

NDHSAA PROPOSED AMENDMENTS TO BY-LAWS

ARTICLE VI – DUE PROCESS PROCEDURE

The following Due Process Procedure shall govern the investigation into alleged or contested violations of the Constitution, By-Laws, or interpretations of the North Dakota High School Activities Association by a member school (party) (see Member Schools Complaint and Appeals Flow Chart, attached hereto at page 49 and incorporated by reference), or of appeals made pursuant to Part Two, Article XIV, Section Xb (“hardships”) (see Member Schools Hardship Exception Procedure and Appeals Flow Chart, attached hereto at page 50 and incorporated by reference) or Section XI (“eight semester rule”) (see Member Schools Extra Semester(s) Procedure and Appeals Flow Chart, attached hereto at page 51 and incorporated by reference) of the By-Laws. (Oct, 2011)

ARTICLE XIV

SECTION X:

b. A student who, because of hardship including, but not limited to, broken home conditions, death of parents or guardians, abandonment or other exceptional or emergency reasons, finds it necessary to ~~change-transfers~~ schools, may be declared eligible for varsity competition by the Executive Secretary, provided the member school of attendance submits and supports a hardship application and the Executive Secretary’s investigation reveals verifiesthe change-transferwas necessary and there was no undue influence or recruitment. The decision of the Executive Secretary may be appealed pursuant to Due Process Procedures of Article VI, Sections ~~XV~~ through XVII of these By-Laws (see Hardship Appeals Flow Chart, attached hereto at page 50 and incorporated by reference). ~~(Oct. 06)~~ (Oct. 2011)

SECTION XI: A student shall not participate in any interscholastic contest after his/her eighth semester in high school unless he/she is under 18 years of age, nor after his/her seventh semester, if his/her seventh and eighth semesters are not consecutive. In the event that a student has been unable to participate in an activity due to a diagnosed life threatening disease or other exceptional reason, the Executive Secretary has the power to grant/deny the student one ~~extra-year~~ or two additional semesters of eligibility provided the member school of attendance submits and supports an extra semester(s) application establishing that he/she the student has not reached his/her twentieth birthday and the student is academically eligible. ~~A denial of eligibility under this section may be appealed by the member school attended by the ineligible student.~~ The decision of the Executive Secretary may be appealed pursuant to Part Two, Article VI, Due Process Procedures of Article VI, in Sections XV through XVII of these By-Laws (see Extra Semester(s) Appeals Flow Chart, attached hereto at page 51 and incorporated by reference), provided the student has not reached his/her twentieth birthday and is otherwise eligible. ~~(October 2005)~~ (Oct, 2011)

September 14, 2011

To: Class A Athletic Administrators
Class A Superintendents
Class B Superintendents
Graded Elementary Administrators
From: Sherman Sylling, Exec. Sec.
Re: By-Law Amendment

The following proposed amendment to the NDHSAA By-Laws will be considered by the membership on October 20, 2011 at the NDHSAA Membership Meeting that is scheduled for 4:30 p.m. at the Bismarck Ramkota Hotel.

Grafton High School proposes an addition to PART TWO, ARTICLE III – CONTESTS, SECTION XI, 2B.

SECTION XI: The Cooperative Sponsorship Amendment, which adds Section XI to Article III of the By-Laws, will become effective July 1, 1981, and reads as follows:

Cooperative sponsorship of any activity by two or more member schools will be considered under the following conditions:

1. Schools are to be located in the same geographical area.
2. School Enrollments:
 - A. All member schools of the NDHSAA will be eligible to participate in the cooperative sponsorship program.
 - B. When Class B schools are involved with the cooperative sponsorship of an activity and the combined enrollment of the schools involved exceeds 325 students in grades 9 through 12, these schools will compete as a Class A school in that activity. (Exception for wrestling, girls' fastpitch softball and cross country: co-op request must be approved by the NDHSAA Board of Directors.) (Last Amended January 2004)

Rationale:

With the addition of girls' fastpitch softball among Class B schools, the NDHSAA Board of Directors has approved the placing this activity into two divisions. Several Class B schools have formed cooperative sponsorships to allow them to field a girls' fastpitch softball team. This has caused the total enrollment of those Class B schools involved in a coop to exceed 325. With fastpitch softball being separated into two divisions, there is a need to allow Class B schools to remain in the Class B division, similar to the exception which has been in place for wrestling and cross country.