

2025 HOUSE EDUCATION

HB 1491

2025 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1491
2/11/2025

Relating to student eligibility for high school sports and activities.
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2:42 p.m. Chairman Heinert called the hearing to order.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Hauck, Heilman, Jonas, Longmuir, Maki, Marchall, Morton, Novak, Osowski

Discussion Topics:

- Student Athletes
- 'Stacked' High School Sports
- High school Academics

2:43 p.m. Representative Rios introduced the bill.

2:52 p.m. Kambree Draper, ND High School Student, testified in favor and submitted testimony. #36309

2:58 p.m. Chris Shulkin, ND Resident, testified in favor.

3:06 p.m. Susan Draper, ND Resident, testified in favor and submitted testimony. #36880

3:13 p.m. Joy Ankenbauer, ND Resident, testified in favor and submitted testimony. #37057

3:21 p.m. Derick Hanson, ND Resident, testified in favor.

3:27 p.m. Margo Knorr, ND resident, testified in favor and submitted testimony. #36801

3:31 p.m. Jim Housler, Former Activities Director, NDHSAA, testified in opposition.

3:32 p.m. Matthew Fetsch, Executive Director, NDHSAA, testified in favor and submitted testimony. #36021 #37150

3:58 p.m. Zach Volson, ND Senior, testified in opposition and submitted testimony. #36263

4:02 p.m. Susan Anderson, ND Coach in Fine Arts, testified in opposition and submitted testimony. #36769

Additional written testimony:

#36268, #36280, #36295, #36310, #36389, #36607, #36667, #36672, #36680, #36703, #36723, #36729, #36772, #36800, #36806, #36849, #36947, #36950, #36957, #37013, #37022, #37058, #37066, #37068, #37069, #37089, #37090, #37094, #37096, #37098, #37101, #37107, #37110, #37112, #37114, #37124, #37128, #37130, #37133, #36186, #36933, #36172, #36845, #36935, #36983

4:17 p.m. Vice Chair Hauck adjourned the meeting

Addison Randazzo for Leah Kuball, Committee Clerk



North Dakota High School Activities Association

ndhsaa.com | ndhsaanow.com | ndhsaa.net

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Brian Bubach, Associate Director
Justin Fletschock, Assistant Director
Kevin Morast, Assistant Director
Nick Walton, Technology Director
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Larry Derr, Glenburn
Wayne Fox, Roseglen

Mitch Lunde, Minot
Ryan Hanson, Devils Lake
Jason Simpfenderfer, Beulah
Adam Tescher, Bismarck

House Bill 1491

Testimony of Matthew Fetsch

House Education Committee

February 11, 2025

Chairman Heinert and members of the Committee, thank you for the opportunity to provide information regarding HB 1491. I am Matthew Fetsch, Executive Director of the North Dakota High School Activities Association (NDHSAA) and am submitting testimony in opposition to HB 1491. Allowing participants in education-based athletics and activities to transfer between schools for athletically motivated reasons with no limitations on eligibility would be catastrophic to consistent student learning and the educational process the State of North Dakota and its communities invest in. Even more problematic would be the elimination of recruiting and undue influence penalties that are currently in place to prohibit member schools, booster clubs, or foundations from incentivizing a student to transfer schools.

Current National Collegiate Athletic Association (NCAA) rules that allow schools to recruit athletes through “pay to play,” where students sign and/or transfer to the college program who is the highest bidder, including a free transfer each school year. As disastrous as these concepts have been at the collegiate level, they are still even more restrictive than HB 1491 would be. This bill specifically forces all schools and the NDHSAA to presume no recruitment or undue influence occurs anywhere. In addition, HB 1491 prohibits delaying or limiting eligibility, essentially allowing students to transfer and be declared immediately varsity eligible in a neighboring town if a family produces a rental document for an apartment. How would we explain to high school teachers it is okay for students to miss standards, chapters, or units of instruction due to transfers and they must now provide remediation for these students? Imagine explaining to small school ranked #1 in the state, with a once in a generation team, that their first-round opponent in the region tournament has five new starters that just transferred in last week!



North Dakota

High School Activities Association

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Recent NDHSAA Member School Data

In April 2024, the NDHSAA Board of Directors conducted a comprehensive survey of member school administrators to gather current data. This survey included twenty questions, ranging from whether to play 7th place matches at state volleyball to reviewing the current drug, alcohol, and tobacco by-law. By far the highest response rate to any question was support for the current transfer rule, where 115 of 127 respondents (90.6%) indicated they support the current by-law as written.

There is a misconception that there are many students who are unable to participate in school activities due to the NDHSAA transfer rule. Please review the included one-page handout with a simplified explanation of the NDHSAA transfer rule; you will see twelve exceptions to the transfer rule which result in immediate varsity eligibility for transfer students. These exceptions were approved by our member schools and are not deemed “motivated by athletics or activities”. Since the beginning of the 2024-25 school year, 209 students have transferred between member high schools. 185 of them (89%) were immediately varsity eligible due to meeting one of the twelve approved exceptions.

“Education-Based Athletics and Activities - The Front Porch of our Schools”

While the absence of professional sports and power conference colleges may be a reason high school events are frequently a top story, a greater reason is that high school sports are not only education based but are also intertwined with our communities. Pep rallies, cheerleaders, bands...even fire trucks escorting teams out of town as they head to tournaments. North Dakota’s open enrollment law empowers school choice; HB 1491 would quickly eliminate the importance of educational and community values that current rules project.

Because of these values, North Dakota high school sports and activities are a leader across our country. Without question, we have the best media coverage in the country, whether it be television, streaming, radio, or newspaper. NDHSAA’s recent classification procedure for basketball, football, and volleyball has become one of the most mirrored nationally. In addition, the NDHSAA Sportsmanship & Citizenship Committee, made up of



North Dakota High School Activities Association

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diverse stakeholders from across the state, created a spectator ejection policy to protect our student athletes and officials from abusive fan conduct---this has also been duplicated in other states and been a well-received tool for member school administrators and fans. Finally, our state has largely been able to hold off falling victim to a nationwide officials' shortage, bucking the trend in almost every other state. I attribute this to our schools and communities protecting the integrity of the high school experience for all involved.

Conclusion

In closing, I encourage you to not let what a few may call "perfect" be the enemy of what the majority considers "good." The current NDHSAA transfer rule serves its purpose as a deterrent from students transferring schools for athletically motivated reasons in order to protect consistency in student learning. The NCAA had similar rules in place until a couple of years ago when their organization abandoned any pretense of prioritizing education. I do not believe NDHSAA member schools, the communities they represent, or the State of North Dakota want to follow the NCAA's lead. NDHSAA member schools have the ability to amend the transfer rule; again 91% of the membership support the current rule as written. I am not aware of any teacher, coach, or school administrator within our 171 member schools that supports HB 1491. For all of these reasons, the NDHSAA opposes HB 1491 and encourages the House Education Committee to vote DO NOT PASS.

Thank you for your time and consideration.

A handwritten signature in black ink, appearing to read "Matthew Fetsch".

Matthew Fetsch
Executive Director

GIRLS SPORTS



Claire Grinde, Hillsboro/Central Valley

FINE ARTS



Carson Gette, Kindred HS

BOYS SPORTS



Deng Deng, Four Winds HS



NORTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

ABBREVIATED TRANSFER INFORMATION

PROCESS STEPS INVOLVING STUDENT TRANSFER ELIGIBILITY

- Students and parents should review [Safeguarding Your Eligibility](#) and the [Condensed Eligibility Rules](#) prior to contacting their incoming school administrator.
NDHSAA Eligibility Information: <https://ndhsaa.com/administrators-coaches/eligibility>
- Talk to your incoming school administrator about NDHSAA transfer rules **BEFORE** completing your student's transfer.
- If varsity eligibility is most important to your student, **DO NOT** open enroll to a new school or otherwise transfer to a new school unless your student is a first-time 9th grader or meets another transfer waiver criteria.
- Local school administrators (AD, Principal, Supt.) determine their students' eligibility status. If questions arise following administrator contact, the administrator should contact NDHSAA.
- Following administrator contact, parents may send transfer questions to NDHSAA via the Parent Inquiry Form. The parent and involved administrator together will receive a determination via email <https://ndhsaa.com/parent-inquiry-form>
- Transfers do not waive student penalties involving alcohol/tobacco/drug or academic rules.

NOTES ABOUT HARDSHIP APPLICATIONS

- This application is not a tool to shop for schools. Hardships are only approved when students are forced to transfer without choice due to circumstances beyond their or their parents control.
- The hardship eligibility application is initiated by school administrators after a forced transfer has occurred.
- Retransfer to resident district after open enrollment or other conditions of choice involving convenience or financial reasons shall not be approved under this application process.

*** Please refer to chart on other side regarding transfer waiver criteria**

NDHSAA Part II, Article XIV, Section IX: Abbreviated Student Transfer Chart:



Ryan Hanson, Grafton HS

My student is considering transferring to a new high school in a different district or attendance zone.

Consult with incoming school administrator **BEFORE** completing a transfer. **PLEASE DO NOT** assume transfer rules.



**SCAN QR CODE FOR
MORE INFORMATION ON
TRANSFER ELIGIBILITY**

Transferring students who are immediately varsity eligible under these approved waivers:

- Change of residence when entire family has moved and old residence is completely vacated
- Human Services or court-ordered placement for court-determined reasons
- First-time 9th grader
- Special Education or English Language Learner (ELL) placement
- Transferring between schools with an existing coop (remains varsity eligible in cooped sports/activities between schools)
- CSIET Foreign Exchange student in district of residence (requires NDHSAA approval)
- Students who change schools due to legal adoption.
- Students who transfer to be with parent who is a state legislator during the legislative session
- Students returning to their school after participating in the U.S. Congressional Program
- A student who returns to his/her school from studying in a foreign country (not including Canada or U.S. Territory/military base) and provide evidence the transfers were not motivated by athletics or activities
- National Guard members returning to their high school
- If a high school building closes
- Approved hardship involving abandonment or death of parents; or, other exceptional reason

***** Transfers are considered complete once a student has attended at or competed for the new school.**

***** Once a transfer has occurred, the decision is considered final.**

Transferring students who are not varsity eligible are able to immediately participate on sub-varsity teams until they have attended their new school one calendar year:

- Any transfer after first-time 9th grade not involving approved waiver (above)
- Open enrolled students. Open enrollment does not waive the transfer rule
- Students transferring between public/private schools or private/private schools
- Students transferring to live with guardians without court determined order
- Students living on their own separately from their parents
- Students whose families maintain dual residences



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Jenny Schultz, *Student Activities Administrative Assistant* • schultj4@fargo.k12.nd.us • 701-446-1065

TO: House Education Committee

FR: Todd Olson

RE: Opposition to HB 1491

I am writing to express my opposition to HB 1491 which would essentially remove any ability for the North Dakota High School Activities Association (NDHSAA) to regulate athletics-driven student transfers between member schools. I believe that altering the transfer rules in this manner would be as harmful to high school athletics as the “transfer portal” has been to college athletics. As written, HB 1491 has the potential to be the greatest threat to high school sports that I have witnessed in my more than 30 years in education-based athletics in North Dakota.

This bill would open the door to widespread recruiting in an effort to create super teams in a variety of sports. The creation of these types of teams will lead to a lack of competitive balance and an increase in lopsided scores. Ultimately, I believe this will lead to a decrease in student participation in high school sports in our state.

In Florida, where their legislature enacted legislation eliminating many of their transfer rules, they are already seeing the negative consequences. Lanness Robinson, Director of Athletics for the Hillsborough County Public Schools in Tampa, Florida, shared with me that he would describe high school athletics in Florida as “out of control.” Robinson stated that education-based athletics in Florida is now starting to mirror the club sports mentality. He also observed that Hillsborough County participation numbers are already starting to decline.

In closing, I would share that the NDHSAA transfer guidelines fairly manage student transfers for our students and schools. There are already a variety of exceptions to the transfer rules clearly stated in the NDHSAA Constitution and By-Laws that have been well administered by the NDHSAA staff. In a recent survey, more than 90% of the responding member schools indicated that they were in agreement with the current regulations.

High school sports are in a great place in North Dakota. Please don’t act to do anything to negatively impact the current status.



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House Bill 1491

Testimony of Travis Christensen

House Education Committee

February 11, 2025

Chairman Heinert and members of the House Education Committee, thank you for the opportunity to provide information regarding HB 1491. I am Travis Christensen, Principal at Fargo North High School, and I am testifying to express my strong opposition to House Bill 1491. As a high school principal, I am deeply committed to the educational and personal development of our students. I am concerned that this bill, which seeks to eliminate the current student transfer regulations found in the NDHSAA Constitution and By Laws, is a solution in search of a problem, which if passed will actually create many more problems than currently exist.

The current transfer policy is a well-considered framework that includes clearly defined rules, supplemented by 12 specific exceptions, and a hardship process. This language has proven effective in guiding us as school administrators through the various transfer requests and inquiries we encounter. It offers both structure and flexibility, ensuring that decisions are made with careful consideration of the circumstances surrounding each transfer. Notably, over 90% of responding schools in a recent NDHSAA survey indicated their preference to maintain the existing language, underscoring a shared confidence in the current system.

House Bill 1491's proposal to eliminate the presumption of recruitment or undue influence is particularly troubling. By removing this critical presumption, the bill opens the door to recruitment, incentivizing, and enticement of student athletes by both school-affiliated and non-school-affiliated groups or individuals. This could lead to a form of "free agency" in high school athletics, shifting the focus from the educational mission to winning at all costs. Such a shift is contrary to the fundamental principles of high school athletics—fair play, integrity, and sportsmanship—which are designed to enrich the educational experience and promote essential life skills such as resilience, grit, and teamwork.

Additionally, the removal of the requirement for evidence that a parent or guardian has vacated a previous residence poses significant concerns. If students are permitted to transfer schools without such verification, there is an increased likelihood of instability, with students potentially moving from one school to another on a frequent basis. This could disrupt their academic progress and hinder the continuity of their educational experience.

As we move forward, we must continue to ensure that transfers are not predominantly driven by athletic or activity-based incentives. The current guidelines provide a balanced approach that safeguards both the integrity of high school athletics and the academic well-being of our students. Preserving the existing transfer regulations and having those regulations under the purview of the NDHSAA and its 171 member schools is essential to maintaining the standards that support our educational mission and the holistic development of our student-athletes.

Thank you for your consideration.

A handwritten signature in black ink, reading "Travis Christensen". The signature is fluid and cursive, with the first name "Travis" and last name "Christensen" clearly distinguishable.

Travis Christensen, Principal
Fargo North High School

Zack Volson
Drake – Anamoose High School
NDHSAA/FUI Distinguished Student
2/11/25

Testimony in Opposition to HB 1491

Chairman Heinert and Members of the House Education Committee, thank you for the opportunity to testify regarding HB 1491.

My name is Zack Volson, and I am currently a senior at Drake-Anamoose High School. This academic year, I have had the honor of representing the North Dakota High School Activities Association as the distinguished student. Their website states, “The NDHSAA Distinguished Student program was developed to recognize deserving young people who are the “backbone” of interscholastic activities, not necessarily the leader, but the individual whose participation in high school activities strengthens the program for participants, the school, and the community.” I believe this describes the goal of high school sports and activities and HB 1491 makes this a nearly impossible task. I am a very active student in many programs offered by the North Dakota High School Activities Association, and I can assure you vital life lessons such as becoming a leader, building relationships, learning community culture, embracing change, and handling emotions are taught through the highs and lows of playing on your hometown team. We need more students in our state and country that work to make the environment they are in a better place. Remember, the grass is greener where you water it. Therefore, I am testifying in opposition of HB 1491.

If passed, this bill would have a negative impact on our students, teaching them it is ok to run when life gets hard. An unlimited number of transfers would be allowed under this bill meaning that one week a student could choose to attend Drake High School, the next week Towner High School, and the following week Velva High School with no consequences. This means a student could attend over 30 high schools in one academic year. A student might do this to win a sports championship by playing for one team until they lose out of playoffs and then transferring to a school still in the playoffs to continue playing. For example, my school’s football team defeated the Langdon Area football team in the semifinals this year. Under this bill, those kids would have been eligible to transfer to Kindred and play on that team against us in the state championship.

With this type of transfer portal available for students, it is guaranteed recruitment will happen. Our students should not be viewed by schools as something they can buy. Our students also do not need to deal with the stress to perform at such a young age as it negatively impacts their mental health. The stress will cause anxiety and soon their education will be negatively affected as they fall behind. This bill states that it would be assumed that no recruitment ever takes place. To me that’s like saying no speeding takes place on the highway, we must be honest with ourselves. We must allow the North Dakota High School Activities Association to investigate recruiting practices to ensure it is not happening. This only benefits the students in the long run.

Finally, as an aspiring teacher and educational administrator, I question the issues this will make for our school system. What happens when a student transfers and the English class at the new

school is halfway through a novel? Is that student exempt or will they have to read the book and complete all the previous work. From a math standpoint, a student might be struggling learning basic linear equations, but their new school's class has moved into polynomial functions. Should that student not have to learn basic functions or are the teachers expected to put the rest of their students on hold to catch one person up? There will be significant learning gaps created if this bill were to pass. We all know the struggle hiring teachers has become and an unstable student base will not make these positions any more desirable.

I strongly encourage you not to forget we are student-athletes. The goal of high school athletics is to teach lifetime values. This bill very negatively impacts how students learn, grow, and strive not just on a basketball court or in a speech competition, but also in school, their careers, and life. Please consider students, teachers, educational leaders, and those who work tirelessly at the North Dakota High School Activities Association to support our student athletes and the success of their futures.

In closing, this bill will have negative impacts on students, activity programs, schools, and communities statewide. For these reasons and others provided in my testimony, I oppose HB 1491 and urge the House Education Committee to vote do not pass.

Thank you for your time,

Zack Volson

House Education Committee
 Testimony on House Bill 1491

I strongly oppose House Bill 1491, and I encourage all committee members to kill this bill in your committee.

I am a retired teacher, coach, high school principal, middle school principal, and athletic director. I spent 32 years in education. I served on the North Dakota High School Activities Association Board of Directors from 2004-2008 and the National Federation of High Schools Board of Directors from 2005-2009. I am still very much involved in high school athletics as I am the Executive Director of the North Dakota Interscholastic Athletic Administrators Association.

With my background, I feel very strongly that the passage of this legislation would do the following:

- Devastate the purpose of Educational Based Athletics. High School activities are an extension of the classroom. Students learn so much when they are part of a team. **Adversity** is a life lesson we need to learn how to deal with. I see this bill as a way for students to move from one school district to another on a whim. They may not agree with playing time or a coach or administrative decision, so they move on to another school district. We have rules for a reason and this rule has worked well throughout my education career. There have been some questions, but when that happens, we look at changes, but we still have a high standard of attendance.
- Encourage recruitment between school district coaches, parents, and/or booster members.
- Encourage students, through their parents, to move from one district to another if things don't go their way. If they aren't happy at their next school, they could move to another. We will develop a society of self-serving individuals.
- Allow 'very little' verification of residency.
- This will overall hurt the "team concept" of high school activities. If students can just move into a program, they most likely will displace students that are loyal to their district. We would be getting dangerously close to why I dislike the National Basketball Association & allow a couple players to "plan to move together to a certain school to win a championship". This could happen if we have no rules.

Based on my experience, I think the passage of House Bill 1491 would ruin North Dakota high school activities as we know and LOVE them today. I STRONGLY ENCOURAGE a NO PASS RECOMMENDATION from the House Education Committee.

Thank you for what you do and caring for ALL North Dakota students.

Sincerely,
 Lorell Jungling, CMAA



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Mr. Mike Beaton, *Assistant Principal/Activities Coordinator*
Ms. Judy Erickson, *Administrative Assistant*

TO: House Education Committee

FR: Mike Beaton

RE: Opposition to HB 1491

I am writing to express my strong opposition to HB 1491, which proposes to remove the regulatory authority of the North Dakota High School Activities Association (NDHSAA) over activities-driven student transfers between member schools. This bill threatens to shift the focus away from education-based activities and place undue emphasis on athletic/activity success, to the detriment of our students and schools.

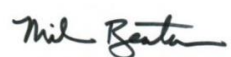
High school activities should be an extension of the educational experience, promoting values such as teamwork, discipline, and perseverance. The current transfer rules managed by the NDHSAA ensure a level playing field, fostering a healthy competitive environment that benefits all students. By altering these rules, HB 1491 risks creating an atmosphere where recruiting and the formation of "super teams" become the norm, undermining the educational mission of high school activities.

In North Dakota, the NDHSAA's transfer guidelines have been effective in managing student transfers fairly and equitably. A recent survey indicated that over 90% of responding member schools support the current regulations. These guidelines ensure that high school activities remain a positive and inclusive part of the educational experience for all students. High school sports in North Dakota are thriving under the current system.

HB 1491 would place an immense burden on high school coaches, forcing them to constantly engage in recruiting efforts to stay competitive, rather than focusing on developing and mentoring their current student-athletes. This shift in priorities could drive many exceptional coaches out of high school coaching, as they may find the new demands unsustainable and contrary to their passion for fostering student growth and education. Similar changes at the NCAA level have already led to a significant exodus of dedicated coaches who are disillusioned by the increasing emphasis on recruitment over athlete and personal development.

I urge you to consider the potential negative impacts of HB 1491 and to preserve the integrity of education-based activities in North Dakota. Please vote against HB 1491 to maintain the focus on the educational and developmental benefits of high school activities.

Thank you for your consideration.

A handwritten signature in black ink that reads "Mike Beaton". The signature is written in a cursive style with a long, sweeping underline.

Mike Beaton
Assistant Principal/Activities Coordinator
Fargo South High School



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www.bismarckschools.org

House Education Committee,

I am writing to express my strong opposition to HB 1491, which would remove the ability of the North Dakota High School Activities Association (NDHSAA) to regulate athletics-driven student transfers between member schools.

The NDHSAA transfer guidelines are essential in managing student transfers fairly and equitably for both students and member schools. As an organization committed to education-based activities, NDHSAA ensures that athletics remain an extension of the classroom, promoting teamwork, integrity, and personal growth over competitive advantages. These regulations help prevent recruitment and maintain a level playing field so that high school sports remain focused on development rather than athletic-driven transfers.

HB 1491 presumes that no recruitment or undue influence occurs, but by stripping NDHSAA of its oversight, it opens the door for competitive imbalances, program instability, and an erosion of the core educational values that high school activities are meant to uphold. If passed, this bill could allow schools to build athletic programs through student transfers, creating unfair advantages and diminishing opportunities for student-athletes in smaller or less resourced schools.

I urge you to oppose HB 1491 and protect the fairness, integrity, and educational mission of high school athletics in North Dakota.

Thank you for your time and consideration.

Dave Zittleman
Director of Student Activities
Bismarck Public Schools

Do Pass Testimony of Susan Draper, Citizen of North Dakota on HB 1491

Chairman Heinert and members of the House Education Committee, thank you for the opportunity to provide information regarding HB 1491. I am Kambree Draper a student athlete that this “rule” has affected personally, and I am testifying to express my strong DO PASS on House Bill 1491. I have been affected by this rule along with numerous other athletes in ND.

Let me tell you tell my story. I as a 7th grader in 2020 took WDA’s in girls high school swimming for Williston, ND. The next year as an 8th grader I was excited to compete at the high school level again, until we found out that WHS had hired a coach that had sent naked photos to a student athlete. I expressed my uncomfortable feelings with my parents about swimming for a coach that had done such an act. My parents talked with numerous school administrators, the head coach and were assured by all of them that this was a one-time incident and was an accident and would not happen again, even though they expressed how uncomfortable I was with the situation. My parents and I didn’t feel comfortable with the current situation, so we chose not to compete for WHS while she was on staff. This assistant coach had no swimming experience, so even if the coach didn’t do the photo thing, would she really have anything to say about how I was swimming or if I developed a bad habit? This coach stayed on staff through the 2022 girls swimming season. So, at this point I had not swum high school since being a 7th grader.

Fast forward to 2024 season, my mom and I have now moved to Bismarck, ND and begin the process of registering me for high school, I am now in my junior year, and thought I might want to swim at high school. I need to disclose that my dad stayed in Williston, ND for work. Imagine my surprise to find out I would not be eligible to participate as a varsity level athlete due to us not being “locked and loaded” when we moved. This is a term the NDHSSA uses for athletes, that have transferred into a new district. Essentially, if both parents don’t move together, then the student is forced to sit out a year of ALL sports. Let me remind the committee, I have not swam high school since my 7th grade year. I am in my junior year of high school, in a new town, and a new school. Yes, was it my parents’ choice to move, yes, but now in addition to worrying about school, fitting in, making new friends, I can’t swim at the top level that I have worked so hard to be at, and there is this underlining current that I have done something wrong.

Another swimmer from Fargo, ND had a similar incident but transferred from home schooling to public school without moving addresses. This athlete also had to sit out her sophomore year of swimming. Her situation was a little bit different though, she got to swim in the fastest heat during swim meets if she was seeded that way, even though she didn’t get to score for her team. Bismarck and the NDHSA took it to a whole another level with me as I was not allowed to even swim in the fastest heat, but had to swim in the 3rd or 4th heat. I swam against kids that were not at my level and ended up lapping some of the other athletes. Can you tell me how good this is mentally for the other athletes, or for me? The coaches from the other teams would even prepare their swimmers, had to compete against me.

There were points during all of this that I honestly wanted to quit; quit a sport that I love because of adult politics. I was told I was treated differently because I am a high-profile athlete. How does the NDHSA determine who a high-profile athlete is and who is not. I spend hours in the pool and gym as do other athletes just to have it taken because adults are playing politics and assume someone may be better than someone else.

Just so all of you know, I did get to swim varsity this year, I only missed approximately 6 meets at Varsity level. God provided my dad a new job in Bismarck, so my situation worked out.

But it made me want to fight for other athletes that don't have the same situation, that don't have parents that can move or pay two mortgages, to full fill their child's dream of swimming at a high level. I get that there are instances where recruiting could happen, but in the bill, it specifically says that recruitment would need to be proven and addresses it. Did this committee know most high school sports only last 13 weeks; 13 weeks that could change an athlete's desire to compete in competition, 13 weeks for an athlete to make "new" friends that they typically would not hang around, 13 weeks to ponder is all of this worth it when in the end, an adults decision to move made it so I can't compete at the level I have worked so hard to be at.

Again, I would ask that this committee render a do pass on this bill and take the politics out of our high school sports here in ND.

Sincerely,

Kambree Draper

Student Athlete

Legacy High School

Do Pass Testimony of Kasey Draper, Citizen of North Dakota on HB 1491

Chairman Heinert and members of the House Education Committee, thank you for the opportunity to provide information regarding HB 1491. I am Kasey Draper a parent that this "rule" has affected personally, and I am testifying to express my strong DO PASS on House Bill 1491. I have been affected by this rule along with numerous other parents and families in ND.

The current rule that we this affects in ND has only been in place since 2016. The opposition will suggest and put what if's out there that there will be stacking of teams. Can I say to that, then hire better coaches that will lead teams to a championship. Hire staff that will put your school at a competitive level. Can you imagine if our corporations were told they had to turn away top talent because they would have to be hired as a junior level associate rather than an executive level associate for a year before they could be promoted.

The stacking of teams is happening already let's be honest, we come from Williston, ND and see it all day long. I can name 6 athletes right now that compete in different school districts because of the sports they excel at, and they want to be on championship teams. Their parents have homes in one school district and "other" homes in the other school district. This rule is not hard to scoot round if you have been given the resources. We could've not been honest too, but we chose to be honest and forthcoming because of our integrity.

I am here to speak on behalf of the athlete that has parents that get separated. For example, mom moves to Bismarck ND and Dad stays in Williston, ND. The student/athlete chooses to move with the Mom, now on top of having to deal with parents being separated, most likely being pulled between parents, but having to make new friends, navigate through a new school, new teachers, new home, dad not being around, but is now told they can't compete at a varsity level and have to sit a year out because their parents decided to separate. (You maybe thinking the parents are separated this rule doesn't apply, oh but it does, parents must be legally divorced and provide proof of the divorce to the school district and NDHSA in order to play) Furthermore, may I pose the question what will the NDHSA do with the students athletes that have parents who have never been married and they demand something to prove that the student isn't just moving to play for a better team. Again, there are plenty of loopholes to scoot around this rule...

Most athletes find their comfort in sports and competing especially if they are good. This is their out on what is happening in their lives at home. With all the discussion on the declining mental health of students from the school districts and government administration, to the point that we have classes offered to students in public education, we would want to limit the stress of transferring on an athlete and allow them to compete at the level they have worked to be at.

I will reiterate we are talking about high school sports that last 13 weeks, but may have a life time affect on a child.

Sincerely,

Kasey Draper

Parent

4833 Meadow Creek Drive South
Fargo, ND 58104
kyleoetker@yahoo.com
309.230.8526

4 February 2025

SCHOOL CHOICE / HIGH SCHOOL SPORTS
SB2303 / HB1491

Dear State of North Dakota Education Committee:

My name is Kyle Oetker, and I am from Fargo. My wife, Danielle, and I met at a University that is both a public land grant college, funded by a state, as well as a private college.

Danielle and I have three children. Our kids attended Centennial Elementary, Discovery Middle School, and now they attend three high schools. We have a sophomore at Davies, a sophomore – we have twins – at Moorhead High School, and a junior at Shanley.

We moved our oldest child from Davies to Shanley; because he was not completing his homework, and he was using his cell phone for much of the day. He was struggling in many subjects, including advanced math.

After 6 months at Shanley, his academic performance has greatly improved. He is now earning an A- in AP Calculus. I am grateful that Shanley could help him focus on academics and that is why I traveled to Bismarck today to support school choice.

There is a cost to this change from Davies to Shanley. In addition to the tuition, my son is not allowed to participate in debate, speech, and chess. The State High School Athletic Association regulates all school activities, and specifically excludes kids for one year after a school transfer.

Private schools, like Shanley, provide academic alternatives that fill in the gaps of the school network. State funding should follow the enrollment of the student, rewarding the schools that are improving our overall standard of education. The State of North Dakota Athletic Association should regulate only athletic activities.

Sincerely,



Kyle Oetker

ND Representatives,

Please consider passing this bill to eliminate transfer rules in North Dakota.

At Williston Trinity Christian School, we have seen many students punished by these harsh rules, including the following:

- *students who are migrant families that travel for a few months during the school year for work
- *students whose parents are going through a separation and are split between homes
- *students who are looking to get out of a bad situation in their current school and aren't able to build the evidence needed to qualify for an exemption, because many times their former school administration does not want to admit the problem
- *homeschool students who have tried a different option and have found it's not the best fit for them

As a private school, if we wanted to recruit athletes from around the country, we could already be doing that by recruiting freshman to be eligible to play immediately or high school students that are willing to play JV for a calendar year. That is not our goal. Our goal is to serve our students that are here now.

Lastly, I would like to add that it seems extreme to punish students who transfer in the areas of music and speech competition. Since there isn't an alternative for competition in these areas, students are left to miss out on an opportunity to work toward a goal in the area of fine arts, which builds character and allows students to explore another interest. What is to be gained by punishing a student in the area of fine arts?

NDHSAA may argue that the percentage of students who are subjected to their punishments is quite small. For our school, it is an every year occurrence that students are sitting out of Varsity competition, most of them for the reasons listed above.

Let them play.

Kasey Richards
Williston Trinity Christian School

This bill seems like a bad idea. Are high school sports in North Dakota about teamwork and community or are they about funneling talent to a handful of elite schools who then compete for a state championship? North Dakota recently switched to a 3 tier system for Basketball and Volleyball to try and level the playing field a little. Over the past 10 years, some small schools have gotten smaller and some medium schools have grown until it's not really a fair competition between a school like Larimore (where I coach) and Grafton or Thompson (who regularly have more 9th graders out for a sport than total 9-12 kids, like in my school). The switch to a 3 tier system was fair for everyone. Good programs with strong community support will still be successful.

Now look at the power a town like Grafton could wield due to a business like Marvin Windows if this bill passes. Any top-tier athlete in a 100 mile radius (or more) gets an invite to play for Grafton. Their parent(s) get a job at Marvin and they live in an apartment (probably built to house athletes like this) until the athlete graduates. Then the parents either move back or stay in Grafton (which grows more). Colleges only have to recruit from a small handful of schools, all of the sifting of talent has already been done for them.

The NCAA Volleyball transfer portal rules are similar to this bill and there is a lot of discussion right now about how the trend is elite athletes playing one season at a small school as a 'try out' and then transferring to a bigger program. The ultimate result is that the same 5 or 6 schools would compete for the national championship every year with other schools acting as farm systems for them. I would hate to see high school sports in North Dakota follow this trend. Please vote No.

February 10, 2025

Dear Chairman Heinert and members of the House Education Committee,

I am writing to express my opposition of HB 1491. As an educator, my first and foremost concern is the student. This bill would allow educational disruption to the student that is not outweighed by the movement from school to school for whatever purpose. As a speech coach (and former cross-country coach), I believe moving students in and out of schools would be detrimental to current competitors and programs where even displacement could occur. Transfers between schools should not be based on the chase of some athletic or fine arts dream; the education and stability of the student should always be what we are striving for.

Thank you for your time and consideration.

Laura Weis

This bill would have disastrous consequences in my opinion for our students. Students would be free to move in and out of schools for athletics with little or no regard to academics. NIL has changed the landscape of the NCAA and this bill would have even fewer safeguards in place than what the NCAA does when considering possible recruitment or influence from others. Teams eliminated in a playoff one week could transfer to another school and would be considered immediately eligible. At present, NDHSAA has 209 transfers of students. Of the 209, 185 are varsity eligible because they have met the transfer rule requirements. 24 students this year still have participation opportunities, just not at the varsity level.

I am very concerned about the devastating impact this bill would have on our North Dakota high schools.

In short, the bill would drastically change current NDHSAA transfer rules, including:

1. Elimination of any recruitment or undue influence rules or penalties
2. Immediate varsity eligibility granted by simply providing a rental agreement
3. The elimination of the requirement to make a lock, stock, and barrel move before varsity eligibility being granted
4. No limit on the number of times a student transfers and is granted immediate varsity eligibility

Allowing students to transfer schools and participate in extracurricular activities as often as they choose poses significant challenges to educational stability, fairness, and the integrity of school programs. While school choice can be beneficial in certain circumstances, an unrestricted transfer policy undermines key aspects of the educational system.

Frequent school transfers disrupt students' academic progress. Changing schools requires students to adjust to new curricula, teaching styles, and academic expectations, which can negatively impact their learning continuity. Additionally, teachers and administrators must spend extra time helping transfer students catch up, which diverts resources from other students.

KINDRED PUBLIC SCHOOL DISTRICT #2
255 Dakota Street Kindred, ND 58051



To Whom It May Concern,

Thank you for reading my letter, formally submitted to you on the 10th of February, 2025. This letter is in regard to the proposed house bill 1491 as it pertains to the installation of less regulation in the state of North Dakota with transfer rules and policies of high school activities.

First, I would like to introduce myself. My name is Brad Ambrosius, and I am the Activities Director of Kindred Public Schools in Kindred, ND. This will be year two of my position at Kindred but my seventh year as an educator, coach, and supervisor in the Kindred School District. It is my desire to express to the committee the utmost contempt for the current house bill 1491 that is on the floor to be voted on.

As I have read, reviewed, and thought about this bill in its entirety there is nothing I can find in it that will benefit the young individuals of North Dakota, the communities, or the state by passing this legislative bill. As it currently sits the NDHSAA does a great job of acting on and enforcing the requirements of a full-on permanent residence move to be eligible for varsity competition in our state. By passing a bill like this you as a legislature and voice of the people are asking for chaos, individualism, and idea that loyalty is a characteristic better left in the past. Outlier communities of bigger cities, such as Kindred or Casselton are to Fargo, will become nothing more than feeder programs for the bigger schools in the area as they will see potential in freshman and sophomores of these smaller schools, and lure them to those bigger schools by boosters of these programs giving the parents money to rent an apartment in district. Essentially, you will destroy varsity level competition outside of the major metro areas. Something that is lost on this generation and something we need to get back to is the idea of loyalty and pride in your community, town, or school. These ideals are not just passing fancies, in my opinion, but legitimate life-long lessons to be held onto as your progress into your career, marriage, and other endeavors in your life. By allowing students to pick and choose the best programs around the place of residence from season to season, or even in-season, you are allowing certain individuals to put themselves on a pedestal above those that work-hard and have pride in their places of actual residence. Not to mention that only certain families will even get this opportunity either because they have gifted athletes or the money to have multiple residences all over.

The ridiculousness of a bill like this, the widespread chaos, and blatant attack on values; values that we are supposed to be giving to young men and women in activities, needs to be met with swift resistance. I played college sports at NDSU during their peak and know how far loyalty, pride, teamwork, and a belief in people other than yourself can take you. Please take this letter to heart and reach out to me with more questions if needed. Thank you for your time.

Sincerely,

(701)428-3177 bradley.ambrosius@k12.nd.us



P.O. Box 769, Larimore, ND 58251-0769

LARIMORE PUBLIC SCHOOLS

ELEMENTARY • 700 CLARK AVE. • PHONE: 701-343-2249 • FAX: 701-343-2463
HIGH SCHOOL • 300 BOOTH AVE. • PHONE: 701-343-2366 • FAX: 701-343-2908

District #44

Chairman Heinert and members of the House Education Committee, thank you for the opportunity to provide information regarding HB 1491. I am Patti Aanenson, Athletic Director at Larimore High School and Vice President of the NDHSAA Board of Directors. I am testifying to express my strong opposition to House Bill 1491. As a high school athletic director, I am deeply committed to the educational and personal development of our students. I am concerned that this bill, which seeks to eliminate the current student transfer regulations found in the NDHSAA Constitution and By Laws, is a solution in search of a problem, which if passed will actually create many more problems than currently exist.

Extracurricular activities, including athletics, music, and clubs, rely on team cohesion and long-term development. Allowing students to transfer at will destabilizes these programs, as teams and organizations require commitment to build skills, chemistry, and long-term success. Frequent transfers could lead to a system where students move based on athletic or extracurricular advantages rather than genuine academic or personal needs.

Unrestricted transfers open the door for the recruitment of students based on athletic or extracurricular abilities, creating an uneven playing field. Schools with more resources or stronger programs could attract top talent, leading to competitive imbalances and diminishing the value of fair competition. This is particularly concerning in high school athletics, where recruitment-like behaviors could overshadow the educational purpose of extracurricular activities.

We work on the philosophy of education based extracurriculars and this bill would remove the "education" as the basis for our extracurriculars.

Thank you for your time and consideration.

Patti Aanenson

Patti Aanenson
Larimore High School and NDHSAA

SUPERINTENDENT
Dr. Steve Swiontek
steve.swiontek@k12.nd.us

High School Principal
Mr. Kal Triplett
kal.triplett@k12.nd.us

Elementary Principal
Mrs. Kylie Swanson
kylie.swanson@k12.nd.us

The Larimore School District does not discriminate on the basis of race, color, religion, national origin, sex, disability, or age in its programs or activities and provides equal access to the Boy Scouts and other designated youth groups.

House Bill 1491

Testimony of Susan L. Anderson

House Education Committee

February 11, 2025

Chairman Heinert and members of the House Education Committee, thank you for the opportunity to address you regarding HB 1491. I am Susan Anderson, a life-long North Dakota resident, and a retired educator, theater director, coach of speech and student congress, and currently the manager of numerous regional and state speech tournaments in North Dakota. More importantly, I am a parent of North Dakota graduates and now a grandparent to North Dakota's future students. It is because of these roles that I am submitting testimony in opposition to HB 1491.

Before I address the challenges of this bill, I want to begin by highlighting what I believe is a core truth of athletics and fine arts activities in North Dakota. For many students who participate in an activity, the experience is exactly what it is intended to be: a meaningful extension of the educational process that provides an opportunity for students to compete fairly against other students in an educational environment. For the thousands of other students, alumni, family, and fans of North Dakota these activities provide a rallying point and a source of pride and unity that weaves together their communities. This is a uniquely American phenomenon. There is no model elsewhere in the world where activities and athletics are tied so directly to the educational process.

Although no system is perfect, as a coach who has attended 32 national speech and debate tournaments, I would say we are the lucky ones. I have listened to coaches across the nation complain and criticize the rules set forth by their state associations, including transfer regulations, and yet, as a long-time coach, never have I heard that regarding the transfer rules adopted and administered by the NDHSAA. As a coach and director of fine arts I am aware that sports is very different than fine arts. However, having had the opportunity to coach alongside sports coaches, I am also keenly aware that the values, the team building goals, and the mind set of coaches, whether sports or fine arts, are closely aligned. We all want to instill in our students the importance of working as one, growing as one, winning gracefully as one and losing with class as one. I strongly believe this piece of legislation rips at the core of those morals and places the emphasis of success on the win. How as a coach do I work from the beginning of a student's career on those beliefs, only to have a school scout and possibly attempt to recruit my best students from a program I have spent years building.

As important as teambuilding and values of sports and extracurricular fine arts are, even more critical if the implications this legislation brings to the education process itself. First and foremost, I am certain that there is not one member of this committee or anyone in this room that does not believe a student's education itself is not of

paramount importance in this argument. Let's look at a scenario that is highly possible if this legislation is passed. A student is playing football at Anderson High School and the English teacher decides to start the year teaching William Shakespeare's play, *MacBeth*. After the completion of football season, the student transfers to another high school which has a better basketball program only to find that this English teacher is teaching the same Shakespeare play during his/her second quarter. The disruption of educational continuity would be astronomical, especially in the science and math curriculums. These transfer scenarios can lead to a student struggling academically, which then leads to student frustration and possible failure. This is not what any educator wants a student to experience. The continuity of education must be the foundation of any education system in North Dakota.

Finally, as important as my life and experience as an educator, coach, and director were and are to me, most importantly my role as a parent stands as my strongest pillar of opposition to HB1491. The havoc this legislation could wreak on the integrity of the family would be devastating. It is no secret that our world is more and more divided than ever, but the ramifications of this legislation have the potential to divide North Dakota's families even more. Families do make difficult decisions regarding what is best for their children, but offering this choice to move from school to school and community to community has the potential to damage relationships within the family and the communities. Passing this legislation will create a divided house of cards that will tumble with a breeze. Thank you for your time today and serving as legislators that are making North Dakota great. Please vote Do Not Pass.

To whom it may concern,

In my estimation Bill 1491 would have disastrous consequences for student athletes, administrators, and coaches in the state of North Dakota.

Although school choice is an important topic at the moment, most conversations surrounding school choice stem from finding the best environment for students to thrive academically.

Instead, this bill appears to put decisions regarding athletics in schools higher on the priority list than academics. Further, many school districts and the NDHSAA have worked extremely hard to enforce rules on fair play for student athletes in our state. All the hard work by administrators over the years would go out the window and create a new set of rules that would be very difficult to enforce.

Sincerely,

Nathan Humann

Bismarck Public Schools

Teacher and Coach

February 10, 2025

Dear Committee Members,

I am writing to express my strong opposition to House Bill 1491, which I believe poses a serious threat to the integrity and educational value of high school athletics within our state.

The North Dakota High School Activities Association (NDHSAA) is a respected organization composed of member schools across the state, governed by elected boards. These boards have long been instrumental in guiding and regulating high school activities, ensuring a fair and consistent framework for student athletics. By setting uniform rules, the NDHSAA promotes equality and integrity in competitions, thereby allowing every student-athlete an opportunity to thrive under the same standards.

The proposed House Bill 1491 threatens to disrupt this well-established system. This bill is irresponsible and unnecessary, as it undermines the authority and expertise of local schools and the NDHSAA in creating and enforcing rules that maintain the integrity of high school sports.

Thank you for considering my concerns on this critical issue.

Sincerely,

Darwin Routledge
High School Principal
South Prairie High School

Dear Chairman Heinert and House Education Committee Members,

My name is Margo Knorr, and I appreciate the opportunity to speak before you today in support of HB 1491. I had hoped this issue would have been resolved in the previous session so that students and families like those here today and last session could have been protected sooner.

Those of us in support of HB 1491 are not asking for a perfect solution; we simply need a reasonable and practical approach that considers the unique hardships families face when transferring students. The North Dakota High School Activities Association's current transfer rule has evolved into an overly complex regulatory system disconnected from common sense and has been revised many times over. For example:

- In 2006, the ineligibility period for transfers was extended from 90 days to 180 days.
- In 2009, students were prohibited from transferring back to their home district.
- In 2016, the ineligibility period increased from 180 days to one full fiscal year.

These and other changes have created a labyrinth of rules that leave little room for common sense rulings on individual cases.

This situation reminds me of the challenges encountered with Title IX. Multiple changes through revision and other means diluted its purpose and, in some cases, harmed those it was meant to protect. As a former high school and collegiate athlete, a four-time All-American, a mother of three children in sports, and an Independent Women's Network Chapter Leader, I have witnessed firsthand the importance of restoring common sense. I was honored to stand in the White House last week with President Trump as he signed an executive order banning men from participating in women's sports—a decision signifying a commitment to common sense. Following suit, [the NCAA updated its organization's rules the following day](#).

Bold and decisive action is called for when a rule does not allow for common sense application.

There were concerns about proposing a law [last session](#) regarding transfers and hardships, so a compromise was reached with a study proposal. It received a resounding “do pass” out of committee hearings and a strong majority passing through both the house and senate. However, it was not effective in producing common sense resolutions. The [increasingly severe consequences](#) we see now make it clear that stronger action is needed immediately. The current transfer rulings and outcomes undermine the values of compassion, fairness, community, and common sense that are central to who we are as North Dakotans. We can and should do better.

My hope is for there to be a restoration of common sense through this bill.

My interest in this issue is personal. My family was directly impacted when our hardship exemption was denied, resulting in our children being separated between two school districts—one rendered varsity ineligible and the other forced to maintain a lengthy daily

commute to preserve eligibility. Our goal was to keep our children together in our district, yet the lack of common sense exacted an extraordinary price from us. Many families in North Dakota have suffered similarly. With that I would urge you to give HB 1491 a "Do Pass."

Thank you for your time and consideration.

Respectfully,

Margo Knorr



South Prairie Public School

100-177th Ave SW, Minot ND 58701

Phone: (701) 722-3537

Fax: (701) 722-3280

www.south-prairie.k12.nd.us

Administration

Wayne Stanley, Superintendent

Darwin Routledge, HS Principal

Gabe Rauschenberger, JR HS Principal

Tanna Neshem, Elem Principal

North Dakota Legislative House Members
State Capitol
600 E Boulevard Ave
Bismarck, ND 58505

Subject: Opposition to House Bill 1491

Dear Members of the North Dakota House of Representatives,

I write to you today as the superintendent of South Prairie Schools, urging you to oppose House Bill 1491. This proposed legislation is an unnecessary and harmful overreach into the governance of high school athletics in North Dakota. The North Dakota High School Activities Association (NDHSAA) exists to serve its member schools, and decisions regarding transfer policies should remain within its jurisdiction—not be dictated by legislative action.

HB 1491's attempt to create an unlimited transfer rule will ultimately harm student participation in extracurricular activities. Rather than promoting fair competition and community engagement, this bill would open the door to recruitment, instability, and diminished opportunities for student-athletes in smaller districts like ours. High school sports should foster teamwork, sportsmanship, and growth—not be subjected to a free-agency model that prioritizes movement over commitment.

Moreover, this bill sets a dangerous precedent. If the legislature begins micromanaging NDHSAA policies, what is next? A bill dictating which seats students can sit in on the bus ride home? Government intervention at this level is not only unnecessary but also counterproductive to the very goals of high school athletics.

Our schools, our communities, and our students deserve better. I strongly urge you to reject HB 1491 and allow the NDHSAA to continue governing high school athletics as it has successfully done for decades. Thank you for your time and consideration.

Sincerely,

Wayne Stanley

Superintendent, South Prairie Schools

South Prairie Board of Education

Randy Korslien, Pres., Sheila Lindbo V. Pres.

Steve Eberle, Director, Chad Mosser, Director, Curt Olson, Director

To: House Education Committee
From: Mike Zier AD/Teacher/Coach/ Current President of the
NDHSCA
RE: HB 1491
Date: 2/10/2025

Dear Committee

I am writing you to encourage you to NOT pass HB 1491

I'll be brief, I know of nothing good that would come from this bill. This would allow a "Wild West" approach to high school activities with a total disregard of education. What good would it do to have a student possibly transfer 3-4 or more times in a school year simply due to activities? The answer is none.

To think we could play a football playoff game in Beach on a Saturday, get beat then our 4 best players get "asked" to transfer to the town that just beat us for the next weeks playoff game, oh and lucky for them there are 4-5 people willing to provide a very friendly "rental" agreement. Honestly, it's laughable.

Feel free to contact me with any questions.

Mike Zier
Beach High School
Beach, ND 58621



House Bill 1491
Testimony of Brett M. Mitchell
House Education Committee
February 11, 2025

I am writing to express my strong opposition to House Bill 1491, which seeks to undermine the authority of the North Dakota High School Activities Association (NDHSAA). For 116 years, the NDHSAA has successfully governed and supported educational-based athletics, ensuring competitive balance, fair play, and the best possible experience for student-athletes across our state.

The NDHSAA's policies are developed with careful consideration, professional expertise, and a deep understanding of high school athletics. While no system is without its challenges, the current framework has proven to be the most effective way to uphold the integrity of competition and provide equitable opportunities for all schools and student-athletes. Stripping the NDHSAA of its governing power in favor of legislative intervention risks disrupting a system that has been refined over decades by those who work directly with our schools and communities.

House Bill 1491 would set a dangerous precedent, allowing state government to interfere with decisions that should be guided by experience, expertise, and the best interests of student-athletes. While it is always important to review and improve policies, dismantling a proven system in favor of legislative oversight is not the solution.

I urge you to oppose House Bill 1491 and allow the NDHSAA to continue its vital role in promoting fair and competitive athletics in North Dakota. Thank you for your time and consideration.

Sincerely,

Brett Mitchell
Activities Director
Legacy High School

Do Pass Testimony of Susan Draper, Citizen of North Dakota on HB 1491

Chairman Heinert and members of the House Education Committee, thank you for the opportunity to provide information regarding HB 1491. My name is Susan Draper, and I am a resident here in Bismarck ND and asking this committee to render a DO pass on HB 1491. Our family was directly affected by the “rule” that is currently being instilled by the NDHSAA. You heard from my daughter about her story and how it affects us, now hear mine.

The opposing argument will be that this bill will not have any consequences for recruitment, but the NDHSSA already has consequences in place if a student/athlete is found to be in violation of either moving district without reporting that two parents have moved together and or recruiting has been done by the coach or district and proven to be true. In addition, each player has to have a minimum of 9 practices before they can compete.

The consequence of a violation of the above policy is the loss of a state championship if won, placement in seeding at the state championship, and the athlete being suspended and not being able to compete. But this all revolves around “the NDHSAA knowledge” The NDHSAA on numerous occasions will ask parents/administrators, are you putting in a report or just calling for information. If a report is not filed, they don’t act on it. I don’t think there is a coach or AD in ND that would risk a state championship by recruiting athletes to come to their schools. Furthermore, if an athlete is being recruited in most instances, wouldn’t both parents move to the school district? This rule is based off of a few individuals who will try to work the system but is affecting students that are innocent and just want to play ball.

In bill HB 1491 recruiting is addressed in number 1, knowing that this would be an issue and currently it is an issue, lets be honest. In the bill though it states they shall presume no recruitment or undue influence has occurred. This means that the student athletes should be given the benefit of the doubt rather than having to prove themselves innocent. We live in the United States of America where the 5th, 6th, 8th and 14th Amendment all imply this, you are innocent until proven guilty, I would hope that the NDHSAA would stand by this as well. This would also mean that the NDHSAA administration, the school AD’s and school district personnel would need to investigate rather than assume the worst. If 2 administrative members from NDHSAA, 2 ADs from Bismarck, and 1 AD from Williston, can find time to investigate one 16-year-old athlete, I am sure they can find time to investigate other athletes as well. Let me be clear that at no time were we asked or accused of recruitment, we just simply moved to a new town, but my husband stayed 50% of his time to work in Williston, ND.

I will elaborate on what our family went through so our daughter could swim high school. We had to submitted, lease agreements for both homes, our mortgage information, my husbands offer letter from his new job (which might I add had personal information), the resignation letter from the previous employer, a letter from his previous employer stating we had moved out, the Legacy AD and the Bismarck ND AD walked through our home in Bismarck to make sure my husband was moved in, and the Williston AD walked through our previous home in Williston to make sure we had moved out. When I asked if I didn’t comply with their requests what would happen, I was told that she wouldn’t be able to swim at the varsity level so we complied. I asked each of the AD’s how many times they had walked through homes of families that had transferred in from another school, two of the AD’s replied with this was their first, one replied that in an 8-year career this was his 4th

home visit, and Kevin from the NDHSAA said when he was AD he walked through everyone. When I asked why we were being subjected to all of these requests their response was our daughter was a high-profile athlete, and they needed to make sure they were protecting everyone involved.

Who determines which athletes are investigated, is it based on who is “told on” or “turned in”? Or is every transfer student treated the same? Right now, there are two varsity athletes playing in different districts that have similar situations to mine, when I told the administration this, they said they don’t have time to look at all transfers details that come into the districts, that it would be a full time job to investigate every situation. Wouldn’t the passing of this bill make their jobs easier; they would only have to investigate if the accusation of recruiting is made.

Again, I would ask that you render DO pass on HB 1491, to prevent our situation from happening to any further students.

Thank you for your time and consideration.

Susan Draper

Support of HB 1491

Chairman Heinert and Members of the House Education Committee, my name is Chris Jorde from Towner and I am submitting testimony in favor of HB 1491. As a parent of students from TGU school district, and a sitting school board member of the TGU school board, I personally question the inconsistencies of the "Hardship Waiver" granted from the NDHSAA. I am testifying against the current 1-year probation period imposed on a current student for a serious family medical condition; which has brought this student back "HOME" to our district to be closer to his family during this critical time of unanticipated medical circumstances. I believe that there should be reasonable hardship waivers granted in real life situations and why I believe there shouldn't be any rules for transferring students if they are not going to be consistently enforced for all students!

For these reasons I recommend a "Do Pass" recommendation in favor of HB 1491.

Thank you for your time and consideration.

Chris Jorde

Milnor Public School District No. 2

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Chris Larson, Superintendent and Activities Director

Ryan Weber, High School Principal

Theresa Wittich, Elementary Principal

Updated Testimony in Opposition to House Bill 1491

Sixty-Ninth Legislative Assembly of North Dakota
Presented by Dr. Chris Larson
Superintendent, Milnor Public School
February 11, 2024

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

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

Concerns Regarding HB 1491

1. Shifts the Focus from Education to Athletics

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

2. Encourages Athletic Transfers & Recruitment

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

3. Weakens Residency Verification & Oversight

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

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

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

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

5. **Harms Small & Rural Schools**

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

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

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

Conclusion

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

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

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

Respectfully submitted,

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Ryan Weber, High School Principal

Theresa Wittich, Elementary Principal

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Mr. Matt Bakke
 Assistant Superintendent
 Department Phone: 701.787.4882
 mbakke190@mygfschools.org

February 11, 2025
 House Bill 1491
 House Education Committee
 Testimony of Matt Bakke

Chairman Heinert and members of the House Education Committee,

Thank you for the opportunity to provide testimony in opposition to House Bill 1491. This bill would create an environment that encourages athletic transfers without accountability, opening the door to a “free agency” model in high school sports. This would present a fundamental shift in the way the North Dakota High School Activities Association (NDHSAA) manages student-athlete transfers by eliminating recruitment and undue influence rules. This, coupled with immediate varsity eligibility based solely on a rental agreement, poses a serious risk to our state's values defining education-based athletics. By removing these requirements, this bill allows for unchecked movement between schools, fostering inequities, disrupting team dynamics, and diminishing opportunities for student-athletes who remain committed to their local programs.

The NDHSAA has long provided a structured yet flexible system for handling transfer cases, ensuring a balance between student opportunity and competitive fairness. Over 90% of NDHSAA member schools support the existing transfer regulations, recognizing that they protect student-athletes and the integrity of high school sports. The current system allows for exceptions based on legitimate family circumstances while discouraging transfers driven solely by athletic advantage. Abandoning these principles in favor of an unregulated transfer landscape would be a disservice to our students, schools, and communities.

For these reasons, I strongly urge the committee to reject HB 1491. Preserving the integrity of high school athletics ensures that participation remains an extension of the educational experience. I appreciate your time and consideration in upholding the best interests of our student-athletes and the broader educational mission of North Dakota schools.

Matt Bakke, Assistant Superintendent
 Grand Forks Public Schools



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Equal opportunity employer

Grand Forks School District prohibits discrimination and harassment based on race, color, religion, sex, sexual orientation, gender identity, gender expression, national origin, ancestry, disability, age, or other status protected by law. The District also provides equal access to the Boy Scouts and other designated youth groups, as required by federal law.

I am Jason Spain Sr, father of Jason Spain jr. He transferred from Minot Central campus to Bishop Ryan in Jan 2023. He was forced to sit one year after the transfer.

While at Central his mental health was deteriorating, and he was suffering from anxiety. Jason has a medical issue that is brutal to live with and when some of the other kids found out about it, it was a mortifying experience. He struggles with connecting with other kids his age and that struggle only got worse as he struggled to connect with classmates. His issue only compounded the problem. He was suffering from insomnia for weeks; we took him to his doctor and received sleep medicine. This medicine made him feel like he was in a deep fog throughout each day.

Going to a school that is centered on his faith has transformed him into a strong young man. His focus is on serving others instead of stressing about his own problems, this has been the best medicine possible for my son. I am so thankful for Bishop Ryan High School. His issues still exist, but his focus has changed making him a much healthier version of himself.

When we decided to transfer, I called the athletic director at Minot High, and asked for his help on how to get a waiver so my son could play football without sitting out a year of varsity. The athletic director said he would be denied the waiver and mental health would not matter because he could still play JV. Well at Class A football JV is not a guarantee. We played one game, then the next game was canceled because of bad air quality, then the next scheduled game the opponent was only able to play a half. Their last four games were canceled either by Bishop Ryan or the opponent due to lack of players. He played a total of 1.5 games in the fall of 2023. The one activity that makes him happy outside of church activities.

We knew he would be ineligible to play varsity for one year, we still made the move for him and his brother. We did not ask for a waiver for his brother, just for Jason. There was zero athletic reasoning behind transferring. The rule was extremely excessive. His brother was going into eighth grade and was forced to sit out varsity as well. That also seems excessive.

There are so many more important issues other than athletics involved in transferring schools, but athletics have so many social, mental and obviously physical benefits. Taking that option away from the student is an exclusive mindset not inclusive.

Thank you,

Jason Spain



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



NDCEL Testimony in Opposition to House Bill 1491

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

Current Protections Provided by NDHSAA

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

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

Concerns with House Bill 1491

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

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

NDCEL is the strongest unifying voice representing and supporting administrators and educational leaders in pursuit of quality education for all students in North Dakota.

Executive Director: Aimee Copas-----Government Lead and Special Projects: Kevin Hoferz



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

Conclusion

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

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

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



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Chairman Heinert and members of the House Education Committee,

Thank you for the opportunity to provide testimony on HB 1491. My name is Andrew Jordan, Superintendent of Wilton Public Schools and President of the North Dakota High School Activities Association (NDHSAA). I am submitting this testimony to express my firm opposition to HB 1491.

Our current regulations governing student transfers exist for a good reason—to maintain the integrity, fairness, and educational focus of high school activities. HB 1491 seeks to dismantle these guidelines, a move that could do more harm than good. The proposed changes may appear to solve a problem, but they would instead create significant instability in our schools and extracurricular programs.

Participation in activities such as athletics, music, and other clubs is not just about competition. These programs foster teamwork, discipline, and growth over time. If students are allowed to transfer schools freely without restriction, it will disrupt team-building efforts and undercut the structure necessary for sustained development. Programs that rely on years of trust and commitment will suffer, negatively impacting both individual students and the organizations they belong to.

Moreover, without transfer rules in place, schools could be pressured into practices resembling recruitment, where students are lured by athletic or extracurricular opportunities rather than academic needs. This would inevitably lead to competitive disparities across schools. Smaller districts or those with fewer resources could struggle to retain students, creating an uneven playing field and diluting the core educational purpose of high school activities.

Education-based extracurriculars are built on a foundation of fairness, opportunity, and personal growth. HB 1491 threatens to erode that foundation by encouraging decisions that prioritize short-term gains over long-term educational development. We must safeguard the systems that have served our students and schools so well.

Thank you for your consideration of this important matter. I appreciate your time and attention.

Sincerely,
Andrew Jordan
Superintendent, Wilton Public Schools
President, North Dakota High School Activities Association (NDHSAA)

School Board

Jessica Oswald, President
Kylee Schuh, Vice-President
Jason Gregoryk
Misty Schafer
Troy Speten

Administration

Andrew Jordan, Superintendent
Macy Wood, Elementary Principal
Cori Hilzendeger, Secondary Principal
Business Manager
Jenna Kirchmeier

BEULAH HIGH SCHOOL

Activities Department

Jason Simpfinderfer, CAA

204 5th Street Northwest
Beulah, North Dakota 58523

Phone: (701) 873-2261
Fax: (701) 873-5273

Tuesday, February 11, 2025

Members of the House Education Committee,

I am writing to you on behalf of the activities department on Beulah Public Schools. The purpose of my letter is to share our opposition to HB 1491.

High school extra- and co-curricular activities are supposed to be education-based. As such, the students who compete for a school in sports and other activities, such as music, speech, debate, drama, should do it on an even playing field. I fear that HB 1491 will eliminate much of that as it opens the field for recruitment and open transfer without any regard for the educational process of which all students are enrolled in school for. It feels to me that the lines of education-based activities and student-athletes have become quite blurred if we are only worried about whether a student may transfer multiple times and have immediate eligibility.

The current transfer rules administered by the NDHSAA work. Students who meet any of the transfer criteria in the current NDHSAA by-laws are allowed transfer and eligibility. A survey administered by the NDHSAA last spring showed greater than 90% of member schools saw no need to change the current by-laws regarding transfer and eligibility. If more than 90% of our districts don't feel a change is needed, I see no reason why HB 1491 would need to be voted on.

I would ask that as you proceed in your hearing today that you consider what will most likely be devastating ramifications to the current state of high school activities in North Dakota if this bill were to reach the House floor with a "do pass" recommendation.

Sincerely,



Jason Simpfinderfer
Beulah High School Activities Director

Joy Ankenbauer

Region 2, Bowbells, ND

Mr. Chairman and members of the committee,

I would like to thank the NDHSAA for all the work they do with tournaments and events. We do appreciate the hard work they put in so that these events can run well. It is obvious that the NDHSAA cares about high school sports and activities in this state, but I believe that some of their policies are not beneficial to students, parents, and families. **I am asking for a DO PASS on House Bill 1491.**

My oldest son was not satisfied with his welding class. It was online, and as you can imagine, it's difficult to weld online. My son knew that Kenmare, a school only 10 miles from our home, had a newly built shop with new welding tools and a whole variety of equipment. He also knew that the math teacher at this school was qualified to teach college calculus, and he was convinced that his educational opportunities were better in Kenmare.

I scoured the NDHSAA bylaws, talked with several superintendents, and tried to figure out how this would work. Unfortunately, the bylaws state that "transfer in order to obtain certain subjects" is not an acceptable reason to transfer and, according to the NDHSAA, my son would lose eligibility his senior year.

So we packed up our family of 6 and moved into Kenmare, 10 miles away from our farm, so that my son would be able to keep his eligibility. We had to fully vacate our farmhouse "lock, stock, and barrel" so we didn't violate the NDHSAA bylaws, and we were told that we could be turned into the NDHSAA for an investigation at any time.

House Bill 1491 aligns with the current NDHSAA policy of having to live in the school district to be eligible. The bill simply makes things objective and clear cut, instead of subjective and dependent on the NDHSAA decisions. Under HB 1491, the NDHSAA would not be allowed to

investigate if we had moved “lock, stock, and barrel” out of our farmhouse.

The most needed part of this bill is “the NDHSAA shall presume no recruitment or undue influence has occurred.” Innocent until proven guilty. This will be an excellent change in the policy, should HB 1491 become law.

The families and students are the ones who should be making their personal educational decisions, and we should not be hindered and penalized by the NDHSAA.

I have visited with numerous people who are disgruntled with the way NDHSAA treats so many high school students of North Dakota. The main reason this bill exists, and HB 1149 of the 2023 Legislative Session, is because NDHSAA’s primary focus is on preventing a student athlete from moving to a preferred team, and they often do not consider the other issues, such as education, family dynamics, health, divorce, mental health, etc. If the NDHSAA would take all aspects into consideration, this bill would not exist.

I would encourage the committee to watch the testimony on House Bill 1149 from the 2023 Legislation Session.

This bill is one of the first steps to help provide accountability to the unchecked power held by the NDHSAA, and to return the rights of parents and students to make their own decisions about their education, unhindered by the restrictive bylaws and investigations of the NDHSAA.

House Bill 1491
Testimony of Cole Kratochvil
House Education Committee
February 11, 2025

I submit this testimony in favor of house bill 1491. The proposed legislation requires the same burden of proof for residency that is in place for voting in state and federal elections. Anything above and beyond is intrusive, excessive, and frankly a waste of taxpayer resources.

As I look through the school/athletic official testimonies in opposition to this bill, all typed up on official school letterhead, I can't help but mention that if this much effort was put into making sure our educational administration and athletic programs were held accountable, situations like what took place in Williston would never have necessitated student athlete transfers.

Parental control and discretion should be primary in both the educational and athletic pursuits of children. Williston's swim team staff is a prime example of why parental control and choice needs to be protected in statute. If the proposed burden of proof for residency is sufficient to vote in elections, it is more than sufficient to verify residency when parents are making those decisions that are in the best interest of their children.

I respectfully request a do pass on house bill 1491.

Thank you,

A handwritten signature in black ink, appearing to read 'Cole Kratochvil', with a long horizontal flourish extending to the right.

Cole Kratochvil

3903 4th Avenue East
Williston, ND 58801
701.509.6965

St John School District #3
House Bill 1491 Written Testimony

We strongly oppose the passing of House Bill 1491 for various reasons. We don't want to get away from the things that make our schools and communities special, a place where we want people to raise families, and that we are proud of.

I have 20-plus years coaching various sports, 20 years as a principal in North Dakota, and a lifetime of being in or around sports.

- 1) The sense of community will be negatively impacted – our schools and communities are proud of who they are, where they come from, and what school they attended. They bleed their school colors. This will have a negative impact as students and families that have never invested any time in the community and school will come in for the sole reason of their kid playing and/or winning. WINNING AND MY KID PLAYING BECOMES THE FOCUS instead of community and family involvement. The sense of community starts to fade away, and problems begin to arise as the locals are no longer as invested as they once were. That is how our small towns and schools continue to survive, everyone coming together and working together. That is what we do in North Dakota!
- 2) Education in today's world is challenging as it is. Now we might have something else put on our plate, along with, staff shortages, accountability, budget cuts, etc. that will significantly impact how we currently do things and how we will want to do things going forward. Sports will potentially replace an equitable, effective academic experience as the primary focus of our institutions. Sports is already a challenge in most places; policies, such as the one currently, continue to add to the challenge of extracurriculars and academics working together as a single, fluid experience for our students.
- 3) High school sports are intended to be for all students to be able to participate in. It helps with physical fitness, mental health, working with others, leadership, confidence, and social development. With the potential movement from House Bill 1491, are the same number of kids going to participate when student-athletes are transferring in to solely play and not necessarily build those skills with their teams leading up to the four high school seasons? Building those teamwork-based skills has always been a foundation of the purpose of high school athletics, but a policy such as this is disregarding those goals.
- 4) What happens to the academic integrity of schools when students are transferring in at all times of the year and schools are forced to "fit" them into a schedule, or educate them when they have not been there for most of the semester? Again, a bill like this implies curricular power held within sports despite them still falling under extracurricular activities. Academic institutions educate first, above all else, and all in all, this bill will undoubtedly impact the already fragile academic environment through the separation of schools and potentially the city community.

Charles Anderson, Principal
and AD

Rich L. Veltman, Superintendent

RED RIVER HIGH SCHOOL

Mr. Kristopher G. Arason, Principal
 Mr. Jay Hepperle, Associate Principal
 Dr. Darin Walters, Associate Principal
 Mr. Tyler M. Nelson, Athletic Director

HOME OF THE ROUGHRIDERS

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February 11, 2025
 House Bill 1491

Members of the House Education Committee,

Thank you for the opportunity to provide testimony in opposition to House Bill 1491. This bill would create an environment that encourages athletic transfers without accountability, opening the door to a “free agency” model in high school sports. This would present a fundamental shift in the way the North Dakota High School Activities Association (NDHSAA) manages student-athlete transfers by eliminating recruitment and undue influence rules. This, coupled with immediate varsity eligibility based solely on a rental agreement, poses a serious risk to our state's values defining education-based athletics. By removing these requirements, this bill allows for unchecked movement between schools, fostering inequities, disrupting team dynamics, and diminishing opportunities for student-athletes who remain committed to their local programs.

The NDHSAA has long provided a structured yet flexible system for handling transfer cases, ensuring a balance between student opportunity and competitive fairness. Over 90% of NDHSAA member schools support the existing transfer regulations, recognizing that they protect student-athletes and the integrity of high school sports. The current system allows for exceptions based on legitimate family circumstances while discouraging transfers driven solely by athletic advantage. Abandoning these principles in favor of an unregulated transfer landscape would be a disservice to our students, schools, and communities.

For these reasons, I strongly urge the committee to reject HB 1491. Preserving the integrity of high school athletics ensures that participation remains an extension of the educational experience. I appreciate your time and consideration in upholding the best interests of our student-athletes and the broader educational mission of North Dakota schools.

Sincerely,

Tyler Nelson
 Athletic Director
 Red River High School
 701-746-2205 Ext. 6803
 tnelson300@mygfschools.org



To Whom It May Concern,

My name is Verlin Allery Jr., I am the head Girls Golf Coach and Assistant Boys Golf Coach, and I have been coaching for 10 years at St. John Public School/for Northern Lights athletics co-op. I have recently viewed House Bill 1491 as it pertains to potential ease of transfers for out-of-district athletics. I decided to record my thoughts on how this bill, if passed, can alter the landscape of both sports and academics within this document.

The proposed NDHSAA bill, which seeks to remove time-based consequences for students transferring schools for varsity sports, introduces several issues that could negatively affect the development of student-athletes, the integrity of school sports, the integrity of academics, and the overall structure of local communities. While the intent behind this bill may be to provide greater flexibility for students, its implications could lead to unintended consequences that disrupt both the educational and extracurricular landscape.

First, removing the time-based consequences for out-of-district transfers eliminates the adversity-related problem-solving that is essential for the growth of student-athletes. The challenge of earning a spot on a team—whether through competition for positions or overcoming obstacles within the team dynamic—teaches valuable life lessons such as resilience, teamwork, and the importance of persistence. By allowing students to transfer freely, this bill removes an important part of the growth process, potentially leaving students less prepared for the challenges they may face in their future careers or personal lives.

Another significant issue is the impact on team dynamics. High school sports are meant to foster team chemistry, a crucial element of success in any athletic program. Frequent transfers can disrupt team cohesion, making it difficult for coaches and players to develop trust and coordination. Students on constantly changing teams lose the opportunity to build meaningful relationships, which are central to both athletic and personal development. The inability to develop a stable roster could undermine this purpose of extracurricular sports.

Additionally, this bill could significantly harm community relations tied to local sports teams. Historically, high school sports have served as a communal activity, fostering a sense of pride and unity among students, parents, and local residents. When students can transfer without restrictions, the connection between athletes and the communities they represent becomes diluted. The shift from school-based athletics to more competitive "club" teams could remove the sense of belonging and shared purpose that local sports traditionally have to offer. This change would shift the focus of sports from community spirit and character building to an individualized, non-localized

model that puts the activity first and everything else second, including a consistent academic track.

From a financial perspective, this bill could complicate matters for schools. Enrollment numbers fluctuate significantly around sports seasons if this bill passes, and with students transferring freely, schools may struggle to predict and manage their finances. This constant shifting of populations could affect the per-student funding that schools receive, as well as lead to budgetary inconsistencies in athletic programs. Maintaining balanced budgets becomes increasingly more difficult with constantly changing enrollment numbers throughout the year.

Finally, this bill would place additional strain on the coaching landscape. Finding qualified coaches is already a challenge in many areas, but with teams changing constantly, it becomes nearly impossible to foster a consistent coaching environment. Coaches would have to deal with the difficulty of building team strategies when rosters are in flux week by week, which could lead to frustration and burnout. The disruption of team-building efforts would make it even more difficult to develop leadership skills, perseverance, and a sense of unity among athletes, ultimately hindering the long-term success of athletic programs.

In conclusion, while the intention behind removing time-based consequences for transferring students may seem well-meaning, the potential impacts could severely undermine the integrity of high school athletics. From the loss of community spirit to the challenges posed to team cohesion and coaching, this bill introduces risks that could erode the value of school sports as a key component of student development. Instead of promoting flexibility, this bill could inadvertently damage the very principles that make high school sports an important and rewarding experience for both students and communities. All in all, the underlying foundational goal of public education is to prepare our youth to be contributive members of society, and I do not believe bill reflects that goal.

To Whom It May Concern,

My name is Christopher Thomas and I am the head boys basketball coach at St. John Public School and I have recently viewed House Bill 1491 as it pertains to potential ease of transfers for out-of-district athletics. I decided to record my thoughts on how this bill, if passed, can alter the landscape of both sports and academics within this document.

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Thank you for your consideration,

Christopher Thomas – Head Boys Basketball Coach

Esteemed Committee:

My name is Jon Kohler and I am the Athletic/Activities Director for Hettinger Public School. I want to state my opposition to HB 1491. There are no good merits to this bill. It will now allow kids to go to the “highest bidder” in a sport. It will also allow them to transfer at any time during a school year to try to play for a better team. This is not what education-based athletics is about. We are not college and we are not the Pro teams. This bill will destroy education-based athletics as we know it today. Kids will no longer be “student-athletes” but will now be athletes looking for a place to win and education will be secondary to that.

Thank you for your time

Jon Kohler, AD Hettinger Public Schools

I support DO PASS on HB 1491

When students move to a new school community, this bill can have a great impact on their ability to build support systems through sports. It is already difficult for students to move to a new school community, and it may result in anxiety and stress for them. Participating in sports provides students with opportunities to meet new people and form friendships based on shared interests. It fosters a sense of belonging as they work towards common goals with their teammates.

Thank you for your consider on this important issue and for your service to the state of North Dakota.

Karen Krenz



Grand Forks Central High School

"Home of the Knights"

Rich in Tradition, Focused on the Future



115 North 4th Street
Grand Forks, ND 58203
701-746-2375 - Phone
701-746-2387 - Fax
www.gfschools.org/gfc

Mr. Jon Strandell, Principal
Dr. Gabe Dahl, Associate Principal
Mr. Mike Wilber, Associate Principal
Mr. Tony Bina, Athletic Director

TO: House Education Committee
FR: Tony Bina
RE: Opposition to HB 1491
February 11, 2025

I am writing to express my strong opposition to House Bill 1491, which proposes significant changes to the North Dakota High School Activities Association (NDHSAA) transfer rules. While I understand the intent to provide families with more flexibility, this bill would have detrimental consequences for high school athletics, student-athletes, and the overall integrity of competition in our state.

One of the most concerning aspects of HB 1491 is the elimination of recruitment and undue influence rules and penalties. These regulations exist to maintain fairness and prevent schools from actively recruiting athletes, which could lead to an unfair concentration of talent in certain programs. Without these safeguards, high school sports could become dominated by a select few schools, stripping away the community-based spirit that makes high school athletics special.

Additionally, allowing immediate varsity eligibility with nothing more than a rental agreement invites potential abuse of the system. The current requirement for a legitimate, full-family move ensures that transfers occur for genuine personal or educational reasons, rather than purely athletic motives. Removing this requirement undermines the integrity of competition and allows for a form of free agency that is inappropriate at the high school level, similar to the college sports and the transfer portal.

The absence of any restrictions on the number of transfers further destabilizes both athletic teams and student-athletes. Unrestricted movement creates an environment where students may transfer multiple times for purely athletic reasons, leading to instability in their academic and social lives. Stability is a crucial component of personal development, and HB 1491 jeopardizes that by treating high school sports as a transactional system rather than a formative experience.

Furthermore, this bill would have a disproportionately negative impact on smaller schools and rural programs, which may struggle to retain talent when larger or more successful schools are able to attract top athletes freely. This could lead to a decline in participation and competitive balance, ultimately weakening high school sports across the state.

I urge you to consider the broader implications of HB 1491 and oppose this bill to protect the integrity, fairness, and educational value of high school athletics in North Dakota. I appreciate your time and consideration on this important matter and welcome any further discussion on the subject.

Sincerely,
Tony Bina
Athletic Director
Grand Forks Central High School
(701) 787-4064



To Whom It May Concern, My name is Sara Abrahamson a volleyball(5 years) and track/field coach (year 4 of coaching) at St. John Public School/for Northern Lights athletics co-op. I have recently viewed House Bill 1491 as it pertains to potential ease of transfers for out-of-district athletics. I decided to record my thoughts on how this bill, if passed, can alter the landscape of both sports and academics within this document. The proposed NDHSAA bill, which seeks to remove time-based consequences for students transferring schools for varsity sports, introduces several issues that could negatively affect the development of student-athletes, the integrity of school sports, the integrity of academics, and the overall structure of local communities. While the intent behind this bill may be to provide greater flexibility for students, its implications could lead to unintended consequences that disrupt both the educational and extracurricular landscape.

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Dear Chairman Heinert and members of the Education Committee,

Thank you for giving us an opportunity to be heard today. Thank you for giving us a chance to help make sports better by considering passing Bill 1491. This bill is meant to better support the student athletes. As you heard and read the testimonies about this bill it is being presented because school officials are over stepping there boundries when it comes to student athletes. With out a policy they will continue. They are using athletes to achieve there own agends and instead of looking for what is best for the student athlete. It is sad that a policy is needed to prevent and combat this behavior, but here we are hoping to do just that. I ask that you pass bill 1491 to prevent any other student athlete from having o go through what Kambree and other athletes have had to go through. Thank God she is a confident and mental stable young lady and will be able to bounce back just fine, but the fact of the matter is that she never should have had to have gone through this. All students should be afforded the same opportunity to play with out adult politics interfering. Kambree is not one to take on a victum mentality when presented with hard sittuations in life. She is a fighter and that is why we are here today. This only made her stronger and if passed it will make sports stronger. She is also supported by a family that refuses to do nothing when we they can do something. My sister Susan is a motivated woman of integrity. Like all of us she wants what is best for her child and will do what it takes to see that her child being treated fairly. She is driven and I have no doubt if this bill is not passed you will se her again and again until one is passed to prevent this from ever happening again. With the drastic decline of students participating in sports, one would think a policy like this already exists. With all of the mental health issues students are dealing and knowing that sports help combat this, one would think this policy already exists. Schools should be creating and finding ways to get more students involved in sports, not trying to create reasons not to play. Again I strongly encourage you to pass Bill 1491.

Sincerely,

Trish Anderson

Today, Chairman Heinert and members, of this very vital committee, I am writing to express my unwavering support for HB1491, a legislative measure aimed at rebalancing the authority of external organizations over our students' extracurricular activities. This bill seeks to ensure that decisions affecting our students remain within the purview of our educational institutions and the parents, rather than being dictated by external entities with no direct affiliation to our schools.

Limiting External Control

The NDHSAA's eligibility rules are designed to assist schools and coaches in guiding students without interference from outside teams, ensuring that coaching instructions remain consistent. However, it's imperative that these guidelines do not overreach, especially concerning students who may not be directly affiliated with member schools.

Instead of listening to a foundation that is failing to stand up for the very students it claims to support, we must turn our attention to the child who has the courage to stand against this broken system. When a student steps forward to challenge the rules that hinder their participation and limit their opportunities, we should not dismiss them, we should listen. Their voice should not be overshadowed by an organization more concerned with maintaining control than protecting the rights of the very athlete it claims to govern. **I encourage you to read Kambree Draper's story.**

By passing this bill, we affirm our commitment to keeping the focus on our students and ensuring that decisions affecting them are made by those who know them best, their educators and local school administrators. Let us prioritize the well-being and development of our students over external organizational interests. Let us stand with the students who refuse to accept an unfair system and demand better for themselves and future generations.

Empowering Local Schools

Currently, schools are required to pay membership dues to organizations like the North Dakota High School Activities Association (NDHSAA) to participate in interscholastic activities. These dues are calculated at a rate of 20 cents per student enrolled in grades 7-12, with a minimum of \$25 and a maximum of \$350 annually. Additionally, schools are charged a \$35 fee for each activity they participate in, including those under cooperative agreements.

While the NDHSAA plays a role in organizing and regulating high school activities, it's crucial that our schools retain autonomy over decisions impacting their students. The NDHSAA's Constitution states that member schools have control over their Constitution and By-Laws, but it is the Board of Directors that interprets them. **This raises concerns when those interpretations limit student opportunities without proper representation from those directly affected.**

If there is a fiscal responsibility or a "study" are applied to this bill, then you will be considered part of the problem. We have to fight for our children. After-All they are the ones that are going to stand for us we can't. Please show these kids their voices matter more than a company being paid to make them rules. Rules are great and I would be the NDHSAA's biggest cheerleader, if I felt that somewhere along the way they lost their way. It's never too late to do the right thing.

Sharlet Mohr

HB 1491 Testimony of Representative Lisa Finley-DeVille

In Opposition of HB 1491

Good Afternoon Chair Heinert and Education committee. My name is Representative Lisa Finley-DeVille. I represent all of Ft Berthold Reservation that includes the MHA nation. I am writing in opposition of HB 1491 relating to student eligibility for high school sports and activities.

HB 1491 poses a serious threat to the integrity and educational value of high school athletics within our state.

The North Dakota High School Activities Association (NDHSAA) is a respected organization composed of member schools across the state, governed by elected boards. These boards have long been instrumental in guiding and regulating high school activities, ensuring a fair and consistent framework for student athletics. By setting uniform rules, the NDHSAA promotes equality and integrity in competitions, thereby allowing every student-athlete an opportunity to thrive under the same standards.

The proposed House Bill 1491 threatens to disrupt this well established system. This bill is irresponsible and unnecessary, as it undermines the authority and expertise of local schools and the NDHSAA in creating and enforcing rules that maintain the integrity of high school sports.

In urge a Do Not Pass on HB 1491. Thank you for your time and consideration.

2/11/2025

Dear Chairman Heinert and members of the House Education Committee

I am writing to express my opposition of HB 1491.

I am a retired educator who spent more than 40 years in the classroom. I cannot think of anything more disruptive to students' academic education than moving between schools whether at the beginning of a year or in the middle. Our primary concern should always be for our students' education before we are concerned with their activity participation. That being said, I oppose the bill primarily for the disruption it is to the education of a student as they move from district to district or school to school within an academic year. There is always loss of learning when this happens, and this should not be encouraged by legislation.

As a co-curricular coach of Student Congress and Speech (and previously debate), I oppose this bill because of the effect it has on the continuity of the team, the building of skills, and the impact to the community. The students on a team are taught teamwork, cohesiveness, grit, and skills. This bill takes away our ability to count on the students being invested in each other's progress as well as their own. Knowing that a teammate may choose to abandon the team when things aren't going their way makes students not trust in the team and hinders teambuilding and team cohesion. It is vital to students to have stability in order to progress together.

In addition, the community rallies around teams in their community. Win or lose, they are the hometown kids. If this bill goes into effect, the community will not know who to support and may feel betrayed when one of their own chooses to transfer to a different school just to win.

Please put our students first and not the goal of competitive success. Students need a stable and consistent education. Unfortunately, this bill is antithetical to that goal.

Gayle Hyde

Fargo South Student Congress and Speech Coach

Former Debate Coach

Retired Teacher

Chairman Heinert and members of the committee,

I urge you to vote **Due Pass** on **House Bill 1491** because it is up to this committee to stand up for the student, not to protect an organization that has lost sight of its purpose. The NDHSAA was founded to establish rules and boundaries for student-athletes, yet now it protests when rules and boundaries are proposed for itself.

Why should an organization that governs high school sports be allowed to operate without the same accountability it enforces on students? If this bill is about fairness, then fairness must apply to all—including the NDHSAA. I ask you to put the students first and ensure that no organization holds unchecked power over our schools and athletes.

Chairman Heinert and Members of the House Education Committee,

My name is Kimberly Hurst and I reside in District 1. I am asking that you please render a Do Pass on HB 1491.

When student-athletes relocate to a new school and community, they should be welcomed without automatically facing unfounded accusations of misconduct. While policies and procedures exist to protect student-athletes and maintain the integrity of school athletics, it is essential to recognize that not all high-performing athletes should automatically be subjected to recruitment investigations simply because they have made the personal and life-changing decision to move.

Additionally, the fairness of the current process should be questioned, particularly regarding the practice of requesting access to individuals' homes to verify residency. Invading a family's private space in this manner raises serious concerns about privacy rights. No individual should be compelled to allow such an intrusion unless there is legal justification, such as a warrant issued in connection with a criminal investigation. The North Dakota High School Activities Association (NDHSAA) should not have the authority to disrupt or invade a family's home under the guise of verifying residency. The simple fact that this is legally permitted in the state of North Dakota should greatly concern you as lawmakers of this great state.

In respect for our student-athletes, their families, and the foundational relationships between them and the NDHSAA, I urge you to support and pass HB 1491 for the fair treatment of student-athletes in new communities. Thank you for your time, consideration, and commitment to serving the state of North Dakota.

Kimberly Hurst

February 11th 2025

Marc Mohr

5433 134th Ave NW

Williston North Dakota

Chairman Heinert and members of the committee, I urge you to vote Due Pass on House Bill 1491.

The NDHSAA has openly admitted that they do not conduct these eligibility checks for every athlete—only for so-called "elite" athletes. If these rules were truly about fairness, they should apply equally to all students, not just a select few. After reviewing the NDHSAA bylaws, I found no clear definition of what qualifies as an "elite" athlete. Who decides this? What criteria are used, and why is it not transparently outlined? This inconsistency raises serious concerns about fairness and accountability.

If we are to ensure an equitable system for all student-athletes, this bill is a necessary step forward.

Thank you for your time,

Marc Mohr



Guy Fridley - Activities Director

701-456-0030

gfridley@dpsnd.org

979 13th Ave West
Dickinson ND, 58601

House Education Committee,

I strongly oppose HB 1491, which would strip the North Dakota High School Activities Association (NDHSAA) of its ability to regulate athletics-driven student transfers between member schools. This bill threatens the fairness and integrity of high school sports by removing essential safeguards that ensure an equitable playing field for all student-athletes.

The NDHSAA's transfer guidelines are crucial for maintaining fairness in high school athletics. As an organization dedicated to education-based activities, the NDHSAA ensures that sports serve as an extension of the classroom, emphasizing teamwork, integrity, and personal growth over competitive advantage. These regulations help prevent recruiting and ensure that athletic programs remain focused on development rather than on assembling teams based on transfers.

HB 1491 operates under the assumption that recruitment and undue influence do not exist. However, by eliminating NDHSAA oversight, it creates opportunities for competitive imbalances, program instability, and a departure from the educational values that high school activities are meant to uphold.

Ultimately, HB 1491 undermines the purpose of high school athletics, which should prioritize student development over competition-driven transfers. Maintaining NDHSAA's authority over transfer regulations is essential to preserving the integrity of high school sports and ensuring fair opportunities for all student-athletes. For these reasons, I urge strong opposition to HB 1491.

Thank you,

Guy Fridley
Activities Director
Dickinson Public Schools

Be Mighty



2/11/2025
Brenda Wollan
Williston, ND 58801

Chairman Heinert and members of the committee, please vote a Due Pass on House Bill 1491.

If DOGE is teaching us anything right now, it is to question everything.

I have yet to see a privately funded organization truly prioritize the people over its own interests. Too often, these organizations seem more focused on lining their pockets than on serving those they claim to represent. I am not here to accuse anyone of wrongdoing, but I do find it concerning when an institution that is supposed to advocate for students actively opposes a bill designed to protect them. That, to me, is a clear red flag.

Perhaps it is time we take a closer look at who is funding this organization and whether their priorities truly align with those of our students.

Thank you for your time.

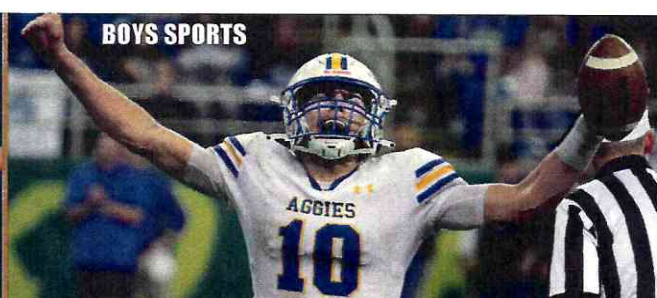
Brenda Wollan



Kelsie Belquist, New Rockford-Sheyenne
CeCe Deebom, Fargo Davies



Azjiah Trader, South Prairie



Ben Schepp, Velva/Drake-Anamoose/Garrison

NDHSAA

NORTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

30

ATHLETIC STATE
TOURNAMENTS

7

FINE ARTS STATE
TOURNAMENTS/CONTESTS

ESTABLISHED IN:

1908

171

MEMBER SCHOOLS

* NO MEMBERSHIP DUES *

2,197

REGISTERED ATHLETIC
OFFICIALS



Jenna Gerhardt and Dana Henry
Registered NDHSAA Girls Wrestling Officials

"Elevating Citizenship & Sportsmanship"

ABOUT US:

- **ACADEMICS COME FIRST.** Our sanctioned athletic and fine arts activities support our schools' core mission by prioritizing students' satisfactory academic progress and personal development.
- The NDHSAA is a 501(c)(3) nonprofit organization. **We do not receive government funding.** Our revenue comes primarily from postseason tournament ticket sales, corporate partnerships and media rights.
- Membership is voluntary and **FREE** to high schools recognized by the State Department of Public Instruction.



Xavier Bell, New Town



Leelee Bell, Minot High



Matthew Foolish Bear, Bismarck St. Mary's



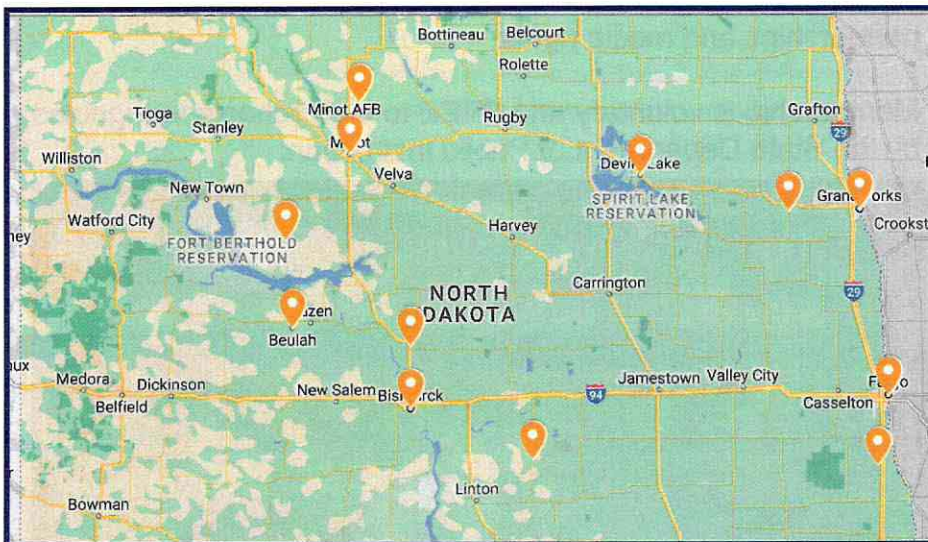
Wylee Delorme, Devils Lake



Rose Solberg, Fargo Davies

OUR GOVERNANCE:

- **NDHSAA By-Laws are created by our Member Schools.** Any Member School can propose a By-Law change and each Member School has a voice and vote at our April General Assembly Meeting.
- Three Class A and four Class B administrators are elected from their geographic areas. In Addition, one member each representing the Native American Schools, Department of Public Instruction, Secondary Principals Association, Athletic Administrators Association, and School Boards Association are elected and bring broad perspective to decision making.
- Under Board oversight, our staff organizes education-based athletic and fine arts seasons and aids school administrators with By-Laws or specific sport regulation interpretations when they arise.
- Below is a map with current locations of the NDHSAA's 12 Board of Directors for the 2024-25 School Year.



SCAN QR CODE FOR MORE INFORMATION ON
NDHSAA BOARD OF DIRECTORS

EXECUTIVE DIRECTOR: MATT FETSCH

matt.fetsch@ndhsaa.org | (701) 845-3953

BOARD PRESIDENT: ANDREW JORDAN, Supt. Wilton

andrew.iordan@k12.nd.us | (701) 734-6331

STUDENT PARTICIPATION:

55% of North Dakota students in grades 7-12 participate in at least one NDHSAA-sponsored sport or fine arts activity.

**NDHSAA Participant Numbers
2023-24 School Year**

Baseball: 1,754

Basketball: 4,678

Cross Country: 1,473

Football - 9 Man: 949

Football - 11 Man: 3,106

Golf: 1,939

Gymnastics: 82

Ice Hockey: 909

Soccer: 1,342

Softball: 1,174

Swimming & Diving: 709

Tennis: 963

Track & Field: 5,370

Volleyball: 3,149

Wrestling: 1,494

Band: 4,381

Orchestra: 954

Vocal: 4,159

Debate: 250

One-Act Play: 1,260

Speech: 1,110

Student Congress: 242

**FOR MORE INFORMATION
ON NDHSAA VISIT:**

**WWW.NDHSAA.COM &
WWW.NDHSAA.NOW.COM**

2025 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1491
2/17/2025

Relating to student eligibility for high school sports and activities.
--

3:35 p.m. Chairman Heinert called the hearing to order.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Hauck, Heilman, Jonas, Longmuir, Maki, Marchall, Morton, Novak, Osowski

Discussion Topics:

- Committee Action

3:41 p.m. Representative Jonas moved a Do Not Pass.

3:41 p.m. Representative Schreiber-Beck seconded the motion.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Dori Hauck	Y
Representative Matthew Heilman	N
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Roger A. Maki	N
Representative Andrew Marschall	N
Representative Desiree Morton	N
Representative Anna S. Novak	Y
Representative Doug Osowski	N

Motion Carried: 9-5-0

Carrier: Chairman Heinert.

3:55 p.m. Chairman Heinert adjourned the meeting.

Saydee Wahl for Leah Kuball, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1491 ([25.1074.02000](#))

Education Committee (Rep. Heinert, Chairman) recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1491 was placed on the Eleventh order on the calendar.