

MINUTES

**North Dakota High School Activities Association
Tuesday, April 26, 2022 - Valley City, ND**

Members present: Baxley, Brandt, Clouten, Diegel, Fridley, Johnson, Jordan, Jundt, Rerick, Schoch

Members absent: Baesler

Audience: Ian Grande, Principal, Shiloh Christian; Dana Jacobson, Athletic Director, Shiloh Christian; Brent Tehven; Logan Midthun, Athletic Director, West Fargo Horace

President Dr. Mark Rerick called the meeting to order on April 12, 2022, at 10:30 am CDT.

Motion by Fridley to approve the agenda, seconded by Clouten. Motion carried unanimously.

Rerick presented the consent agenda:

1. Approval of Minutes
 - a. January 20, 2022
 - b. January 26, 2022
 - c. February 16, 2022
2. Financial Reports
 - a. Balance Sheet
 - (1) January 2022
 - (2) February 2022
 - (3) March 2022
 - b. Budget
 - (1) January 2022
 - (2) February 2022
 - (3) March 2022
 - c. Savings/Investments
 - (1) January 2022
 - (2) February 2022
 - (3) March 2022
3. Coop Dissolutions
 - a. Solen and Standing Rock in volleyball, 7-12, 2022-23
 - b. Alexander and Williston Trinity Christian in girls basketball, 7-12, 2022-23
4. Coop Applications
 - a. Fargo North, Fargo South, Fargo Davies, Oak Grove, and Shanley in gymnastics, 7-12, 2022-23, no fee
 - b. Fargo Davies and Shanley in girls hockey, 7-12, 2022-23, no fee
 - c. Fargo North and Fargo South in girls hockey, 7-12, 2022-23, no fee
 - d. Cavalier, North Border-Walhalla, and North Border-Pembina in girls basketball, 7-8, 2022-23, no fee
 - e. Grand Forks Central and Manvel in baseball, 7-12, 2022-23, no fee
 - f. Jamestown and Maple Valley in girls swimming & diving, 7-12, 2022-23, no fee
 - g. Fargo South, Fargo Davies, and Fargo North in girls wrestling, 7-12, 2022-23, late fee
 - h. West Fargo and Kindred in boys soccer, 7-12, 2022-23, no fee
 - i. West Fargo, Kindred, and Northern Cass in girls soccer, 7-12, 2022-23, no fee

Motion by Schoch to approve the consent agenda, seconded by Jundt. Motion carried unanimously.

Rerick presented the Executive Board report. There were seven school violations since the January 20 meeting. Surrey girls basketball misapplied an ejection suspension. Surrey doubled the prescribed penalty on their own and the Executive Board took no further action. New Town girls basketball had an individual exceed the daily quarter limit. They forfeited the game and the entire coaching staff sat out the next game. No further action was taken. Mandan wrestling used an unregistered official during a regular season tournament. The official will drop a

classification next year. Bismarck Legacy soccer had an out-of-season coaching violation, Executive Board issued a letter of reprimand. Napoleon girls basketball practiced at region tournament site following their district tournament. Executive Board issued a one-game suspension to Napoleon's head coach to be enforced in their next varsity girls basketball game. Bismarck Century speech used an ineligible junior high student and forfeited and adjusted meet results accordingly, no further action was taken. Grand Forks Central track and field used an ineligible participant and forfeited the participant and adjusted meet results accordingly. No further action was taken.

The Executive Board also approved late coop fee waivers from Bowbells and Kenmare in girls golf and volleyball. Those schools were forced into new coops due to being dropped by their existing coops after the deadline.

Motion by Schoch to approve the Executive Board report as presented, seconded by Jordan. Brandt, yes; Baxley, yes; Clooten, yes; Diegel, no; Fridley, yes; Johnson, yes; Jordan, yes; Jundt, yes; Schoch, yes. Motion carried 9-1.

Brandt presented the Finance/Personnel & Policy committee report. The committee recommends all super regions use the same format beginning in 2023-24 school year, Region 1 currently is the only region using a different format.

The Finance/Personnel & Policy committee recommends updating the Charitable Contest Guidelines to the following:

~~in~~ Regular Season Charitable Contest Guidelines

NDHSAA member schools may host a regular season contest in recognition of a charitable cause under the following conditions:

- ~~The contest or competition may be held during any one week, to be determined by each individual school, of the designated season.~~
- ~~The NDHSAA is supportive of charitable initiatives and has developed guidelines in regards to an athletic competition being held in the name of a charitable cause. Each school participating must be in agreement to allow any modifications to the rules.~~
- ~~Team members may be allowed to wear headbands or wristbands of a solid non-regulation color.~~
- Charitable contests shall be approved by school administration of the host school.
- A commemorative ribbon may be worn, properly placed on the jersey or school issued uniform. Uniforms, including headbands or wristbands, must conform to National Federation of State High School Associations (NFHS) rules, including colors.
- Commemorative or memorial patches, not to exceed 4 square inches, may be worn on the uniform.
- Officials ~~may be~~ are allowed to use a colored whistle.
- Colored game balls ~~will~~ are not be allowed, however they may be used during any warm-up period prior to the contest.

The committee also reviewed the current transgender board regulation and recommended Fetsch contact NDHSAA Legal Counsel to draft revision options.

The Finance/Personnel & Policy committee reviewed the region basketball site practice regulation and made the following recommendation:

PRACTICE SESSIONS

No Class B team is permitted to practice on the regional tournament floor after the seeding of district teams and no Class A team will be allowed to practice at their Class A regional site after the seeding of the tournament. A member school hosting a region tournament on their floor is exempt. No Class A or B teams will be allowed to practice on their respective state tournament floor following the conclusion of the regional tournament, with the exception of pre-tournament shootarounds.

Penalty: The head coach of any team in violation of this rule will be suspended for the team's next game.

The Finance/Personnel & Policy committee discussed language for the reunion team recognition policy and does not recommend making changes to the existing language.

Finally, the Finance/Personnel & Policy committee discussed creating a sample media policy for member schools, the committee does not recommend creating a sample but does recommend that NDHSAA staff assist member schools if needed.

Motion by Jundt to approve the Finance/Personnel & Policy committee report as presented, seconded by Johnson. Motion carried unanimously.

Diegel presented the Awards and Canvassing committee report. The Committee reviewed the current status of North Dakota's National High School Hall of Fame nominees. Jeff Risk will be inducted as part of the 2022 class in the Official category. Dan Carr (Linton High School) will remain in consideration in the Coach category through 2024 and Dave Carlsrud (NDHSAA) will remain in consideration in the "Other" category through 2023. The Committee had no other names to consider at this time, but names in the Athlete, Fine Arts, Administrator, and Official categories may be considered at future committee meetings. Potential nominees for the 2024 Class will be approved on or before April 2023.

Motion by Brandt to approve the Awards and Canvassing committee report, seconded by Clooten. Motion carried unanimously.

Johnson presented the Constitution and By-Laws committee report. Discussion on Name, Image and Likeness (NIL) continued from January. Executive Director Fetsch noted the NDHSAA Office has received zero inquiries regarding NIL this school year. Fetsch also visited with administrators at UND and NDSU and each school has been minimally impacted by their new NIL policies. The Committee recommends a minimal addition to Article VIII: Amateurism of the NDHSAA Constitution and By-Laws as follows:

INTERPRETATIONS SECTIONS I, II, III, IV, V or Article VIII – Amateurism

Art VIII – Section II. A student may benefit from the use of their name, image and likeness (NIL) consistent with current NDHSAA regulations.

A NIL Board regulation with further details would be available to NDHSAA member schools as needed if this recommendation is approved by the Board in June 2022 and will be reflected in the 2022-23 NDHSAA Constitution & By-Laws.

The Constitution and By-Laws committee continued discussion on Article XIV, Section IV, Q & A #11 from January. The Committee is comfortable with the presented revisions regarding online students and virtual learning academies and will be looking for Board approval in June 2022 with changes reflected in the 2022-23 NDHSAA Constitution & By-Laws. Discussion on revised Board interpretations for Article III, Section IX of the NDHSAA Constitution & By-Laws continued from January. The Committee is comfortable with the revisions presented and will be looking for Board approval in June 2022 with changes reflected in the 2022-23 NDHSAA Constitution & By-Laws.

Motion by Fridley to approve the Constitution and By-Laws committee report, seconded by Brandt. Motion carried unanimously.

Schoch presented the Realignment committee report. Realignment reviewed the football classification guidelines. The committee clarified that if points are earned while up a division and then move back down, the success points accrued in the upper division do count towards the total in the lower division. Discussed item 13 and how it is interpreted. The committee clarified guideline 2, co-ops will move up in their third year if they contain 160 or more male students.

Realignment committee discussed how to involve stakeholders in football classifications. The committee interpreted the board's directive to gather more information from stakeholders. Most likely this would be in the form of a survey or surveys. The committee decided to come up with questions to produce a survey to be distributed in the fall of the 2022-23 school year.

The Realignment committee also reviewed a letter from Region 3 nine-man football schools. The letter presented concern regarding the scheduling format that are implemented by the NDHSAA. The letter presented a couple of ideas on how to deal with scheduling concerns. There is no recommendation from the committee at this time, but the scheduling format will be reviewed again in the fall.

Motion by Fridley to approve the realignment committee report, seconded by Jordan. Motion carried unanimously.

Fridley presented the Tournament committee report. The committee reviewed the Winter 2023 tournament sites. Region 3 Girls Basketball was the only region where both districts did not agree on a recommended region site. District 5 recommended the Jamestown Civic Center and District 6 recommended Newman Arena at the University of Jamestown. The Jamestown Civic Center submitted a bid to host the tournament and the University of Jamestown did not, so the Jamestown Civic Center was recommended without discussion.

Fridley also presented the Combined Tournament Committee report. The committee reviewed state tournament sites. The 2022-23 State B Girls Golf was slated to be in Mapleton, but due to work being done on the golf course they would like to swap with Minot (DLB) and host in 2023-24 instead.

The 2022-23 State A Boys Golf is currently slated to be in Mandan but there is a scheduling conflict. Dickinson volunteered to host instead.

The 2022-23 Boys Tennis and Boys Soccer tournaments are slated to be in Grand Forks. Grand Forks is hosting a concert the same weekend so hotel availability will be an issue. The committee suggests moving soccer to Fargo for 2022-23 and then back to Grand Forks in 2023-24 and swap moving forward. The committee suggests finalizing a state boys tennis site for 2022 in June.

The Combined Tournament Committee discussed the elimination of the unreserved seating option at state wrestling, as adult reserved and unreserved seats are currently the same price. The concept will be discussed with FargoDome management and a Board action may be requested next Fall. 25 and 50-year reunion teams were reviewed. State tournament managers agreed this winter's "catch up" year went well and thanked staff member Tom Mix for all his help in coordinating. Girls hockey scheduling for 2022-23 was discussed due to the addition of a 12th team. State tournament programs were discussed. The possibility of making a commemorative program available for purchase following each state tournament was discussed. State tournament managers agreed the virtual tournament programs should be continued indefinitely. Compensation was discussed for gymnastics equipment due to continued wear-and-tear on it due to moving it from gymnastics facilities to tournament sites.

Motion by Jordan to approve the Combined Tournament and Tournament Committee reports, seconded by Baxley. Motion carried unanimously.

Fridley presented the Class A Region Ad Hoc Committee. The committee reviewed the history of Class A region alignments for basketball, primarily from 1948-2022, and gauged if there was interest in adding a third Class A region, similar to what was done prior to 1963 and from 1981-1990, due to the projected increase in Class A schools in the future. Committee members pointed out any change will ultimately come down to the qualification process to determine state tournament teams and accepting the concept of Class A teams scheduling Class B teams for non-region games. The committee felt it was worth continuing the conversation and agreed the next Ad Hoc committee meeting would be held in conjunction with the 2022 NDIAAA Fall Conference in Mandan.

Motion by Brandt to approve the Class A Region Ad Hoc Committee report, seconded by Jordan. Motion carried unanimously.

Diegel presented the Media Committee report. The committee reviewed Tier I and Tier II television contract requests for proposal from back in 2017. Current television contracts with Forum Communications (Tier I) and BEK Sports (Tier II) run through the 2022-23 school year. The Committee agreed to absorb the information received and to meet again in June to determine a timeline for future agreements.

Motion by Fridley to approve the Media Committee report, seconded by Jundt. Motion carried unanimously.

The Board reviewed the seven-year calendar.

Motion by Schoch to approve the 7-year calendars with the exception of the boys tennis date changes which would need to be reverted to the originally scheduled dates, seconded by Jundt. Motion carried unanimously.

West Fargo Public Schools requested 2022-23 8th grade students who reside in the 2022-23 Horace High School territory and have changed schools from Liberty Middle School (WF Sheyenne) to Heritage Middle School (WF Horace), be granted a one-time, immediate eligibility transfer to be completed at the beginning of the school year. The rationale for the request is these students did not have a choice to transfer, but due to overcrowding at Liberty and Sheyenne, they are now being placed at Heritage Middle school. WFPS is also requesting 2022-23 10th and 11th grade students who reside in the 2022-23 Horace High School territory and have changed schools from Sheyenne High School to Horace High School, be granted a one-time, immediate eligibility transfer to be completed at the beginning of the school year. This request was made because a student may choose to transfer to Horace High School due to siblings now attending Heritage and/or Horace. A student may also request a transfer due to district transportation only being provided to Horace High School. These requests are being made due to attendance area boundary changes taking affect in the 2022-23 school year.

Motion by Johnson to approve both requests from West Fargo Public School's as presented, seconded by Fridley. Motion carried unanimously.

District 7 and District 8 (Region 4 Schools) request to move to a Super Region format beginning in the 2022-23 girls and boys basketball seasons, with the elimination of district tournaments. They have submitted this request because District 8 will be down to 5 teams after Rolla and Rolette enter a coop.

Motion by Brandt to approve the Region 4 request as presented, seconded by Clooten. Motion carried unanimously.

Maple Valley and Hope-Page requested to be moved back into Region 2 for this year's boys golf season. They mistakenly requested to be placed in Region 1 when forming their coop.

Motion by Johnson to replace Maple Valley/Hope-Page into Region 2 seconded by Baxley. Motion carried unanimously.

Grace Lutheran School made a request to operate under the same Century Code provisions as Home School students due to their small size and the fact that their students reside all over the Fargo-Moorhead metro area.

Motion by Brandt to deny Grace Lutheran's request, seconded by Fridley. Motion carried unanimously.

Garrison High School has filed a formal protest appeal regarding Shiloh Christian using an ineligible player. In accordance to FERPA laws, the Board entered executive session at 12:02 pm CDT. Executive session ended at 1:13 pm CDT.

Motion by Fridley to uphold Fetsch's determination to deny Garrison's formal protest, seconded by Schoch. Motion carried 9-1 roll call vote: Baxley, yes; Brandt, yes; Clooten, no; Diegel, yes; Fridley, yes; Johnson, yes; Jordan, yes; Jundt, yes; Rerick, yes; Schoch, yes.

Diegel stated that he would like to investigate solutions for the overlap of sports seasons. Rerick directed Finance/Personnel and Policy committee to investigate options for how to proceed.

Diegel would like a NDHSAA guideline for a uniform statute of limitations on the drug, alcohol and tobacco rule. Jundt points that this could be very hard to find a consensus within the membership. Rerick requested that Executive Director Fetsch speak with other national sections to see if any of them have language like this.

Clooten would like a review of announcement of athlete's names during awards ceremonies. Fetsch pointed out that this was also brought up in District Chairs. Rerick directed Tournament Committee to explore this.

Johnson reported from a focus group that is interested in designing a plan to be shared to the membership regarding a three-class system.

Fetsch presented his Executive Director's report. Distinguished student interviews will take place on April 27, 2022. 50 applications were submitted. Fetsch conducted seven hardship investigations. Fetsch reported that the current website developer will be terminating their contract with the NDHSAA at the end of April. Walton will be taking over a majority of the website development. Fenworks has reached out with an update on their season and their state tournament. Fetsch discussed some of the changes for the upcoming board retirement dinner and the inclusion of board and staff alumni. Wet bulb thermometers from the NFHS will be distributed to all schools in the state that host football games. Fetsch reminded the Board members that June is when the next President and Vice President will be selected.

The next Board meeting is scheduled for Tuesday, June 7 at 10:00 am CDT in Valley City at the NDHSAA Office

Meeting adjourned at 2:39 pm CDT.

Respectfully submitted,
Nickolas Walton
Assistant Director

Signed: _____ Approved Date: _____