

**2023 HOUSE EDUCATION**

**HB 1149**

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Education Committee Coteau AB Room, State Capitol

HB 1149  
1/25/2023

to provide for a legislative management study regarding the impact of the North Dakota high school activities association on students
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2:27 PM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

### Discussion Topics:

- Non-profit association
- Board Makeup
- Association control
- Academics
- Taxpayer funds
- Kid participation
- Participation goal
- Transfer protocols
- Tournament revenue
- Media revenue
- Team payment plan
- Points system
- Hardship rule

### In Favor:

Rep Paul Thomas, Dist 6, presented HB 1149, oral testimony

John Lee, President, (Bismarck Public School Board) advocate for kids, oral testimony

Joy Ankenbauer, Bowbells, ND, Testimony 16606

Mark Fox, Chairman of Mandan, Hidatsa, Arikara Tribes, aka Three Affiliated Tribes, oral testimony

Rob Siemens, Bottineau, ND, oral testimony

Margo Knorr, Coleharbor, ND, Testimony 14887, 14888, 14911, 15744

Nathan Davis, Executive Director, Indian Affairs, former tribal leader and member, oral testimony

Rep Todd Porter, Dist 34, Mandan, ND, oral testimony

Kelly Parisien, Testimony 15975

Gail Parisien, Testimony 15963

### In Opposition:

Matthew Fetsch, Executive Director, ND High School Activities Association, Testimony 15430

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Josh Johnson, Vice President, NDHSA, Superintendent, Valley City Schools, oral testimony

**Additional written testimony:**

Lindsey Siemens, Bottineau, ND, Testimony 15544

Breanna Breidenbach, Fargo, ND, Testimony 15627

Camrynn Knorr, Coleharbor, ND, Testimony 15740

Patsy Levang, Watford City, ND, Testimony 16528, 16643

Steve Knorr, Testimony 16569

Alkire, Austin, Eaglestaff, Eaglestaff, Testimony 21957

4:07 PM Chairman Heinert closed the hearing.

*Kathleen Davis, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Education Committee Coteau AB Room, State Capitol

HB 1149  
2/7/2023

to provide for a legislative management study regarding the impact of the North Dakota high school activities association on students

11:06 AM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

### Discussion Topics:

- Committee work

Rep Timmons moved a Do Pass on HB 1149, seconded by Rep Heilman.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative Scott Dyk	Y
Representative LaurieBeth Hager	N
Representative Dori Hauck	Y
Representative Matt Heilman	Y
Representative Jeff A. Hoverson	Y
Representative Jim Jonas	N
Representative Donald W. Longmuir	Y
Representative Andrew Marschall	Y
Representative Eric James Murphy	AB
Representative Anna S. Novak	Y
Representative Kelby Timmons	Y

**11-2-1 Motion carried. Rep Novak is carrier.**

11:18 AM PM Chairman Heinert closed the hearing.

*Kathleen Davis, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1149: Education Committee (Rep. Heinert, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1149 was placed on the Eleventh order on the calendar.

**2023 SENATE EDUCATION**

**HB 1149**

# 2023 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

HB 1149  
3/20/2023

Provide for a legislative management study regarding the impact of the ND high school activities association on students
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10:00 AM Chair Elkin opened the hearing. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

**Discussion Topics:**

- Board review
- By-law review
- Quasi-governmental functions
- Transfer rules and recruitment

Rep Paul Thomas. Dist 6, bill sponsor testified in support #25798.

Margo Knorr, Minot, ND testified in support with no written testimony.

Rep Pat Heinert, Dist 32, testified in support with no written testimony.

Jon Lee, parent, Bismarck, ND testified in support with no written testimony.

Cara Hall, testified in support #25911.

Ken Hall, MHA Nation, testified in support with no written testimony.

Joy Ankenbauer, Bowbells, ND testified in support with no written testimony.

Mark Fox, Chair Three Affiliated Tribes, testified in support with no written testimony.

Nathan Davis, ND Indian Affairs Commissioner, testified in support with no written testimony.

Kelly Parisian, parent testified in support with no written testimony.

11:11 AM Chair Elkin closed the hearing.

*Pam Dever, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

HB 1149  
3/21/2023

Provide for a legislative management study regarding the impact of the ND high school activities association on students.

3:03 PM Chair Elkin opened committee work. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

**Discussion Topics:**

- Committee action

Sen Axtman moved a DO PASS.

Sen Conley seconded the motion.

<b>Senators</b>	<b>Vote</b>
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

VOTE: YES – 6 NO – 0 Ab sent – 0 Motion PASSED

Sen Axtman will carry the bill.

3:07 PM Chair Elkin adjourned meeting.

*Pam Dever, Committee Clerk*



**REPORT OF STANDING COMMITTEE**

**HB 1149: Education Committee (Sen. Elkin, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1149 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**TESTIMONY**

**HB 1149**

## Attachments

Tue, Jun 28, 11:26 PM

to matt.fetsch@ndhsaa.org, andrew.jordan@k12.nd.us, dave.schoch@k12.nd.us, Nick, gfridley@dpsnd.org, kbaesler@nd.gov, alexis.baxley@ndsba.org, ned.clooten@k12.nd.us, mrrerick230@mygfschools.org, paul\_jundt@bismarckschools.org, josh.johnson@k12.nd.us, jeremy.brandt@k12.nd.us, rick.diegel@k12.nd.us

Dear ND High School Activities Association,

I am writing this email to request an exemption for the rule in your by-laws for hardship procedures. In the spring of 2021, I requested information in the process of transferring our kids to our home district after we moved in the spring of 2020 (see email below). When information was received for a hardship application there was no information that stated the exact process of hardships. The only way we could have known was by reading your bylaws. We understood that once hardship forms were completed by both districts it would move to a decision by Mr. Fetsch. If Mr. Fetsch would choose to deny hardships we could appeal to the board. Fast forward to July, our hardship forms were completed by both Administrators which they approved and sent to Mr. Fetsch. Both School administrators did not know there was a delay in the decision until the kids attended their first day at their new school.

Our son is headed into his senior year and with this current process for hardship he would be jeopardizing his senior year if Mr. Fetsch and or the board would deny hardship.

The problem is if he enrolls in the new school and is denied he has forfeited his senior year. This is why there needs to be an amendment to your bylaws to allow the student/parents to make an informed decision on whether he wants to give up his eligibility. Your current process pulls the rug out from the student and punishes him or her if hardship is declined. They are stuck at the new school without the ability to play varsity sports. This could jeopardize a student that is looking to further his athletic career in a collegiate program.

Allowing the hardships to be completed and ruled on in a timely manner would allow the student to make his or her decision without losing their potential to play varsity sports. Giving the student the option to stay at the current school would allow him or her to compete. Letting him or her attend the first day at the new school and then denying it doesn't look out for the best interest of the student. In your mission statement it is stated your job is to protect the student.

I believe our hardship is a legitimate reason for allowing my kids to attend our home district. Our job as parents is to put the wellbeing of our kids first. Covid has put a hardship on these students that we will never comprehend.

Sincerely,

Letter sent to all board members and executive secretary, June of 2022.

Dear Mr. Fetsch and NDHSAA Board members,

I wanted to first start off by thanking you for taking time out of your summer to help my family and I with understanding what all is involved in the process of transferring schools. I would like to personally ask that you consider making your decision on mine and my brother, Collin's eligibility earlier than August so that we can make the best decision moving forward to allow for some ease in this transition period for our family.

Moving during such an indescribable time like 2020 was quite a challenge for me personally. There was already so much uncertainty, confusion and chaos going on in the world that I was holding on to any last bit of normality I had left. My Parents had wanted us to enroll in Garrison public school right away but made the decision up to Collin and I because of all the changes we already had to endure. We as a family decided the best decision at the time was to continue our education at South Prairie. Which during that time period made the most sense because of the policies and protocols on how South Prairie handled COVID-19.

Over the past two years living in Coleharbor has had its ups and downs. Living so close to Turtle Lake has allowed my dad to be able to spend more time at home during the farming season. The distance from school however, has made me feel farther from normality than ever before. I felt like an outsider looking in when it came to a school that I had attended for years. Living so far away from school made it difficult for my parents to be involved in the school activities that I was participating in making 14-year-old me at the time have to handle most things on my own involving school. This was hard for me living away from most of my friends trying to keep solid relationships going while also surviving middle school.

Family will always come first to me for as long as I live. Having my family there always to pick me back up when the going gets tough and put me back on the path that follows Christ has made me grow up into the person I am writing to you today. My brother played a big part in that. He is one of the strongest people I know. Putting up with driving me to school almost every morning is no easy feat, but he was almost always willing to do so. The long car rides every day to school definitely has taken its toll specifically with the uncertainties of North Dakotan weather. With recently becoming a new driver I have a new understanding of what Collin had to deal with being responsible with keeping us both safe to and from school. The idea of not being at the same school is heartbreaking to me since he and I have gone through so much together as a family.

Through growing up with Collin it was obvious that he had a passion for football. Watching college football games every weekend to watching his love transpire on the football field every Friday. Football has always played a major roll in my family. Once again, the distance put a major toll on Collin and our family. South Prairie was always supper welcoming towards us, but that hometown sense was missing once we moved. You could tell he finally found that feeling getting to practice and build relationships with boys who lived right across the street rather than 35 miles away.

I would like to thank you once again for taking the time to help my family through this process and I hope that you will take my letter into consideration throughout this decision-making period before the start of school. I understand the difficulties of the extent of this decision, but I hope that through this process you will allow for our family to stay together for Collin's senior year.

Sincerely,

*Camryn Knorr*

Dear Chairman, and House Education Committee Members, my name is Margo Knorr. I live near Garrison North Dakota.

I am writing in support of the Bill 1149. The North Dakota High School Athletics Association has somehow become deeply off track and is no longer acting in the best interest of children when it comes to a myriad of issues. I had not realized the heartache and duress they were causing families and children until after our family experienced their behaviors first hand.

In May 2019 we sold our house. We had no place to live, but rapidly bought a place to live on the lake we recreate at. Being uncertain of where we would permanently build at the time, We ended up narrowing our build to 2 spots, Turtle Lake or build a permanent home at the lake. We didn't want to disrupt our children's learning so they continued to commute to school 38 miles away until our build was complete and we were fully established in our new home. Then we would transfer the kids to their new district school.

Our reasoning.

We knew we were making the right decisions. Covid made life so uncertain. Their school staying the same was good for the kids that first year. But the second year, and in particular the winter of 2022, it got tough for all of us. That winter resulted in a myriad of accidents covering the ditches on the kids route to school. Towards the end of 2022 the kids were often driving 2 vehicles for their differing sports and our sophomore was a new driver. With an 80 mile round trip, it was getting extremely costly, unsafe and increasingly risky to keep this commute up forever. At the end of the 2022 school year, we transferred our kids to their district school.

Reaching the NDHSAA is nearly impossible:

Starting the winter of 2022, we tried multiple times to reach Matt Fetsch, the Executive Director of the NDHSAA via phone. We left several messages over several months. No message was ever returned. So we moved forward with transferring our kids under the assumption that the NDHSAA was a good faith organization and operating in good faith. But we began hearing from others that the NDHSAA was going to make our children varsity ineligible for 1 full year if they did not remain at their old school outside of our district. My husband and I filled out a form explaining the reason for the transfer and why we hadn't transferred sooner and sent it in. Both school's administrations had recommended "YES" that the children be transferred and had filled out their portions as well.

During the summer we decided to try to call as many times as it took for us to reach Mr. Fetsch the Executive Director of the NDHSAA. We wanted to make sure we had done things right, and needed to

verify that our children would not be penalized by the NDHSAA for the transfer and if they had any questions we were available to answer. When we finally were able to reach Mr. Fetsch and ask him if our senior and sophomore children were good to go? He told us he had not looked at our file and would not be ruling on it until after our children had been competing on their new team or after the first day of school. By waiting he was ensuring that the kids would be trapped and varsity ineligible at both schools and unable to transfer back to their old school. He was also ensuring that any team competition they had won would be taken away from them and their whole team. The end result if he waited to rule would be a modern public flogging of the child and public humiliation of the family for transferring their child.

We asked and petitioned Mr. Fetch and the entire board to help us and let us know his ruling early. Repeatedly he refused and told us that once the transfer was completed then he would rule. I asked him who was helping him make these life altering hardship decisions for children not his own. He indicated it was just him. He is indeed the only person ruling or investigating the hardships that come in. I indicated to Mr. Fetsch this was too much power being placed in one person's hands. He got upset with me for that. He never asked us one inquisitive question about us or our situation the entire call. He had no interest in finding the truth out.

Our senior athlete was being recruited to play a sport in college. We knew sacrificing his senior varsity year of athletics would destroy his future aspirations of college athletics. But none of this seemed to make any difference to Mr. Fetsch, the best interest of the child was nowhere on his radar. We wrote letters to the entire board. We sent DOT reports of the many accidents. We sent letters from various family members. Not one board member of the NDHSAA replied.

Mr. Fetsch wrote me an email telling us to have our attorney call his attorney right after our call. We then hired an attorney. We had no attorney nor had I said this on the call. I had told him we asked several attorneys if they had ever heard of a situation like ours and they had not. This apparently triggered him. We soon found out that attorneys don't even know what to do with the NDHSAA or how to work with Mr. Fetsch in particular. His refusal to look out for the best interest of the kids transferring schools was stunning. By the end, our attorney suggested we send our children to their district school they were now enrolled at and hope for the best. He was 80% certain all would be ok.

I have often grappled with if it is right to speak so candidly about what happened to our family given the facts. But because children across this state are paying the price for adults being silenced or not having the ability gather enough people to enact legislation, I felt this warranted my efforts and honesty. That is why I am submitting my testimony and will give the rest of the story in person. On Wednesday I will share what happened to our children, their schools sporting teams and the odd requests made of us through out this process and appeals.

**January 25, 2023**  
**House Education Committee**  
**HB 1149**

Chairman Heinert and Committee Members:

My name is Matthew Fetsch. I am the Executive Director of the North Dakota High School Activities Association (The Association). My Board of Directors has asked that I provide testimony opposing House Bill 1149, along with some background information. This information is provided in order of this bill's review list items 2a-2c.

The Association is a non-profit organization comprised of 171 public and non-public member high schools. Membership in the Association is voluntary, with no membership dues paid by schools. The Association sponsors region and state tournaments, contests, and festivals for 22 sports and fine arts activities.

2a. The Association's Board of Directors is comprised of 11 members, 9 of whom are elected representatives. The elected officials represent school administrators from three Class A and four Class B geographic regions across the state, as well as the North Dakota Association of Secondary School Principals and the North Dakota Athletic Administrators Association. The other two board positions include the Superintendent of the North Dakota Department of Public Instruction and the Executive Director of the North Dakota School Boards Association. To summarize in legislative terms, the superintendents, principals, and athletic directors of the 171 member schools represent the Association's constituency. These constituents have the opportunity to provide input and direction from on behalf of their school districts and the school board who employ him. They also may propose amendments to the organization's Constitution and By-Laws, including those referencing Board of Directors representation and eligibility rules.

2b. The Association and its member schools' governing document is the NDHSAA Constitution & By-Laws. The Constitution was created and has been amended by member schools since January of 1908. The process to amend the NDHSAA Constitution is similar to the Legislative process, as any member school administrator may propose amendments. Any proposed amendments are voted on annually at the NDHSAA General Assembly in October, or at the annual Membership meeting in January.

The current NDHSAA transfer by-law does not allow students who transfer from one high school to another to participate on a school's varsity team until they have attended the new school for one calendar year. There are twelve (12) exceptions to this rule, the most common of which is when an entire family makes a lock, stock, and barrel move into a new school district that corresponds with a transfer of schools. Another common exception is when a student begins ninth grade, they are immediately eligible to represent their new school, regardless of where they reside, where they attended school the previous year, and etc. Other examples of exceptions to the transfer rule include a student who is placed with a family by a local Human Services agency, transfers between schools who are cooped, foreign exchange students who are placed in a member school by an approved Council on Standards for International Educational Travel program, students who are legal adopted, students returning from National Guard training, students who were attending a high school at the time it closed, as well as a student who transfers to be with a parent, who is a state legislator, during the legislative session.



Member schools have utilized the amendment process numerous times to make changes to the NDHSAA transfer rule. Prior to 2006, the ineligibility period for transfer students was 90 school days, or approximately one semester. At the time member schools felt the transfer rule was being abused and a large number of students were transferring schools for athletically motivated reasons, not educational reasons as intended when open enrollment laws were developed. For example, the 90-school day period of varsity ineligibility allowed students to transfer immediately after their basketball season was complete and to be immediately eligible at their new school when the next season began. An amendment was proposed, and member schools voted 106-43 (over 71%) to change the ineligibility period to 180 school days, at the time the equivalent of one school year.

Less than three years later, member schools felt another exception of the transfer rule which allowed students to re-transfer to their home school district and be immediately varsity eligible was being abused (for unintended reasons). In January of 2009 an amendment to eliminate the re-transfer rule was passed by a 114-3 (over 97%) vote of the member schools.

In January of 2016 the transfer by-law was again amended to change the 180-school day period of varsity ineligibility to one calendar year to help with consistency of enforcement amongst all member schools. In the past five years(s), exceptions to the transfer rule have been approved for English Language Learners placed in a new school by their local Board of Education, for students who participated in a United States Congressional Page Program, and most recently this past December for students who complete a study abroad and maintain all academic requirements.

2c. The Association's comparison to a quasi-governmental body in years past was largely based on the fact the Association was supported by public funds. This fact has changed in recent years, as the Association no longer charges membership dues, therefore no public funds are used to fund the NDHSAA. An overwhelming majority of the Association's annual revenue comes from region and state tournaments sponsored by the Association. Another rationale in past years for the Association's quasi-governmental function was due to several staff members being allowed to participate in the North Dakota Teachers Fund for Retirement, or TFFR. This is no longer an option, and no Association staff member has participated in TFFR since 2012.

In closing, the Association's Board of Directors requests NDHSAA by-laws and polices be left to their member schools with which they correspond regularly and were elected to represent.

Thank you for your time today, and I will do my best to answer any questions that you may have.

We have been affected by the North Dakota High School Activities transfer ineligibility rule twice now. Our older son left home to play hockey at a private school/hockey academy. He left for his sophomore year in 2019/2020. He played bantam as a freshman so he was not a part of our high school program at all. As we all know, COVID shut everything down so he came home in March of 2020 not knowing what the following season would bring. Things were still up in the air as the spring and summer progressed so we started the steps for him to play high school hockey at home.

When we signed off to transfer him out, our principle made no mention of the penalty upon returning to town so we were surprised and terribly disappointed to find out that he was ineligible to play varsity as a Junior in high school. He had worked so hard. We sent many emails to the North Dakota High School Activities Association pleading our case. The Canadian league was not playing in 2020 so he would not have been able to play up there even if he would have returned. He would have been isolated to campus and limited to his school and classmates. We would have had very limited access to him as the border was closed. Even after explaining all of this our requests were denied.

We appealed and were granted a meeting. I asked how I should prepare and I was told I would just be sitting in on a meeting. We drove 4 hours in a storm for a 12 minute meeting in Valley City where a room full of [board members](#) stared at us. I was asked to present my case in front of the entire group. It was humiliating. I had no idea I was presenting. I was nervous and stumbled over my words. I was a mom having to defend my choice for doing what was best for my child during COVID. One of the board members asked, "So do you have other kids that play hockey?" I said I did. "Oh really? Where?" They already knew our next son was at a prep school in Winnipeg. I knew we were sunk.

Later that week, we found out our son was denied his exemption and had to play JV. The look on his face as he watched his peers through the glass was heartbreaking. He could have contributed to their season, which was one of the best in recent school history. He was embarrassed to walk through the lobby in his suit because he didn't want people to think he was not good enough to make varsity. By the end of the season it had really started to wear on his mental health.

To make things even more confusing, we found out that a girl from Fargo had left her high school to play in Minnesota. The announcers covering her games kept acknowledging how she left home to improve her skills and bring that back to her high school, just as our son had done. Her team was playing for a state title and she was a leading scorer. I emailed [Matt Fetsch, NDHSAA Executive Secretary](#), about this and after a week or so he responded that he could not discuss her case with us. I

thought maybe they had finally seen the light and changed the transfer rules so they were no longer harming these innocent kids. We were so happy for this young lady getting to do exactly what we had hoped our son would be allowed to do. We hoped that this could be the case for other children in the state too. We wanted to understand how her parents had navigated the system while we were struggling to make sense of it all and our child was paying the price. Since then, we have learned of many more North Dakota high school athletes that have circumvented this rule and many others that were denied the opportunity to play as well.

Our next son has been recruited by a hockey academy since he was 10 years old. He was chosen as the only import on Team Manitoba and did very well. This opportunity was opened to him when he entered high school. After much discussion about what we already went through, he made the decision to go. He was never enrolled in high school here in Bottineau and never played hockey locally beyond bantams. He played U15 and U16 in Winnipeg and was an assistant captain. Tryouts for the U18 team did not go as well as he hoped and he was left without a place to play so he returned home.

We started the conversation again with the Executive Secretary. He responded with a copy of the rule with the line about having an address in that district highlighted in yellow. We knew from our previous experience with this organization, that having an address in the new team's district was required. In order to satisfy that requirement, we submitted a 1 year lease for a condo in Winnipeg and an email from the U18 coach stating that he did not make that team. When our son did not make the team we had no reason to continue with the lease and he returned home to start school with his friends. Later, the Executive Secretary called our AD. He said the NDHSAA would not accept our son for varsity play because of 'dual residency'. This was mentioned NOWHERE in the [NDHSAA bylaws](#). The NDHSAA returned a copy of these bylaws with their interpretation of the rules added below the original wording. Again, not posted anywhere on their site. Our kids are dual citizens (US and Canada). They should not be punished for this or for chasing opportunities and trying to better themselves through experiences they will remember for a lifetime.

I hear all of these ads on the radio saying how important high school sports are and it makes me angry to realize that these ads don't apply to everyone. This year has been terribly frustrating because our son has played at an elite level for 8 years with the best skaters in the US and Canada. I'm not bragging, that's just what he has been blessed to do. Playing JV this year has been a setback for him athletically and emotionally. Opposing parents and coaches have expressed frustration and confusion, the opposing players are wondering why he is playing JV only. If they don't care about the rule, why should the NDHSAA? Let them play! It makes no sense for kids to miss out on this short window of time in their lives to satisfy this rule. These kids

should not be punished for pushing themselves to be great, but that is exactly what NDHSAA is doing.

To whom it may concern:

I support a legislative management study regarding the impact the NDHSAA has on students in North Dakota. My own 3 sons have been negatively impacted more than once in the last 3 years alone due to hasty decisions made by the board, with no thought given on the impact such decisions would have on students' well-being.

In our experiences, the board has refused to communicate with parents and students, ignored phone calls, and broken promises to follow up or return calls. Discussion on a case by case basis is non-existent. All decisions are made in a cookie cutter fashion, with total disregard for individual students or individual situations.

In October of 2020, there were no hard and fast rules, laws, or by-laws to my knowledge regarding the unique situation covid presented. The way the board disregarded the student—athletes of the Sheyenne High Boys' Soccer Team, kicking them out of the State Tournament and accepting the Junior Varsity team to play in their place, and putting those students at high risk for injury playing at that level is shameful. The previous year, the State Tournament was postponed a week due to a blizzard, so we all knew it was possible to make that decision. But instead, the board opted only to do what was easiest for them, rather than keeping the entire tournament fair. The emotional pain of what was lost for those kids continues to linger, and it was entirely preventable.

During the fall of 2021, the West Fargo School District mishandled a student-athlete's home address, and this very same team was forced to forfeit two of their games in which this student played. The team was punished for the mistake of the school district, based on the decision of board.

Yet again, in October of 2022, the West Fargo School District failed to check the age eligibility of this very same team's roster before submitting it to the head coach at the beginning of the season. The week of the State Tournament, the school discovered their mistake that they had allowed a 20-year-old enrolled senior to play all season (his first time ever playing that sport, and was unaware of the age rule), and the board immediately forced the team to forfeit every single game of the entire season, thus disqualifying them from the tournament. Many of the kids this affected were the same kids affected for the third year in a row. You can imagine the lack of trust they now have in adults and those in administrative positions. Once again, the board punished the KIDS and coaches rather than the school district at fault, without any communication with parents or explanation of their hasty decision.

There absolutely must be a better way to serve students in this state. So much harm was caused here that was all preventable. The board does not appear to put students first, does not communicate well, does not have open dialogue, and is accountable to no one. Until there is accountability, the thing that most matters will never be put first – the well-being of students.

Thank you for your time. -Breanna Breidenbach

Dear Chairman and Committee I am so sorry that I could not be here to share my story in person. But I hope that what have written to be shared with you today will be enough to bring about awareness and change to the hardship process.

Growing up around my older brother Collin you could always tell he had a love for football. It wasn't just because we had grown up around the sport because of our dad, you could tell from day one that he truly had a love for it. For most people your senior year is the time when your school, your teammates, friends, and most importantly your family rally around you supporting your next big step in your career. That wasn't the case for us having two kids going to completely separate schools. Our family was divided because of a ruling made by ndhsaa.

A little over 3 years ago after spending most of our lives growing up in Minot, my parents decided it would be best for us to move to Coleharbor to be closer to my dad's farm. For many years we didn't see a lot of my dad during planting and harvest season. You could tell driving as much as he had to really took a toll on him. Especially because he was missing out on a lot of moments with us kids. When we had first moved to Coleharbor the obvious first choice was to move to Garrison school district because we lived so close. That decision soon came to a halt after the whole world shut down due to covid-19. The following year after we looked back at the transfer and decided to give it another go. For most athletes your junior year is crucial to whether or not your career will continue after high school. After going through what we had to go through as a family the one thing that kept Collin going would have been taken away from him, having to sit out of a varsity football season. This was due to the fact that Garrison went into an emergency co-ope with Velva for football. This meant that all juniors and down would not be allowed to play varsity for an entire football season. This would have ended his career. My parents were not going to make him choose between his family and the sport he loved so much.

So inevitably my parents decided to continue our education at South Prairie. As young as I was at the time sports really weren't the end goal for me. Not transferring close to home effected me in other areas. I felt like an outsider looking in to a school that I had gone to for years. I couldn't drive at the time, and my brother wasn't always able to drive me whenever I wanted to just to go visit friends on the weekends. The relationships I used to have with friends soon started to dwindle away because of this distance. Along with that my parents weren't able to attend quite a few of my extracurricular activities due to the distance. This was extremely hard for me. Not having my family there to support me at times. However because me and my brother went to the same school he was always there, supporting me. At the beginning of this year realizing for the first time in 12 years we would be going to different schools was one of the hardest things I have ever experienced. Like I said in a previous statement your senior year is the time when your school, your teammates, your friends and most importantly your family rally around you... I wasn't going to get to be there for him his senior year, going to a completely different school. My parents have had to split their time between two different schools trying to support both Collin and I.

The hardship process need to be changed. We decided at the end of the school year last year to transfer. Little did we know it wasn't as easy as just filling out a form and getting approval from all involved parties. Our hardship process soon came to halt after not hearing anything about a ruling for almost 2 weeks. My mom tried to get in contact with Mr. Fetch for many months prior to starting the hardship process. Once he finally responded we soon came to find out that the hardship process started once we attend our first day at Garrison. Meaning Collin would have had to sit out of many games of his senior season. We soon realized that he wasn't going to approve our hardship. Making Collin ineligible at both schools if we were to continue with the hardship. Ruining his senior year, and any chance at a career in football. We continued with my hardship being only a sophomore year of ineligibility would not be the end all be all for me.

I've been at Garrison for almost a year now. Transferring to Garrison was one of the best decisions my parents could have ever made for me. Being a part of a basketball program like the one at Garrison has been truly an honor. The bonds and the experiences that I have made with my teammates and coaches brought back a love that I never thought I would have for basketball again. Having to sit on the sidelines for varsity games was difficult at first. Not getting to play and learn at a higher level was hard for me. But I soon came to realize that I

still have a lot of work to do. And I have gotten an opportunity of a life time to learn from amazing players and coaches who have taught me so much over this past year on and off the court.

My family has experienced so much over this past year. Especially my brother. The distance to school every day has put a major toll on him. South prairie has always been extremely supportive towards him and his aspirations. But that hometown since was missing ever since we had moved. You could tell that he had finally found that feeling getting to practice and build relationships with boys who lived right across the street rather than 35 plus miles away.

I will always be forever thankful for the memories and experiences that me and my brother shared at South Prairie. But, a part of me will always wish that collin and I could have shared one final year together going to the same school.

I hope that you will take what I have shared into consideration. I hope that in the future no other family will ever have to endure what we have had to go through this past year. Like I said before the hardship process needs to be changed. Not just for athletes like me and my brother, who have been separated for the first time in 12 years. Dividing our family. But, for other athletes who have already gone through so much change, needing something like their sport to keep them going.

Thank you

Rural Segment Crash Summary Sheets

Total Crashes: 38 (Sorted by Latitude)  
 Location: US 83, from Jct ND 37 to Minot (RP 197)  
 Reference Points: 159.621-197  
 Start - End Date: 8/1/2021 - 5/25/2022 (0.8 Years)

Notes: Non-injury animal crashes were not included.

23 USC § 407 Documents  
 NDDOT Reserves All Objections



Statistics for Total Crashes

Crash Severity	Letter Code	No. of Crashes
Fatal	K	0
Incapacitating Injury	A	3
Non-incapacitating Injury	B	7
Possible Injury	C	5
Property Damage Only	O	23

38



K	0%
A	8%
B	18%
C	13%
O	61%

Manner of Collision	Breakdown by Severity						
	K	A	B	C	O		
Angle	6	16%	0	1	1	3	1
Rear End	3	8%	0	0	1	0	2
Left Turn	1	3%	0	0	0	0	1
Sideswipe (same dir.)	5	13%	0	0	1	0	4
Sideswipe (opp dir.)	0	0%	0	0	0	0	0
Single Vehicle	22	58%	0	2	3	2	15
Ped/Bike	0	0%	0	0	0	0	0
Head On	0	0%	0	0	0	0	0
Backing	0	0%	0	0	0	0	0
Other	1	3%	0	0	1	0	0
<b>Total</b>	<b>38</b>	<b>100%</b>	<b>0</b>	<b>3</b>	<b>7</b>	<b>5</b>	<b>23</b>

Surface Conditions	Breakdown by Severity						
	K	A	B	C	O		
Dry	11	29%	0	3	3	1	4
Wet	6	16%	0	0	0	1	5
Ice / Snow	21	55%	0	0	4	3	14
Other	0	0%	0	0	0	0	0
<b>Total</b>	<b>38</b>	<b>100%</b>	<b>0</b>	<b>3</b>	<b>7</b>	<b>5</b>	<b>23</b>

Lighting Conditions	Breakdown by Severity						
	K	A	B	C	O		
Dawn/Dusk	4	11%	0	1	1	0	2
Daylight	24	63%	0	1	2	4	17
Dark	9	24%	0	1	3	1	4
Dark (lighted)	1	3%	0	0	1	0	0
Unknown	0	0%	0	0	0	0	0
<b>Total</b>	<b>38</b>	<b>100%</b>	<b>0</b>	<b>3</b>	<b>7</b>	<b>5</b>	<b>23</b>

First Harmful Event			
Motor Vehicle in Transport	14	37%	
Animal	2	5%	
Jackknife	2	5%	
Ran Off Roadway (not including below crashes)	16	42%	
Guardrail + Concrete Barrier + Bridge Rail	0	0%	
Bridge / Pier / Abutment / Overhead Structure	0	0%	
Poles / Posts / Trees / Overhead Sign Supports	1	3%	
<b>Total</b>	<b>38</b>	<b>100%</b>	

Roadway Geometrics	
Straight (on level)	31 82%
Straight (on grade)	2 5%
Curve (on level)	3 8%
Curve (on grade)	2 5%
Hill Crest	0 0%
Unknown	0 0%
<b>Total</b>	<b>38</b>

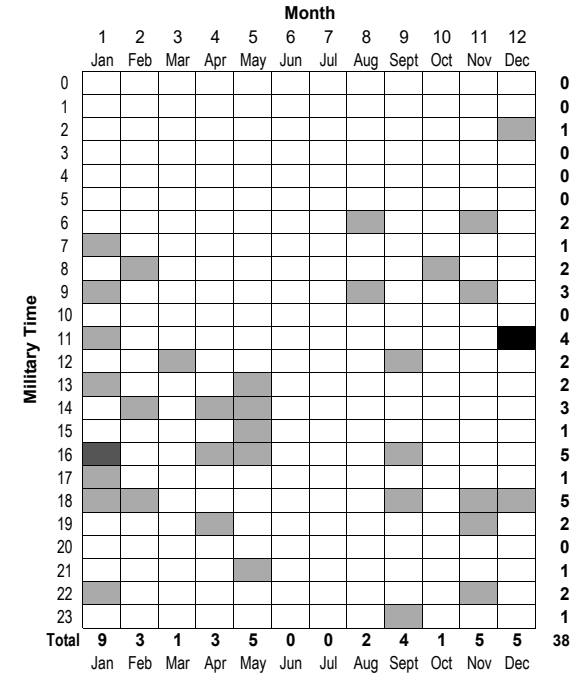
V1 and V2 Configuration*	
Passenger Car	12
PU / Van / Utility	30
Truck	9
Bus / Motorhome	0
Motorcycle + Moped	2
Ped or Bike	0

*These are only the most popular choices.*

V1 and V2 Directions	
NB	19
SB	27
EB	7
WB	1

D1 and D2 Alcohol / Drugs*	
Yes (alcohol or drugs present)	2

Day of Week	
Monday	2 5%
Tuesday	8 21%
Wednesday	6 16%
Thursday	2 5%
Friday	10 26%
Saturday	5 13%
Sunday	5 13%
<b>Total</b>	<b>38</b>



Relation to Junction	
Non-Junction	29 76%
Intersection + Intersection-Related	8 21%
Alley / Driveway Access	0 0%
Interchange Area + Exit / Entrance Ramp	0 0%

*These are only the most popular choices.*

Under Construction	
Yes	0 0%

D1 and D2 Contr. Factors*	
Attention Distracted	0
Weather	21
Speed	0
Too Fast for Conditions	8
Fail to Yield	4
Improper Backing/Turning	1

\*These are only the most popular choices.

D1 or D2 Ejected*	
Yes (partially or fully)	2

\*This info is not available for all units.

D1 and D2 Age/Sex			
Age	M	F	Total
18-20	3	0	3
21-24	1	1	2
25-34	9	4	13
35-44	11	2	13
45-54	7	0	7
55-64	5	3	8
65-74	2	2	4
75+	1	0	1
<b>Total</b>	<b>39</b>	<b>13</b>	<b>52</b>

Yr	Start Date	End Date	Intersection?			Total	Severity					Surface Conditions			Work Zone
			YES (or Alley / Drwy)	NO			K	A	B	C	O	Dry	Wet	Ice/Snow	
				Single Veh	Mult. Veh										
1	8/1/21	7/31/22	8	20	10	38	3	7	5	23	11	6	21		
<b>Total</b>			<b>8 (21.1%)</b>	<b>20 (52.6%)</b>	<b>10 (26.3%)</b>	<b>38</b>	<b>3</b>	<b>7</b>	<b>5</b>	<b>23</b>	<b>11</b>	<b>6</b>	<b>21</b>		

Vision Zero Emphasis Areas	
20 Lane Departure Crashes	
8 Intersection Crashes	
2 Alcohol and/or Drug Related Crashes	
5 Unbelted Vehicle Occupant Crashes	
8 Speed Related Crashes	
4 Young Driver Crashes	



Rural Segment Crash Summary Sheets



23 USC § 409 Documents  
 NDDOT Reserves All Objections

**Total Crashes:** 38 (Sorted by Latitude)  
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**Reference Points:** 159.621-197  
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**Notes:** Non-injury animal crashes were not included.

Statistics for Intersection-Related Crashes ONLY

Statistics for Non-Intersection Crashes ONLY

<b>Crash Severity</b> K = 0 0% A = 1 13% B = 1 13% C = 3 38% O = 3 38% 8	<b>Relation to Junction</b> Intersection + Intersection-Related = 8 100% Alley / Driveway Access = 0 0%								
<b>Surface Conditions</b> Dry = 3 38% Wet = 2 25% Ice / Snow = 3 38% Other = 0 0%	<b>Manner of Collision</b> Angle = 6 75% Rear End = 0 0% Left Turn = 0 0% Sideswipe (same direction) = 0 0% Single Vehicle = 2 25% Ped / Bike = 0 0% Other = 0 0%								
<b>Lighting Conditions</b> Dawn = 0 0% Daylight = 8 100% Dusk = 0 0% Dark = 0 0% Dark (lighted) = 0 0%	<b>D1 and D2 Contributing Factors*</b> Attention Distracted = 0 Weather = 4 Speed = 0 Too Fast for Conditions = 0 Fail to Yield = 4 Improper Backing / Turning = 0 <i>These are only the most popular choices.</i>								
<b>Under Construction</b> Yes = 0 0%	<b>D1 and D2 Alcohol / Drugs Present*</b> Yes (alcohol or drugs) = 0								
	<b>V1 and V2 Unit Config.*</b> Passenger Car = 4 PU / Van / Utility = 10 Truck = 0 Bus / Motorhome = 0 Motorcycle + Moped = 0 <i>These are only the most popular choices.</i>								
	<b>V1 and V2 Traffic Control</b> <table border="1"> <tr> <th>V1</th> <th>V2</th> </tr> <tr> <td>Signal = 0</td> <td>0</td> </tr> <tr> <td>Stop = 2</td> <td>5</td> </tr> <tr> <td>Beacon = 0</td> <td>0</td> </tr> </table> <i>These are only the most popular choices.</i>	V1	V2	Signal = 0	0	Stop = 2	5	Beacon = 0	0
V1	V2								
Signal = 0	0								
Stop = 2	5								
Beacon = 0	0								

\*This info is not available for all units.

<b>Multiple Vehicle Crashes ONLY</b>		
<b>Crash Severity</b> K = 0 0% A = 0 0% B = 3 30% C = 0 0% O = 7 70% 10	<b>Road Geometrics</b> Straight (on level) = 10 100% Straight (on grade) = 0 0% Curve (on level) = 0 0% Curve (on grade) = 0 0% Hill Crest = 0 0%	<b>D1 and D2 Alcohol/Drugs Present*</b> Yes (alcohol or drugs) = 1
<b>Surface Conditions</b> Dry = 3 30% Wet = 1 10% Ice / Snow = 6 60% Other = 0 0%	<b>Under Construction</b> Yes = 0 0%	<b>V1 and V2 Unit Config.*</b> Passenger Car = 0 PU / Van / Utility = 0 Truck = 0 Bus / Motorhome = 0 Motorcycle + Moped = 0 <i>These are only the most popular choices.</i>
<b>Lighting Conditions</b> Dawn = 0 0% Daylight = 6 60% Dusk = 0 0% Dark = 3 30% Dark (lighted) = 1 10%	<b>D1 or D2 Ejected*</b> Yes = 0	<b>Manner of Collision</b> Angle = 0 0% Rear End = 3 30% Left Turn = 1 10% Sideswipe (same direction) = 5 50% Head-On + Sideswipe (opp direction) = 0 0% Other = 1 10%

<b>Non-Collision with Motor Vehicle (a.k.a. Single Vehicle) Crashes ONLY</b>		
<b>Crash Severity</b> K = 0 0% A = 2 10% B = 3 15% C = 2 10% O = 13 65% 20	<b>Road Geometrics</b> Straight (on level) = 13 65% Straight (on grade) = 2 10% Curve (on level) = 3 15% Curve (on grade) = 2 10% Hill Crest = 0 0%	<b>D1 Alcohol / Drugs Present*</b> Yes (alcohol or drugs) = 1 5%
<b>Surface Conditions</b> Dry = 5 25% Wet = 3 15% Ice / Snow = 12 60% Other = 0 0%	<b>Under Construction</b> Yes = 0 0%	<b>V1 Unit Config.*</b> Passenger Car = 2 10% PU / Van / Utility = 13 65% Truck = 3 15% Bus / Motorhome = 0 0% Motorcycle + Moped = 2 10% <i>These are only the most popular choices.</i>
<b>Lighting Conditions</b> Dawn = 3 15% Daylight = 10 50% Dusk = 1 5% Dark = 6 30% Dark (lighted) = 0 0%	<b>D1 Ejected*</b> Yes (partially or fully) = 2 10%	<b>D1 Most Harmful Event*</b> Motor Vehicle in Transport = 0 0% Animal = 0 0% Jackknife = 2 10% Ran Off Roadway (not including below crashes) = 15 75% Guardrail + Concrete Barrier + Bridge Rail = 0 0% Bridge / Pier / Abutment / Overhead Structure = 0 0% Poles / Posts / Trees / Overhead Sign Supports = 1 5% <i>These are only the most popular choices.</i>

\*This info is not available for all units.

Rural Segment Crash Summary Sheets



Total Crashes: 38 (Sorted by Latitude)  
 City: 0  
 Location: US 83, from Jct ND 37 to Minot (RP 197)  
 Start - End Date: 8/1/2021 - 5/25/2022 (0.8 Years)

23 USC § 407 Documents  
 NDDOT Reserves All Objections

- LEGEND**  
 ▶ Fatal  
 ▶ Incapacitating Injury  
 ▶ Non-Incapacitating Injury  
 ▷ Possible Injury  
 ◆ Wet surface  
 ❄ Snow, Ice, Slush, Frost  
 ▲ Crash related to work zone  
 ① Unit number

- 1. Contributing Factor**  
 \* = alcohol or drugs involved  
**2. Most Harmful Event**  
 For single vehicle crashes, the most harmful event is shown in parentheses in the "Type of Collision" column

Crash No.	Crash Severity Date, Day Surface Conditions, Weather Lighting, Time Road Geometrics, Relation to Jct	Type of Collision	① AGE SEX CITY STATE Unit Configuration Movement (traffic control) Contributing Factor <sup>1</sup> Most Harmful Event <sup>2</sup>	②	Shortened Narrative	Name of Intersection	Diagram
1 1118824 37 61.92	▷ Possible Injury 01/25/22 Tuesday Ice / Snow Clear ❄ Daylight 6:08 PM Straight (on Level) Intersection	Angle	① 62M BISMARCK ND Passenger Car SB Going Straight	② 24M GARRISON ND Pickup - Van - Utility EB Going Straight (Stop) Careless/Reckless Driving		US 83 & ND 37	↓ →
2 1116785 83 163.07	PDO 12/24/21 Friday Ice / Snow Blowing Snow ❄ Dark 2:57 AM Straight (on Level) Non-junction	Rear End	① 30M ST PAUL MN Pickup - Van - Utility NB Changing Lanes To Fast for Conditions*	② <Null> Pickup - Van - Utility NB Driverless (Stopped) Weather Parked MV			↑ ↑
3 1113851 83 171.686	▷ Possible Injury 10/23/21 Saturday Ice / Snow Cloudy ❄ Daylight 8:35 AM Curve (on Level) Non-junction	Single Veh. (Cargo Loss or Shift)	① 90M MINOT ND Pickup - Van - Utility SB Going Straight Weather Cargo Loss or Shift				↓ X
4 1111270 83 172.01	▷ Possible Injury 08/19/21 Thursday Dry Cloudy Daylight 9:03 AM Straight (on Level) Intersection	Angle	① 40F MINOT ND Passenger Car SB Going Straight	② 53M MAX ND Pickup - Van - Utility EB Going Straight (Stop) Failed to Yield		US 83 & Flower St	↓ →
5 1112326 83 172.01	▶ Incapacitating Injury 09/12/21 Sunday Dry Clear Daylight 12:47 PM Straight (on Level) Intersection	Angle	① 18M BELGRADE MN Pickup - Van - Utility SB Going Straight	② 54M NEW TOWN ND Pickup - Van - Utility EB Turning Left (Stop) Failed to Yield	D2 (EB) failed to yield at the stop sign and struck V1 (SB).	US 83 & Flower St	↓ →
6 1118325 83 173.83	PDO 12/24/21 Friday Ice / Snow Clear ❄ Daylight 11:34 AM Straight (on Level) Non-junction	Sideswipe (Same Dir.)	① 39M BISMARCK ND Truck Tractor SB Slowing/Stopping Weather	② <Null> Unknown Heavy Truck SB Driverless (Stopped) Weather Parked MV			↓↓
7 1119807 83 174.994	PDO 02/13/22 Sunday Snow Sleet/Hail/Freezing Rain ❄ Dark 6:09 PM Straight (on Level) Non-junction	Single Veh. (Ditch)	① 34F WASHBURN ND Passenger Car SB Going Straight Weather Ditch				↓ X
8 1118984 83 176.01	PDO 01/23/22 Sunday Snow Snow ❄ Dark 5:50 PM Straight (on Level) Non-junction	Single Veh. (Overturn / Rollover)	① 27F MINOT ND Pickup - Van - Utility NB Going Straight Over Correct/Steering Overturn / Rollover				X ↑
9 1115423 83 176.03	▶ Non-incapacitating injury 11/30/21 Tuesday Dry Unkown Dark 7:09 PM Straight (on Level) Non-junction	Sideswipe (Same Dir.)	① 29F MINOT ND Pickup - Van - Utility NB Changing Lanes Fail Keep in Proper Lane	② 28F GARRISON ND Passenger Car NB Going Straight Animal in Roadway			↑↑
10 1116734 83 176.11	PDO 12/24/21 Friday Ice / Snow Clear ❄ Daylight 11:32 AM Straight (on Level) Non-junction	Sideswipe (Same Dir.)	① 33M MANDAN ND Truck Tractor SB Going Straight To Fast for Conditions	② 48M MINOT ND Pickup - Van - Utility SB Driverless (Stopped) Weather			↓↓

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 ▶ Fatal  
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 ▶ Non-Incapacitating Injury  
 ▷ Possible Injury  
 ◆ Wet surface  
 ❄ Snow, Ice, Slush, Frost  
 ▲ Crash related to work zone  
 ① Unit number

- 1. Contributing Factor**  
 \* = alcohol or drugs involved  
**2. Most Harmful Event**  
 For single vehicle crashes, the most harmful event is shown in parentheses in the "Type of Collision" column

Crash No.	Crash Severity Date, Day Surface Conditions, Weather Lighting, Time Road Geometrics, Relation to Jct	Type of Collision	① AGE SEX CITY STATE Unit Configuration Movement (traffic control) Contributing Factor <sup>1</sup> Most Harmful Event <sup>2</sup>	Shortened Narrative	Name of Intersection	Diagram	
11 1116806 83 176.13	PDO 12/24/21 Friday Ice / Snow Clear ❄ Daylight 11:35 AM Straight (on Level) Non-junction	Sideswipe (Same Dir.)	① 40M BISMARCK ND Truck Tractor SB Going Straight To Fast for Conditions	② 48M MINOT ND Pickup - Van - Utility SB Going Straight Weather	③ 52F MINOT ND 2-Axle SB Driverless (Stopped) Weather		↓ ↓
12 1120023 83 177	PDO 02/13/22 Sunday Slush Cloudy ❄ Daylight 2:35 PM Straight (on Level) Non-junction	Single Veh. (Overturn / Rollover)	① 28M BISMARCK ND Pickup - Van - Utility SB Going Straight To Fast for Conditions Overturn / Rollover			↓ X	
13 1119183 83 178.24	PDO 01/26/22 Wednesday Ice / Snow Blowing Snow ❄ Daylight 4:10 PM Curve (on Level) Non-junction	Single Veh. (Overturn / Rollover)	① 38M BISMARCK ND 2-Axle SB Negotiating Curve To Fast for Conditions Overturn / Rollover			↓ X	
14 1120729 83 179.21	PDO 03/07/22 Monday Dry Clear Daylight 12:40 PM Curve (on Grade) Non-junction	Single Veh. (Overturn / Rollover)	① 70M HETTINGER ND Truck Tractor NB Negotiating Curve Fail Keep in Proper Lane Overturn / Rollover			X ↑	
15 1123243 83 180.95	▶ Incapacitating Injury 05/17/22 Tuesday Dry Clear Dusk 9:58 PM Straight (on Level) Non-junction	Single Veh. (Overturn / Rollover)	① 42M BISMARCK NDY Motorcycle NB Going Straight Defective Equipment Overturn / Rollover	V1 (NB) reportedly had a flat tire. D1 lost control and rolled. Both driver and passenger were transported to Minot hospital with injuries.		X ↑	
16 1122447 83 181.45	PDO 04/19/22 Tuesday Snow Sleet/Hail/Freezing Rain ❄ Daylight 2:40 PM Straight (on Level) Non-junction	Single Veh. (Mail Box)	① 38M BISMARCK ND Pickup - Van - Utility NB Turning Left Weather Mail Box			X ↑	
17 1114536 83 181.81	PDO 11/10/21 Wednesday Wet Rain ◆ Daylight 9:46 AM Straight (on Level) Non-junction	Rear End	① 20M MINOT AFB ND Pickup - Van - Utility NB Going Straight	② 35F GARRISON ND Passenger Car NB Going Straight		↑ ↑	
18 1119185 83 182.7	PDO 01/26/22 Wednesday Slush Blowing Snow ❄ Daylight 1:35 PM Straight (on Level) Intersection	Single Veh. (Post)	① 28M DOUGLAS ND Passenger Car SB Going Straight Other Post		US 83 & ND 23	↓ X	
19 1122371 23 105.34	▷ Possible Injury 04/22/22 Friday Wet Fog / Smoke / Dust ◆ Daylight 4:04 PM Straight (on Level) Intersection	Angle	① 74F MANDAREE ND Passenger Car EB Going Straight (Stop) Failed to Yield	② 26M MINOT ND Pickup - Van - Utility SB Going Straight Weather	US 83 & ND 23	↓ →	
20 1112514 23 105.34	▶ Non-incapacitating injury 09/17/21 Friday Dry Clear Daylight 6:21 PM Straight (on Level) Intersection	Angle	① 61F NEW TOWN ND Pickup - Van - Utility EB Going Straight (Stop) Failed to Yield	② 55F MINOT ND Pickup - Van - Utility SB Going Straight	US 83 & ND 23	↓ →	

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 ▶ Fatal  
 ▶ Incapacitating Injury  
 ▶ Non-Incapacitating Injury  
 ▷ Possible Injury  
 ◆ Wet surface  
 ❄ Snow, Ice, Slush, Frost  
 ▲ Crash related to work zone  
 ① Unit number

**1. Contributing Factor**  
 \* = alcohol or drugs involved

**2. Most Harmful Event**  
 For single vehicle crashes, the most harmful event is shown in parentheses in the "Type of Collision" column

Crash No.	Crash Severity Date, Day Surface Conditions, Weather Lighting, Time Road Geometrics, Relation to Jct	Type of Collision	AGE SEX CITY STATE Unit Configuration Movement (traffic control) Contributing Factor <sup>1</sup> Most Harmful Event <sup>2</sup>	Shortened Narrative	Name of Intersection	Diagram
21 1122944 23 105.54	PDO 05/05/22 Thursday Dry Clear Daylight 4:28 PM Straight (on Level) Crossover-Related	Left Turn	① 41M WILLISTON ND Truck Tractor WB Turning Left Improper Turn ② 24F MINOT ND Pickup - Van - Utility EB Stopped (Stop)			→←←
22 1111471 83 184	PDO 08/21/21 Saturday Wet Clear Dawn 6:24 AM Straight (on Level) Non-junction	Single Veh. (Overturn / Rollover)	① 18M DOUGLAS ND Pickup - Van - Utility NB Going Straight Over Correct/Steering Overturn / Rollover			X ↑
23 1120452 83 184.44	PDO 02/28/22 Monday Ice / Snow Clear Dawn 8:18 AM Curve (on Grade) Non-junction	Single Veh. (Ditch)	① 28M MINOT ND Pickup - Van - Utility SB Going Straight Weather Ditch			↓ X
24 1123105 83 184.55	PDO 05/13/22 Friday Wet Severe Wind Daylight 2:45 PM Straight (on Grade) Non-junction	Single Veh. (Jackknife)	① 58M MINOT ND Pickup - Van - Utility SB Other Action on Roadway Weather Jackknife			↓ X
25 1123100 83 184.64	PDO 05/13/22 Friday Wet Severe Wind Daylight 3:15 PM Straight (on Grade) Non-junction	Single Veh. (Jackknife)	① 39M MINOT ND Pickup - Van - Utility NB Going Straight Weather Jackknife			X ↑
26 1111980 83 185.79	▶ Incapacitating Injury 09/04/21 Saturday Dry Clear Dark 11:10 PM Curve (on Level) Non-junction	Single Veh. (Ditch)	① 59M MINOT NDY Motorcycle NB Going Straight Other* Ditch	D1 (NB) lost control, entered the ditch and overturned and was ejected.		X ↑
27 1117867 83 187.23	▶ Non-incapacitating injury 01/11/22 Tuesday Ice / Snow Clear Daylight 9:30 AM Straight (on Level) Non-junction	Single Veh. (Overturn / Rollover)	① 40M MINOT ND Pickup - Van - Utility SB Going Straight To Fast for Conditions Overturn / Rollover			↓ X
28 1122377 83 187.82	PDO 04/22/22 Friday Wet Fog / Smoke / Dust Daylight 7:40 PM Straight (on Level) Intersection	Angle	① 32M MINOT ND Pickup - Van - Utility SB Going Straight Weather ② 15F MINOT ND Pickup - Van - Utility EB Going Straight (Stop) Weather		US 83 & 177th Ave SW	↓ →
29 1118161 83 187.83	PDO 01/15/22 Saturday Ice / Snow Blowing Snow Daylight 4:36 PM Straight (on Level) Intersection	Single Veh. (Overturn / Rollover)	① 44M MINOT ND Pickup - Van - Utility NB Other Action on Roadway Weather Overturn / Rollover		US 83 & 177th Ave SW	X ↑
30 1123255 83 187.96	PDO 05/18/22 Wednesday Dry Clear Daylight 1:00 PM Straight (on Level) Non-junction	Single Veh. (Thrown/Falling Object)	① 26M MINOT ND Passenger Car SB Going Straight Thrown/Falling Object			↓ X

Rural Segment Crash Summary Sheets



Total Crashes: 38 (Sorted by Latitude)  
 City: 0  
 Location: US 83, from Jct ND 37 to Minot (RP 197)  
 Start - End Date: 8/1/2021 - 5/25/2022 (0.8 Years)

23 USC § 407 Documents  
 NDDOT Reserves All Objections

- LEGEND**  
 ▶ Fatal  
 ▶ Incapacitating Injury  
 ▶ Non-Incapacitating Injury  
 ▷ Possible Injury  
 ◆ Wet surface  
 ❄ Snow, Ice, Slush, Frost  
 ▲ Crash related to work zone  
 ① Unit number

**1. Contributing Factor**  
 \* = alcohol or drugs involved

**2. Most Harmful Event**  
 For single vehicle crashes, the most harmful event is shown in parentheses in the "Type of Collision" column

Crash No.	Crash Severity Date, Day Surface Conditions, Weather Lighting, Time Road Geometrics, Relation to Jct	Type of Collision	AGE SEX CITY STATE Unit Configuration Movement (traffic control) Contributing Factor <sup>1</sup> Most Harmful Event <sup>2</sup>	Shortened Narrative	Name of Intersection	Diagram
31 1114987 83 190	▶ Non-incapacitating injury 11/16/21 Tuesday Snow Blowing Snow ❄ Dark 6:14 PM Straight (on Level) Non-junction	Single Veh. (Overturn / Rollover)	① 48M ROCK FALLS IL Truck Tractor SB Going Straight Weather Overturn / Rollover			↓ X
32 1118270 83 191.05	▶ Non-incapacitating injury 01/18/22 Tuesday Snow Blowing Snow ❄ Dawn 7:54 AM Straight (on Level) Non-junction	Single Veh. (Overturn / Rollover)	① 61M MINOT ND Pickup - Van - Utility SB Going Straight Weather Overturn / Rollover			↓ X
33 1118188 83 192.02	PDO 01/15/22 Saturday Ice / Snow Blowing Snow ❄ Daylight 11:52 AM Straight (on Level) Non-junction	Sideswipe (Same Dir.)	① 68F WASHBURN ND Passenger Car SB Going Straight Weather ② 64M BISMARCK ND Truck Tractor SB Going Straight Weather			↓↓
34 1111818 83 192.74	PDO 09/01/21 Wednesday Dry Cloudy Daylight 4:40 PM Straight (on Level) Non-junction	Single Veh. (Overturn / Rollover)	① 67M MINOT ND Pickup - Van - Utility SB Going Straight Overturn / Rollover			↓ X
35 1118904 83 193.08	▷ Possible Injury 01/23/22 Sunday Ice / Snow Blowing Snow ❄ Dark 10:10 PM Straight (on Level) Non-junction	Single Veh. (Overturn / Rollover)	① 34M LAREDO TX Pickup - Van - Utility NB Going Straight Weather Overturn / Rollover			X ↑
36 1115254 83 194.58	PDO 11/24/21 Wednesday Ice / Snow Snow ❄ Dark 6:00 AM Straight (on Level) Non-junction	Single Veh. (Overturn / Rollover)	① 35M WATFORD CITY ND Pickup - Van - Utility SB Going Straight To Fast for Conditions Overturn / Rollover			↓ X
37 1116711 83 194.99	▶ Non-incapacitating injury 12/21/21 Tuesday Snow Snow ❄ Dark(L) 6:10 PM Straight (on Level) Non-junction	Rear End	① 50M MINOT ND Passenger Car NB Going Straight To Fast for Conditions ② 41M MINOT ND Farm Equipment NB Going Straight Weather			↑ ↑
38 1115043 83 195.25	▶ Non-incapacitating injury 11/19/21 Friday Dry Clear Dark 10:02 PM Straight (on Level) Non-junction	Other	① 49M LEFOR ND Passenger Car NB Going Straight ② 56F MINOT ND Passenger Car NB Going Straight	V1 was NB when two moose attempted to cross the highway. D1 struck one of the moose. V2 was behind V1 and ran over the same moose. Both vehicles had extensive damage.		No Diagram
39						
40						

Dear Chairman and Committee Members

Our names are Kelly and Gail Parisien and I urge you to pass 1149. Our families experience and in particular what happened to our son because of the NDHSAA is something no family or child should go through. I look forward to sharing my full testimony on Wednesday.

Please email me link to testify online, thankyou

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Please email me link to testify online, thankyou

**Date: July 25, 2022**

**Memo to: North Dakota High School Activities**

**Attn: Executive Director: Matt Fetch**

**cc. Superintendent of Public Instruction -Kristen Baesler**

**cc. North Dakota High School Activities State Board**

**I am writing to you with a real concern about Collin Knorr and Camrynn Knorr. It is my understanding that when the Knorrs moved to the Garrison school district their children were already well into there academic year in South Prairie and a move at that point would have been detrimental. They moved to 2980 Scenic Waters loop; Coleharbor, ND. Covid-19 was a big factor in deciding the best course for the children also for school attendance 2020-2021 year. They have now built a new home and moved lock, stock, and barrel into this new home at 2979 16 W Street Northwest, Coleharbor, ND, in June 2022.**

**I was asked to come and provide supervision for Collin and Camrynn during February/ March of 2022 while their parents were gone. While staying with the kids, I drove on several occasions to sporting events. The 30+ miles between South Prairie and their new Coleharbor address were some of the most dangerous, wind-swept miles, I have ever encountered. From south of Max, North Dakota to South Prairie was extremely dangerous with blowing snow and snow squalls. I registered my concern with Margo and Steve Knorr. When they moved into the new home in June 2022, they prayerfully decided encouraging their children to make the shift to the Garrison school district was the right course to ensure the safety of the kids.**

**However, a big, unassailable road block has originated out of the North Dakota High School's rules and regulations interpretation. The NDHSAA is indicating that the very likely outcome exists where Collin and Camrynn would have to forfeit the first semester of sports in the coming year. Now in some instances (which I cannot readily imagine) this might not be such a big liability, but where my Grandson Collin is concerned it would break his spirit and his heart. He would rather risk the terrible drive then be held out of sports during his senior season this coming year. Here is an example of what kind of heart this young man has. As a junior, Collin played football with his whole heart and is an excellent athlete and he had an excellent season. In the spring, he went out for track and as a junior he started at "ground zero" building his skill set and technique for a first-time competitor in track, and managed to qualify for State Track and Field competition. Once**



again, he played his heart out to try and excel and I sat and marveled at almost all of his freezing-cold track meets.

My concern as an educator, parent, and grandparent is what is NDHSAA doing to underpin the best interest and safety of young sports' enthusiasts who simply want both the opportunity to play sports and be safe. While Camrynn would have more time because she will just be a sophomore, I implore you to reasonably allow Collin and Camrynn to play sports along with the move to Garrison School. As a senior, if Collin had to give up his fall sport of football because of a move and decisions made by caring, loving parents regarding his safety, it would break his spirit and his heart. This young man is an excellent academic student (A-average), but his whole heart is in "the love of the game of football". When this young man was a 7<sup>th</sup> grader, he had a badly broken leg and could not bear weight on his leg for many weeks. While his parents were gone on a trip for business, he came and stayed with me for a week. We watched football and he taught me what wide receivers, tight ends, cornerbacks, fullbacks, quarterbacks, line-backers, and punters are. I became an avid fan and as a grandmother I started watching and enjoying football. As a 7<sup>th</sup> grade kid with a broken leg, Collin brought tears to my eyes and joy to my heart with his already growing love of the game and clear knowledge and understanding of the game even when he could not play.

I cannot imagine that you as supporters of young people would stand in the way of Collin's safety and overall well-being by forcing his attendance at one school over another, when the closest school is much closer and would go a lot further in ensuring his safety and well-being. Please consider granting a hardship status to Collin and Camrynn so they can attend the school in their district and compete in sports. Your decision would need to be in writing to Collin because it is the only way he will know for sure that he can make the move. I, as his grandmother and longtime ND licensed educator, and sports enthusiast ask for your mercy and good faith. I do not want Collin back on that highway morning and night all

**school year. It would be a terrible thing if because of your interpretation of the rules something happened on the drive. You have the discretion to make a decision favoring a student and what is in the best interest of young people every single time. My hope is that you will. I know you will consider this carefully. Thank you so much.**

**Patsy Levang 10841 Highway 73 Watford City, ND 58854**

## Attachments

Tue, Jun 28, 11:26 PM

to matt.fetsch@ndhsaa.org, andrew.jordan@k12.nd.us, dave.schoch@k12.nd.us, Nick, gfridley@dpsnd.org, kbaesler@nd.gov, alexis.baxley@ndsba.org, ned.clooten@k12.nd.us, mrrerick230@mygfschools.org, paul\_jundt@bismarckschools.org, josh.johnson@k12.nd.us, jeremy.brandt@k12.nd.us, rick.diegel@k12.nd.us

Dear ND High School Activities Association,

I am writing this email to request an exemption for the rule in your by-laws for hardship procedures. In the spring of 2021, I requested information in the process of transferring our kids to our home district after we moved in the spring of 2020 (see email below). When information was received for a hardship application there was no information that stated the exact process of hardships. The only way we could have known was by reading your bylaws. We understood that once hardship forms were completed by both districts it would move to a decision by Mr. Fetsch. If Mr. Fetsch would choose to deny hardships we could appeal to the board. Fast forward to July, our hardship forms were completed by both Administrators which they approved and sent to Mr. Fetsch. Both School administrators did not know there was a delay in the decision until the kids attended there first day at their new school.

Our son is headed into his senior year and with this current process for hardship he would be jeopardizing his senior year if Mr. Fetsch and or the board would deny hardship.

The problem is if he enrolls in the new school and is denied he has forfeited his senior year. This is why there needs to be an amendment to your bylaws to allow the student/parents to make an informed decision on whether he wants to give up his eligibility. Your current process pulls the rug out from the student and punishes him or her if hardship is declined. They are stuck at the new school without the ability to play varsity sports. This could jeopardize a student that is looking to further his athletic career in a collegiate program.

Allowing the hardships to be completed and ruled on in a timely manner would allow the student to make his or her decision without losing their potential to play varsity sports. Giving the student the option to stay at the current school would allow him or her to compete. Letting him or her attend the first day at the new school and then denying it doesn't look out for the best interest of the student. In your mission statement it is stated your job is to protect the student.

I believe our hardship is a legitimate reason for allowing my kids to attend our home district. Our job as parents is to put the wellbeing of our kids first. Covid has put a hardship on these students that we will never comprehend.

Sincerely,

Joy Ankenbauer

Region 2, Bowbells, ND

I would like to thank the NDHSAA for all the work they do with tournaments and events. We do appreciate the hard work you put in so that these events can run well. It is obvious that the NDHSAA cares about high school sports in this state, but I feel that some of their policies are not beneficial to students, parents, and families.

I have seen examples of the NDHSAA bylaws negatively impact students. I saw a student from Lignite, who was technically abandoned by his family, have to seek special permission from the NDHSAA to play basketball.

I saw my daughter's classmate, who came to live with his grandmother during the "covid year" so he could attend school in person (instead of virtually where he was from) be ineligible and not able to participate in varsity sports and activities – so he didn't even try. He just gave up and withdrew into his video games.

I have seen two of my daughter's friends transfer schools for good reasons, but not good enough reasons for the NDHSAA, and lose their eligibility for a year.

**The control of the athletic activities appears to be more important than academics and the general well being of the student and their family. Athletics have been made so important by the NDHSAA that they are negatively affecting the school choice and the education of some North Dakota students.**

Then there is my story. My son wanted to take shop classes and in person college math classes his senior year, but they were not offered

at our small school. He started to look at transferring to a larger school, but the NDHSAA bylaws state that “transfer in order to obtain certain subjects” is not a legitimate reason, so he would have to give up his eligibility his senior year if he changed schools. So, to give my son academic opportunity AND to conform to the NDHSAA eligibility rules, we chose to buy a house and move our family ten miles. That’s how much effort it took to stay within the NDHSAA rules of eligibility.

**These by-laws need to look at more than just athletics, and instead consider the whole education and well being of the student. I would also like parents to be valued by the NDHSAA.** My main experience, as a parent, with the NDHSAA is this:

My son qualified for state speech in 2021, the “covid year.” When I asked Mr. Bubach of the NDHSAA if I could be there to support my son at the state speech meet, he replied that if I attended my son’s event, they would “omit that entry from the schedule”, meaning that if I showed up to support my son at state speech, then the NDHSAA would disqualify my son from his event.

**I recommend a DO PASS for House Bill 1149.**

**Date: July 25, 2022**

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**Attn: Executive Director: Matt Fetch**

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**Patsy Levang 10841 Highway 73 Watford City, ND 58854**

## **Testimony in Support of HCR 3022 and HB 1149 (As Amended)**

During a North Dakota High School Activities Association sanctioned basketball game between Bismarck High School ("BHS") and Jamestown High School in Jamestown on January 31, 2023, multiple incidents occurred involving the use of racial slurs directed toward BHS student athletes. These slurs included monkey noises, mocking "war whoops," and the use of the N-word vocalized by the Jamestown student section and directed toward the only nonwhite players for BHS.

We are the parents of the two student athletes from BHS targeted with the racial slurs at this game and we offer this testimony in support of HCR 3022 and HB 1149 (as amended).

The father of one of the BHS players and sister of another player attempted to bring this to the attention to the Jamestown Athletic Director. The complaint was ignored, and no action was taken to remove students or address the racialized taunts by the Jamestown student section. As a result, the Jamestown student section continued to harass the student athletes well into the second half. Following the game, one of the players brought this to both head coaches' attention.

The emotional distress suffered by our sons cannot be overlooked or dismissed. The comments that were made and the loud chants of vehement racist taunting will have lasting emotional effects on these student athletes. It is the duty of NDHSAA and school administrators to cultivate safe and harassment-free environments for student athletes. Note that both these student athletes from BHS held themselves to their highest standard and never interacted with the crowd during this racial harassment and verbal abuse.

We feel strongly that immediate action is needed. The students and administrators at Jamestown Public School who participated in or allowed this abuse to occur must be held accountable. Additionally, policy changes are needed at NDHSAA including, but not limited to, implementing a "zero tolerance policy" for all students and fans that directly addresses and combats all incidences of hate and racism and which contains serious sanctions for those involved in such actions. Further, there should be permanent representation from Reservation School Districts on the NDHSAA Board of Directors.

While we are seeking immediate action directly from Jamestown School and NDHSAA on this matter, we support HCR 3022 and HB 1149 (as amended) and their mandate for legislative study to establish clear procedure and accountability for handling incidents like this in the future.

Thank you for the opportunity to present this testimony.

Savannah Alkire  
Quinn Austin

Kate Eaglestaff  
Lance Eaglestaff



# North Dakota House of Representatives

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## Representative Paul J. Thomas

District 6  
P.O. Box 162  
Velva, ND 58790-0162  
[paulthomas@ndlegis.gov](mailto:paulthomas@ndlegis.gov)

**COMMITTEES:**  
Industry, Business and Labor  
Agriculture, Chairman

March 20, 2023

Chair Elkin and members of the Senate Education Committee

I am Representative Paul Thomas, representing District 6 in North Central North Dakota. HB 1149 directs legislative management to consider studying the impact of the North Dakota high school association (NDHSAA) on students. The purpose of the study will be to review the makeup of the board of the association, review bylaws and policies including eligibility and transfer rules, and the role of the state as it relates to the association’s performance of a quasi-governmental function.

The need for this study was brought forward to me by constituents within my district. After consulting with them, and then visiting with the NDHSAA executive director, I found out how little I knew about the NDHSAA. I believe the sporting activities that the NDHSAA oversees are important to the member schools, the student athletes, and the communities we live in. Recognizing the important role of High School athletics in our state, I believe it is important that members of the Legislature understand the workings of the NDHSAA and how the states relationship with the organization is best situated.

Chair Elkin and members of the committee I ask for your support of HB 1149.

Sixty-eighth  
Legislative Asembly  
of North Dakota

HOUSE BILL NO. 1149

Introduced by:  
Representatives Thomas, Dockter, Heinert, Kasper, Porter, D. Ruby, Vetter,  
Senators Patten, Paulson

*\*transfer rule =*

Honorable Chairperson,

Thank you for the opportunity to submit a testimony to support HB No. 1149.

My name is Cara Currie Hall and I have been a builder of sports organizations and initiatives internationally and I have been an advocate of youth and sports, women in sports, indigenous peoples in sports for over 30 years.

I support this Bill and its purpose to review and rebuild the NDHSAA – North Dakota High Schools Activity Association.

Since 2001 I have had many conversations with the former executive director. [Sherm Schilling], written letters to the Board of Directors, and lobbied for inclusion and representation of women and indigenous peoples on the Board. I have never had one response.

The importance of diversity and representation within that organization has never been more critical. It is time for a study that will, itself, be inclusive and representative of the citizens of North Dakota, and include men and women, and different people groups – like Native Americans.

This study creates a missing element of the NDHSAA and that is the transparency and accountability to the student, the family, the citizens.

A study of this sort also creates an opportunity to implement the Federal Law of Title IX and make this Board and all its partners, truly representative.

Thank you for your consideration and support. I am prepared to answer questions.

NDHSAA = "Athletes" =  
Res. - Opportunities = math.

(C-115) = "Cut" the only 2 Native Athletes: Girls -

No Policy to Cut: \* Blonde.

Internal Investigation = All new coaching staff. \* Personal Apology

Grandfather = Frederick Baker - ("get her out of House")

Transfer rule = Fitch/Zoom - Seined<sup>ed</sup> - took away her athletic opportunities