency could create a revolving-  
36 door system where students transfer repeatedly based on athletic opportunity rather than  
37 academic or personal stability.
- 38 4. **Impact on Schools and Student-Athletes** – Schools rely on stability in student rosters to  
39 foster team cohesion, long-term development, and fair competition. Frequent,

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1           unrestricted transfers disrupt team dynamics and create challenges for coaching staff who  
2           are tasked with building programs over multiple seasons. Moreover, existing students  
3           within a school community may face displacement in playing time, leading to unintended  
4           harm to local student-athletes who have committed to their teams under the existing rules.

5   **Conclusion**

6   House Bill 1491 undermines the safeguards that have served North Dakota high school athletics  
7   well for generations. NDHSAA’s current eligibility policies are the product of thoughtful  
8   deliberation and decades of experience, designed to protect both students and schools from  
9   unintended consequences. By weakening these protections, HB 1491 threatens to erode fairness,  
10   integrity, and stability in our high school sports programs.

11   I strongly urge this committee to oppose HB 1491 and allow NDHSAA to continue its vital role  
12   in ensuring fair play, student well-being, and competitive balance in North Dakota athletics.

13   Thank you for your time and consideration. I would be happy to answer any questions.