



**Minnesota State High School League  
REPRESENTATIVE ASSEMBLY MEETING  
Radisson Hotel (next to League Office)  
2200 Freeway Blvd., Brooklyn Center, 55430  
Monday, May 13, 2019  
Beginning at 9:00 a.m.**

## **AGENDA**

1. **Call to Order** Bonnie Spohn Schmaltz, President, Board of Directors  
Speech, Eden Valley-Watkins
2. **Opening Announcements** Bonnie Spohn Schmaltz
3. **MSHSL Treasurer's Report** Eric Christenson, Treasurer, Board of Directors  
Music, Shakopee
4. **Annual President's Report** Bonnie Spohn Schmaltz
5. **MSHSL Update** Erich Martens, Executive Director
6. **Comments regarding Representative Assembly Amendments from the Floor**
7. **Assembly Members' Discussion of the Proposed Amendments**
8. **Roll Call**
9. **Approval of Minutes of the May 14, 2018 Representative Assembly Meeting**
10. **Voting on Proposed Amendments**
11. **Any Other Business**
12. **Adjournment**

## **Proposed Amendment to Bylaw 111.00 Transfer and Residence**

(~~deleted language~~ proposed language)

**Submitted by:** MSHSL Board of Directors

**Bylaw** 111.1.B.iv

### **Proposed Changes:**

(iv) **Divorced Parents:** A student of divorced parents or parents who were never married, who resides with one parent and moves to reside with the other parent who have joint, legal physical custody of the student, as indicated in the divorce decree, who moves from one custodial parent to the other custodial parent shall be fully eligible at the time of the move:

(a) At the public school in the new public school attendance area as determined by the district school board where the new residence is located; or

(b) At any non-public school.

The student may utilize this provision only one-time during grades 9-12 inclusive. The new residence cannot be located in the same public school attendance area as the previous residence.

~~The parents must provide proof of joint, legal physical custody as identified in the parents' divorce decree to the activity director in the school the student attends.~~

~~*Please Note: This provision can only be applied the first time the student moves between parents and changes schools and only if the specific requirements of this provision are met.*~~

Please Note: This provision can only be applied the first time the student moves between parents and changes schools and only if the specific requirements of this provision are met. The intent of this provision is to provide varsity competition eligibility for a student who is living (solely) with one parent and who desires to move to live with the other parent. Parent is defined as the biological parent(s) or adoptive parent(s).

### **Rationale:**

The Proposed changes to this bylaw provision reflect the wishes of the MSHSL member schools. The intent is to recognize various parent dynamics and provide additional but specific varsity competition eligibility opportunities for students who reside with one parent and move to reside with the other parent.

The proposal eliminates the provision requiring documented legal physical custody as assigned by the courts as custody decrees are not always applicable.

**Proposed Amendment to Bylaw 111.00 Transfer and Residence**  
(deleted language proposed language)

**Submitted by:** MSHSL Board of Directors

**Current Bylaw 111.1.C**

**Proposed Changes:**

**C. If none of the provisions in Section (B) (above) are met, the student is ineligible for varsity competition for a period of one (1) calendar year beginning with the first day of attendance or participation in a fall sport practice at the new school.**

(i) Students are immediately eligible for competition at the non-varsity level.

(ii) A student may not obtain eligibility as a result of a transfer. If at the time of the transfer the student was not fully eligible in the previous school, the student shall be ineligible in the new school. A student who was not in good standing at the time of transfer shall be ineligible until the penalty from the previous school has been served.

(iii) ~~Each time a student transfers and the conditions of the transfer do not meet any of the provisions of Section (B) (above), the student will be ineligible for varsity competition for a period of one (1) calendar year beginning with the first day of attendance at the new school. For example, if a student while serving a one-year transfer suspension transfers to another school and none of the provisions of Section 1.B(i)-(v) (above) are met, an additional one-year suspension will be applied. The student will begin serving the additional one-year suspension immediately following the completion of the previous one-year suspension~~  
Multiple Transfers: A student who is serving a one-year varsity competition suspension as a result of a transfer shall have an additional varsity competition suspension for each subsequent (additional) transfer. A new, one-year varsity competition suspension will begin on the first day of attendance or the first day of participation in a fall sport practice at the new school each time the student transfers.

Example: A 10<sup>th</sup> grade student transfers from school A to school B and first attends school B on September 10, 2018. The transfer eligibility determination for the student indicates the student is ineligible to compete at the varsity level for one calendar year, beginning with the first day of attendance at School B—September 10, 2018. The student will be eligible to compete at the varsity level on September 10, 2019. The student decides to leave school B, transfers to School C, and first attends School C on October 10, 2018. The transfer eligibility determination indicates the student will have a one-year varsity competition suspension for the transfer to school C. The new one-year suspension for the transfer to school C will begin on October 10, 2018. The student will then be fully eligible to compete at the varsity level on October 10, 2019.

**Rationale:**

The Proposed changes to this bylaw provision reflect the wishes of the MSHSL member schools. Under the current bylaw the student in the example above would serve two consecutive one-year varsity competition suspensions and would regain varsity competition eligibility on September 10, 2020. Under the proposed provision the total length of the varsity competition suspension would be 13 months.

## **Proposed Amendment to Bylaw 111.00 Transfer and Residence**

(~~deleted language~~, proposed language)

**Submitted by: Scott McCready – St. Charles, Jerry Pettinger – Benilde-St. Margaret’s, Dan Johnson – Hopkins, Rick Johns – Providence Academy, Emmett Keenan – St. Cloud Cathedral**

Bylaw 111.2.B-C

(iv) A Foreign Exchange student who stays in the country for an additional year(s) under different status would be eligible at the JV level or below for any and all additional years as listed in C., as long as all requirements are met.

C. OTHER INTERNATIONAL STUDENTS. ~~International students shall be limited to one calendar year of high school participation commencing with their first day of attendance.~~ An international student who is enrolled in and attending a Minnesota high school and who is not under the auspices of and placed by a Council on the Standards for International Educational Travel (CSIET) listed exchange program is ineligible for varsity competition. An international student will be eligible for junior varsity or lower level competition provided that the student meets all of the conditions listed below: (i) The student must possess a current F-1 visa issued by the U.S. Immigration and Naturalization Service. (ii) The student must provide the principal of the school the student attends an official untranslated transcript, as well as a transcript that is translated into English by an acceptable agent or agency, that indicates work taken in all grades in which the student was enrolled. (iii) The international student must pay tuition to the high school the student attends as prescribed in Section 625 of U.S. Public Law 104-208. (iv) The international student must comply with all League eligibility requirements, and a completed International Student Registration Form must be provided to the high school principal and approved by the League office before the student is eligible for junior varsity or lower level competition.

### **Rationale:**

More and more students each year are coming to the United States as International degree seeking students, intending to stay for multiple years. Co-curricular participation is an important part of our educational system and our beliefs at the MSHSL. This change allows International students to participate at the sub-varsity level for the duration of their enrollment while not impacting a school’s competitiveness at the varsity level. These students will be able to be involved with programs throughout their stay – and learn from being involved in teams throughout their attendance in our schools. It also would give Exchange students whose status would change the same opportunity. Participation and learning through education-based athletics and activities is who we are and what we believe in. This just extends that to a growing constituency within our schools – without impacting varsity competition. And, if schools are concerned about their numbers, etc. they would have the ability to limit competition in their school should they choose.