

MINUTES
North Dakota High School Activities Association
Board of Directors
January 28, 2012 - Bismarck, ND

The Board of Directors of the North Dakota High School Activities Association met on January 28, 2012 at the Bismarck Ramkota Hotel. President Swiontek called the meeting to order at 1:00 p.m. with all members present.

Following several additions, motion by Sanstead to approve the agenda. Second by Auch and carried unanimously.

The minutes from three prior meetings were previously made available to the Board. Motion by Olson to approve the November 18, 2011 minutes. Second by Helvik and carried unanimously. Motion by Helvik to approve the November 30, 2011 minutes. Second by Hall and carried unanimously. Motion by Auch to approve the December 15, 2011 minutes. Second by Moe and carried unanimously.

The finance report was presented by the Executive Secretary. Reviewed were the balance sheet, detailed budget and savings/investments reports. Also made available for review was the fall activities financial report with comparison to the previous year. The IRS has included 501C3 non-profits requirement to file two IRS forms in relation to the retirement plan. The Executive Secretary has been working closely with Valic Representative, Cal Fleischer, for the association staff pension plan. Recently, the government has taken on any 501C3 and is requiring forms to be filed with the IRS. Prior to filing, the NDHSAA auditor was asked to review this information. Valic has indicated they cannot be a third party to conduct an audit nor do they want any of their agents involved. Not filing would produce a penalty and there is a window of time to self-report. David Trammel, who has been cleared by Valic to have access to all of their 501C3 plans to gather data and assist the association in compliance testing of the retirement plan, form filing and other necessary items for a \$700 annual fee. For this fee Mr. Trammel will handle the necessary work associated with this pension plan. Requested is to hire this third party to handle all the aforementioned. Motion by Brannan to approve the financial report. Second by Hall. Motion carried unanimously.

Concerning the hiring of a third party for supervising the requirements for VALIC, motion by Ulland to hire Mr. Trammel to handle the 5500 retirement plan; paying the yearly maintenance fee; plus paying a possible penalty fee if charged. Second by Ham. Roll call vote was taken: Ulland – yes, Sanstead – yes, Hall – yes, Helvik – yes, Olson – yes, Ham – yes, Brannan – yes, Martin – yes, Moe – yes, Auch – yes, Swiontek – yes. Motion carried unanimously.

The Board reviewed cooperative sponsorship dissolution applications:

1. South Prairie and Max for baseball, 7-12, 2011-2012

Motion by Moe to approve. Second by Sanstead and carried unanimously.

2. Our Redeemer's and Minot High School in baseball, 9-12, 2011-12

Motion by Olson to approve. Second by Martin and carried unanimously.

The Board reviewed cooperative sponsorship program applications:

1. Sawyer and South Prairie in baseball, 7-12, 2011-2012, late fee. Sawyer has submitted a letter of request to waive the late fee.

Motion by Moe to approve the coop. Second by Ham and carried unanimously. Motion by Moe to deny the request to waive the fee. Second by Helvik. Roll call vote was taken: Ulland – yes, Sanstead – yes, Hall – yes, Helvik – yes, Olson – yes, Ham – yes, Brannan – yes, Martin – yes, Moe – yes, Auch – yes, Swiontek – yes. Motion carried unanimously.

2. Kidder County-Steele, KC-Tappen and Napoleon, boys track, 9-12, 2011-12, late fee
3. Kidder County-Steele, KC-Tappen and Napoleon, girls track, 9-12, 2011-12, late fee

Motion by Olson to approve the two coops. Second by Auch and carried unanimously.

4. Langdon Area School and St. Alphonsus, music, 7-12, 2011-12, no fee

Motion by Olson to approve. Second by Hall and carried unanimously.

5. Kindred and Richland, softball, 7-12, 2011-12, no fee

Motion by Ulland to approve. Second by Ham and carried unanimously.

6. Dickinson and New England, softball, 9-12, 2011-12, no fee

Motion by Helvik to approve. Second by Sanstead and carried unanimously.

7. Surrey and Our Redeemers, baseball, 7-12, 2011-12, late fee

Motion by Ham to approve. Second by Olson and carried unanimously.

8. Kidder Co. Steele and Kidder Co. Tappen, debate, 9-12, 2011-12, no fee

Motion by Auch to approve. Second by Hall and carried unanimously.

9. North Border Pembina, NB Walhalla and Cavalier, softball, 7-12, 2011-12, no fee
10. North Border Pembina, NB Walhalla and Cavalier, girls track, 7-12, 2011-12, late fee
11. North Border Pembina, NB Walhalla and Cavalier, boys track, 7-12, 2011-12, late fee
12. North Border Pembina, NB Walhalla and Cavalier, girls golf, 7-12, 2011-12, late fee
13. North Border Pembina, NB Walhalla and Cavalier, boys golf, 7-12, 2011-12, late fee

Motion by Ham to approve the five applications. Second by Martin and carried unanimously.

14. May-Port CG, Hatton and Northwood, softball, 7-12, 2011-12, no fee

Motion by Ulland to approve. Second by Brannan and carried unanimously.

15. Westhope and Newburg, softball, 7-12, 2011-12, no fee

Motion by Hall to approve. Second by Brannan and carried unanimously.

The Board was informed the Executive Board would be meeting the following day to review an appeal of a reported violation and possibly setting a penalty for a rule violation. The Executive Secretary commented the hearing is not a Board meeting but is an executive session and is closed to the public.

The Board reviewed a letter of request from Shanley High School for adjustment and clarification for all softball and Class A baseball from the current 32 games and 19 date limitation to 36 games and 23 dates prior to the state tournament. Shanley High School Athletic Administrator, Randy Nelson appeared before the Board to support the request and answer any question from the Board. Motion by Martin to approve 36 games in 23 dates for all softball and Class A baseball. Second by Olson. A roll call vote was taken: Ulland – yes, Sanstead – yes, Hall – yes, Helvik – yes, Olson – yes, Ham – no, Brannan – yes, Martin – yes, Moe – yes, Auch – yes, Swiontek – yes. Motion carried, 10-1.

Swiontek reported on the progress of the Coaches Education Committee since the November 18, 2011 meeting. In attendance were members from Mayville State University, North Dakota State University and Valley City State University. The committee discussed rather than mandating coaches of grades 7 through 12 to fulfill coaches education requirements, which the committee supports, there may need to be a change to a possible mandate of coaches in programs 9 through 12. This will be shared with the General Assembly. Motion by Brannan to approve the report. Second by Ulland and carried unanimously.

Moe reported on behalf of the Football Committee. Discussion took place on revising future plans but did not have time to sufficiently cover these items. The committee studied the football survey indicating a large return (82.7%) wished to stay with the four divisions. The survey also supported 77% favored balance of play. It was indicated if programs are to have balance of play, there will be a need for extensive travel.

The only change in the football plan guidelines for the 2013 and 2014 seasons was 5b which gives preference to teams petitioning up that have done so in the past. The timeline has previously been Board approved. The Committee recommended guidelines for the development of the 2013 and 2014 football plan as presented for final Board approval. Motion by Helvik to approve the guidelines with the adjustment to 5b. Second by Auch and carried unanimously. The football plan reads as follows:

**NDHSAA
2013-2014 Football Plan Guidelines**

The following guidelines are approved by the NDHSAA Football Committee for the administration of the current football plan and the development of subsequent two – year football plans

1. Football plans shall be established for two years.
2. Football seasons for plan purposes will be 2013 and 2014.
3. There will be 4 divisions of football. (AAA, AA, A, 9M)
4. Enrollments for plan development purposes will be determined by:
 - a. Fall 2011 male enrollments for grades 7 – 10 as provided by the Department of Public Instruction shall be used except as stipulated below.
 - b. The host school shall be that school with the largest enrollment for plan purposes.

- c. When schools have equal enrollments, the largest enrollment of the host school will be the determining factor for division placement.
 - d. In all school districts that have 60% or more of its student body qualifying for free and reduced meals, 60% of the 7 – 10 male enrollments will be used for the development of this plan.
5. Schools may request to move up to a higher division if the next smaller enrollment school in that division is willing to move down and so on.
 - a. All such requests for division assignments as of September 30, 2012 are final.
 - b. Schools that have previously opted to move up shall be given first consideration.
6. The maximum number of teams in the top three divisions will be: AAA = 14, AA = 16, A=32 with the remainder of the teams in 9 man.
 - a. If a school chooses to play an independent schedule or discontinues football during the two - year plan, the number of teams in that division will not be changed.
 - b. Any varsity team that chooses to play an independent team will be ineligible for the playoffs.
 - c. If a co-op is approved, realignment in any of the top three divisions may be allowed with consideration given to the geographic location of schools involved in the change.
7. BY – LAW REMINDER: Football coops must be submitted by September 15th of the previous year during both years of the two-year football plan.
8. The NDHSAA Board of Directors shall have final say in the administration of these guidelines.

The Board was presented a letter from Athletic Director Jason Wiberg of Devils Lake High School requesting approval for the JV boys basketball team to participate in the Ramsey County Tournament one day before the date of the first allowable game for Class A basketball. The nine-day practice rule will be adhered to. This has received approval in previous years. Motion by Ham to approve the request. Second by Martin and carried unanimously.

The Board reviewed a letter and documentation from Stanley High School which was in response to a complaint filed by the Trenton High School Superintendent against a Stanley basketball fan. In response, Stanley High School was asked by NDHSAA to file a report stating how the matter was dealt with locally. In addition, a statement by the Williston Officials Association was reviewed as well as a letter from Maxson Law Office which was recently received representing the individual, Gary Schmidt. Motion by Moe to approve the action taken by the Stanley School District. Second by Hall and carried.

The Board held audience with athletic administrators Mitch Lunde of Beulah, District 14 Chair and Kevin Morast of Hettinger, District 13 Chair representing Region 7 Member

Schools requesting a change in the structure of their district and region tournaments. Moe shared Region 7 is asking only for their member schools. Motion by Ham to table until the next regularly scheduled meeting to get an accurate documentation from the member schools of Region 7. Second by Hall. A roll call vote was taken: Ulland – no, Sanstead – no, Hall – yes, Helvik – no, Olson – no, Ham – yes, Brannan – no, Martin – no, Moe – no, Auch – no, Swiontek – yes. Motion defeated, 3-8. Motion by Martin to approve the request on a two-year basis. Second by Auch. A roll call vote was taken: Ulland – yes, Sanstead – yes, Hall – yes, Helvik – yes, Olson – yes, Ham – yes, Brannan – yes, Martin – yes, Moe – yes, Auch – yes, Swiontek – no. Motion carried, 10-1.

The Board held audience with Prin. Kevin Bennefeld of Warwick High School regarding the eligibility of a student athlete. The Warwick administration erroneously approved participation on a team outside of the high school team with the understanding the student was no longer eligible for the high school season. This participation outside of the high school team makes him ineligible for the next six high school games. Since that time, the student has participated in and completed requirements that would possibly make him eligible. The request was to waive the six-game ineligibility because he did so thinking he was no longer eligible for the high school season. Motion by Ulland to deny the request. Second by Helvik. A roll call vote was taken: Ulland – yes, Sanstead – yes, Hall – yes, Helvik – yes, Olson – yes, Ham – yes, Brannan – yes, Martin – yes, Moe – yes, Auch – yes, Swiontek – yes. Motion carried unanimously.

Ham reported on behalf of the Finance Committee with the following proposed employee increases:

- A 4% increase for professional staff members, plus an additional \$1200 for Schell who will be taking over the recording of minutes
- For the support staff, an increase of 80 cents per hour for Sharon Prosby and 70 cents per hour increase for Sue Carlsrud and Patty Bass

Motion by Helvik to approve the report and recommendations within the report. Second by Martin. A roll call vote was taken: Ulland – yes, Sanstead – yes, Hall – yes, Helvik – yes, Olson – yes, Ham – yes, Brannan – yes, Martin – yes, Moe – yes, Auch – yes, Swiontek – yes. Motion carried unanimously.

Staff member Bubach presented a report concerning the proposed reassigning of the 2013 State B Music contest from University of North Dakota to Minot State University. Motion by Helvik to approve. Second by Moe and carried unanimously.

Sanstead reported on behalf of the Canvassing Committee with the results of the election for the upcoming vacancies to the NDHSAA Board of Directors:

NDIAAA – Jim Roaldson – 76, Randy Nelson – 47

Class A At Large – Douglas Sullivan – 47, Jason Wiberg – 95

Southeast Region – Jeff Fastnacht – 66, Steve Hall – 87

Motion by Martin to approve the report. Second by Helvik and carried unanimously.

Ulland reported on behalf of the Combined Tournament Committee meeting resulting in the following recommendations.

1. Recommended the swim venue change from Jamestown to Mandan. This was approved by the Board via conference call November 30, 2011.
2. Discussed housing concerns for Dickinson hosting the 2012 State Cross Country Meet. There was no recommended change as the schedule would allow many teams to travel in the day of competition.
3. Minot Athletic Director Pat McNally and Jennifer Guidinger, a Minot CVB representative attended the meeting. They assured the committee the State Volleyball and State Class B Boys' Basketball tournaments would not be a housing issue.
4. Recommended the 2012 A Boys' State Golf Tournament set for Minot be moved to Jamestown Hillcrest Golf Course.
5. Discussed the possibility of setting permanent sites for some state events.
6. Recommended approval of the sites as presented by the committee:

Motion by Ham to approve the report with the recommended tournament sites through 2018-2019. Second by Moe and carried unanimously.

The Executive Secretary shared with the Board the letter from Jamestown concerning the moving of the State Boys' Swimming and Diving State Meet. Ulland reminded the Board of Roaldson's request to clearly communicate all the reasons why the site was changed.

At the November Board of Directors meeting, the following NDOA requests were tabled until the membership had a chance to provide input to the NDHSAA Board.

1. Increase officials' fees 2 ½% for all sports beginning in the 2012-2013 year excluding sub-varsity basketball

Motion by Olson to approve. Second by Ulland and carried unanimously.

2. Approve a \$5.00 increase for subvarsity basketball officiating.

Motion by Moe to approve. Second by Ham and carried, unanimously.

3. Waive or reduce registration fees for new officials that are first time registrants.

Motion by Moe to deny. Second by Ham and carried with two dissenting votes.

4. Require all member schools to contract at least one-third of home contests with 3-person crews for boys' and girls' basketball.

Motion by Olson to deny. Second by Ulland and carried unanimously.

A letter from Larimore requesting the Board to consider a waiver or possible change in the speech transfer rule was reviewed. A student that loses eligibility through transfer does not have the opportunity to compete in subvarsity in speech activities as there is no division other than varsity. Moe asked if this request had gone through the advisory process. This advisory committee will be meeting this coming spring following the season. Motion by Helvik to deny the request. Second by Martin. A roll call vote was taken: Ulland – no, Sanstead – no, Hall – yes, Helvik – yes, Olson – yes, Ham – no, Brannan – no, Martin – yes, Moe – no, Auch – no, Swiontek – yes. Motion failed, 5-6. Because there is no junior high level of competition in speech, motion by Brannan to allow a student to participate but not be eligible for any awards or recognition and refer to

the Constitution & By-Laws for review. Second by Auch. A roll call vote was taken: Ulland – no, Sanstead – yes, Hall – no, Helvik – no, Olson – no, Ham – yes, Brannan – no, Martin – no, Moe – no, Auch – yes, Swiontek – no. Motion failed, 3-8. Motion by Brannan to refer to the staff and the fine arts committee to contact the region managers for additional input prior to a decision. Second by Moe. A roll call vote was taken: Ulland – yes, Sanstead – yes, Hall – yes, Helvik – yes, Olson – yes, Ham – yes, Brannan – yes, Martin – yes, Moe – yes, Auch – yes, Swiontek – yes. Motion carried unanimously.

The Executive Secretary shared an update concerning the hockey rules in response to the occurrences in Minnesota which resulted in paralysis of a boy and a girl hockey player. Minnesota has increased the penalty for checking from behind and boarding. The change was in response to the lack of officiating this type of violation and will be emphasized nationally. Staff member Fetsch recommended to not change in the middle of the season and allow the advisory committee and the National Federation Rules Committee to study and respond to this issue. Motion by Ulland to accept the report. Second by Helvik and carried.

The Board reviewed the agenda for the General Assembly meeting to be held on Monday, January 30, 2012.

The Board reviewed the correspondence from Minot AD McNally requesting moving the West Region Girls' Tennis Tournament from Minot to Bismarck. Motion by Auch to approve the change. Second Olson and carried.

Ulland asked about the progress in planning the State Softball Tournament. It was confirmed the plans to host are in place for Fargo/West Fargo.

The Board had questions concerning coaches helping with the all tournament selection process at State Volleyball. It was clarified this process is conducted by the volleyball coaches organization.

Correspondence from Jamestown was read.

Brannan asked if the Board heard any discussion concerning a weighted system for divisioning of public and private school students. President Swiontek indicated this had been litigated in other state associations

Executive Secretary gave his report

1. Board members are reminded to sign up for trophy presentations for upcoming post-season events.
2. The t-shirt sales experiment at State Volleyball was a success.
3. BEK Cable will be televising the finals of State Wrestling.
4. Applications for the opening for Assistant to the Executive Secretary are currently being received.
5. The Strategic Planning meeting will be February 22, 2012. Members that have confirmed participation

- i. NDASA - Jeff Lind
- ii. NDASSP – Jeff Schatz, Fargo Davies
- iii. ND School Board – Ken Astrup
- iv. NDHSCA – Carolyn Olson, GFRR and David Michaelson, Dickinson
- v. NDMEA – Sheila Zinke, Valley City
- vi. NDHSAA Distinguished Students Ashley Barnhart, Kenmare and Matthew Martin, Ellendale
- vii. NDIAA – Mark Rerick, Dickinson
- viii. C STAND – TBA
- ix. Also the eleven NDHSAA Board of Directors

Next meeting will be March 9, 2012 at the Fargo Radisson Inn.

President Swiontek declared the meeting adjourned.

Respectfully Submitted,
Sheryl Solberg
Asst. to the Exec. Sec.