

**MINUTES OF THE 104th ANNUAL MEETING
OF THE MONTANA HIGH SCHOOL ASSOCIATION
JANUARY 20, 2025**

The 104th Annual Meeting of the Montana High School Association was held Monday, January 20, 2025, at the Billings Hotel and Convention Center in Billings, Montana. President John Fitzgerald welcomed the attendees and called the first general session to order at 8:31 am. The national anthem was performed by the Westwinds of Billings West High School, under the direction of Ms. Angie Langeliers.

FIRST GENERAL SESSION

INTRODUCTIONS

President Fitzgerald introduced the head table which included MHSA Executive Board members and MHSA staff. He also introduced the Resolutions Committee (Shawn Holmes, Jim Browning, Les Meyer and Michele Paine) and the Parliamentarian, Dennis Murphy. The public input statement was then given.

PUBLIC COMMENT

There were no items for public comment presented.

ADOPTION OF THE AGENDA

A motion to approve the agenda for the 2025 MHSA Annual Meeting as presented was made by Mike Erickson of Lockwood High School and seconded by Darcy Schindler of Drummond High School. The motion passed.

APPROVAL OF 2024 MINUTES

A motion to approve the 2024 Annual Meeting minutes was made by Ron Osborne of Columbus High School and seconded by Adam White of Red Lodge High School. The motion passed.

ELECTION OF CLASS AA BOARD REPRESENTATIVE

A motion to nominate Dan Mills of Bozeman High School as the Class AA representative to the MHSA Executive Board was made by Erica Schnee of Gallatin High School and seconded by Jamie McGraw of C.M. Russell High School. The motion passed.

ELECTION OF INUAGURAL AMERICAN INDIAN REPRESENTATIVE

Four individuals were nominated to fill the new position of American Indian representative to the MHSA Executive Board. A motion to nominate Frank Gourneau of Poplar High School was made by Brock Copenhaver of Poplar High School and seconded by Frank Williams of Twin Bridges High School. A motion to nominate Dee Pretty On Top of Lodge Grass Public Schools was made by Adam White of Red Lodge High School and seconded by Tim Kaczmarek of Huntley Project High School. John Hannah of Lone Peak High School spoke on behalf of Mr. Pretty On Top. A motion to nominate Emerson Young of Brockton Public Schools was made by Dave Solem of Culbertson High School and seconded by Martha Potter of Savage High School. A motion to nominate Gemma Moore of Hays Lodgepole High School was made by Cornell Dalton of Turner High School and seconded by Brian Campbell of North Star High School. Dee Pretty On Top was elected with a majority vote.

SPECIAL OLYMPICS OF MONTANA (SOMT) PRESENTATION

President Fitzgerald introduced Maddie Marcellino of Special Olympics Montana. Ms. Marcellino gave an overview of the Unified Track program and spoke to the need for more schools to participate in the Unified Champion program.

MHSA OFFICE REPORT

Executive Director Brian Michelotti spoke to the membership, presenting his MHSA Office Report. He commended the tenure and impact the current Executive Board and MHSA staff have made to the organization. He also spoke to the current goals and the initiatives the Association has made towards enhancing benefits for our member schools. He reported on the success and excitement around the completion of the Road to 182 campaign. A new location for the Montana High School Association was also explained to the membership as well as a new partnership with ArbiterSports for membership management and website integration. The challenge of fielding girls' basketball teams was discussed and working to increase participation was promoted.

PRESIDENT'S REPORT

President Fitzgerald presented his report to the membership. He reported on the efforts the Association staff has made to communicate effectively with the member schools. The Executive Board and member schools were commended for their commitment to the mission of the Montana High School Association. He spoke about some of the goals the Association and the Executive Board have for advancing technology and enabling new administrators with mentoring programs. He closed with a call to the veteran administrators in the membership to aid the inexperienced and to promote positivity and valuable leadership skills.

CAUCUS BREAK

The membership broke for the classifications' caucus meetings at 9:26 am.

SECOND GENERAL SESSION

The meeting reconvened at 12:01 pm.

CREDENTIALS REPORT

President Fitzgerald reported there were a total of 201 registered delegates present with 150 schools represented by voting delegates and 51 non-voting delegates.

AWARDS PRESENTATIONS

Mark Ator presented the MIAAA Gold Card to Nate Achenbach of C. M. Russell High School.

Classification Activities Director of the year were awarded to the following:

2024 Montana Overall Athletic Director of the Year – Mark Dennehy of Glacier High School, 2024 Montana Class AA Athletic Director of the Year – Nick Laatsch of Hellgate High School, 2024 Montana Class A Athletic Director of the Year – Travis Blome of Hamilton High School, 2024 Montana Class B Athletic Director of the Year – Mike White of Shelby High School, 2024 Montana Class C Athletic Director of the Year – Mike Richards of Powder River County High School.

The MIAAA Inaugural Class of Hall of Fame Athletic Administrators were awarded to the following: Herb Townsend formerly of Laurel High School, Dennis Murphy formerly of Havre High School, Duane Walker formerly of Hardin High School and Plentywood High School, Ted Schreiber formerly of Custer County High School, Mike Gear formerly of Sidney High School, Bob Farrell formerly of Glasgow High School, Gary DeGooyer formerly of Great Falls Public Schools and Shepherd High School and Jim Grant formerly of Great Falls Public Schools.

The AIM Higher Awards went to Whitehall High School and was accepted by Jeff Vial. The AIM Higher Contributor Award went to Joe Studiner and Cathy Cullen-Kuhr from the Hampton Inn and Erck Hotels.

The NFHS Outstanding Music Educator Award went to Dohn Ratliff of Hardin High School.

The NFHS Speech and Debate award went to Liz Schwartz of Laurel High School.

The NFHS Theatre (Section 8) went to Becky Nay of Huntley Project High School.

Jennifer Kirby of Florence-Carlton Schools was presented with the Heart of the Arts Award.

Mason Garey of Glacier High School was presented with the Spirit of Sport Award.

Scott Smart of Great Falls High School, Todd Bailey of Lavina High School, and Darrel Neese of Custer County High School were all presented with Mildred Adams Awards.

Mike Ryan and Jim Hawbaker of Billings Central High School, Luke Kloker of Fairview High School, Shawn Holmes of Seeley-Swan High School, John Polich of Miles City and Ron Osborne of Columbus High School were all presented with MHSAs Service Citation Awards.

Mark Wahl, retired Activities Director of Billings Public Schools, was presented the James C. Haugen Meritorious Service Award.

ACTION ON PROPOSALS

President Fitzgerald read the Open Meeting Law to the membership.

1. Proposal to Amend Requirements for Eligibility for Participation in an Association Contest By-Law – Students Below Ninth Grade
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The following amendment is proposed to By-Law, Article II, Section 5.1f on page 12 of the current MHSAs Handbook:

Section (5) STUDENTS BELOW NINTH GRADE

- 5.1 A student who is enrolled in the eighth grade shall be eligible to participate in an Association contest, but must meet the following requirements and parameters:
- a. The eighth-grade student is participating in a contest other than football.
 - b. There is no restriction in place for participation of this 8th grade student at his/her middle school and/or high school of which he/she will be participating.
 - c. Any eighth-grade student allowed to participate will have eight semesters of high school eligibility remaining.
 - d. All eighth-grade students participating must meet the academic requirements.
 - e. All eighth-grade students participating must meet the transfer requirements. The official MHSAs transfer form must be used.
 - f. All eighth-grade students participating in a high school contest must adhere to all other MHSAs rules and guidelines. ~~Committed to a contest at the high school level, the eighth-grade student may not also participate in that same sport at a level under high school concurrently.~~

Delete:

"Committed to a contest at the high school level, the eighth grade student may not also participate in that same sport at a level under high school concurrently"

Rationale

It is illogical that eighth graders are permitted to engage in different sports concurrently (ex. junior high basketball and high school volleyball), yet are prohibited from participating in the same sport at the same time (ex. high school volleyball and junior high volleyball).

Fiscal Note: (if any)

N/A

A motion was made by Jeff Nix of North Toole County High School, and seconded by Brandon Gondeiro of Highwood High School, to adopt the proposal. The motion passed.

2. Proposal to Amend Requirements for Eligibility for Participation in an Association Contest By-Law – Transfer Rule

The following amendment is proposed to By-Law, Article II, Section 10.1a on page 13 of the current MHSA Handbook:

Section (10)

10.1a A student who moves into a new district or school attendance area upon a corresponding change of residence by the parent(s) or legal guardian(s) with whom the student was living during his/her previous school enrollment. ***"However, if the move is within a 50 mile radius, then the MHSA Transfer Rule applies."*** The legal guardianship must have been established at least one calendar year before the transfer. If the parent(s) or legal guardian(s) move to a new location, a student must follow within a calendar year of the move to be eligible for varsity competition after proper certification by his/her principal.

Adding "unless the move is within a 50 mile radius, then the MHSA Transfer Rule applies."

Rationale

Rationale for Amendment to Article II Section 10.1.a

The addition of the language, "unless the move is within a 50-mile radius, then the MHSA Transfer Rule applies," seeks to address a growing concern regarding the interpretation and application of the current residency guidelines. This clarification is intended to:

1. Reduce Ambiguity: The current language may inadvertently allow for scenarios where claims of residency changes are used to circumvent the intent of the eligibility rules. By defining a 50-mile radius threshold, the amendment provides a clear and consistent guideline for determining whether the MHSA Transfer Rule applies.
2. Enhance Fairness: High school athletics aim to promote equitable competition. This amendment prevents potential misuse of the residency clause, ensuring that students and schools adhere to fair practices and maintain the integrity of the eligibility process.
3. Streamline Oversight: The amendment simplifies the certification process for principals and the MHSA by establishing a measurable standard (the 50-mile radius), reducing the subjective interpretation of "residency changes" and minimizing disputes.
4. Uphold Competitive Balance: By applying the Transfer Rule in cases where a move occurs within the 50-mile radius, the amendment deters strategic relocations aimed at gaining athletic advantage, preserving the competitive balance across member schools.

This language adjustment strengthens the MHSA's commitment to transparency, equity, and the foundational principles of high school athletics.

Fiscal Note: (if any)

A motion was made by Sean Dellwo of Polson High School, and seconded by Toby Robinson of Belgrade High School, to adopt the proposal. The motion failed.

3 Proposal to Amend Requirements for Eligibility for Participation in an Association Contest By-Law – MHSAs Awards Rule
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The following amendments are proposed to By-Law, Article II, Section 15 on page 15 of the current MHSAs Handbook:

Section (15) AWARD RULE

~~15.1 No award exceeding one hundred dollars (\$100.00) in value shall be given per event in any MHSAs sanctioned sport or in any MHSAs sanctioned interscholastic activity by a member school, by any person or by an organization to a student in recognition of that student's achievement or participation in any interscholastic activity. An event is defined as a sports camp, an invitational tournament/meet, a post season recognition function (i.e. sports banquet), or a fund raiser or similar function. Special awareness functions (i.e. pink week) are included as defined events with the following limitation: merchandise retained by students in conjunction with awareness events is restricted to disposable items such as basic t-shirts, socks, headbands/wristbands and similar items. Cash cannot be awarded. A single Association Contest is not considered an "event" for the purpose of this rule.~~

~~INTERPRETATIONS~~

- ~~1. Schools may provide training apparel for practice and/or workouts that will be fully depreciated and have no intrinsic value at the end of the season. These items may be provided by the school and/or its boosters, including general or team fundraisers, provided that the items are school-approved and are supplied on a gender-equitable basis. Allowable items are limited to one of each of the following: practice shirt, practice shorts, spandex, tights and a pair of socks.~~
- ~~2. Schools may provide warm-up shirts (e.g. shooting shirts) to be worn on the court/field before a contest. They can be provided by the school and/or boosters provided the items are school-approved and supplied on a gender-neutral basis.~~
- ~~3. The acceptance of awards and/or prizes in non-sanctioned sports or activities shall not endanger member schools' students' eligibility.~~

~~15.2 Awards of \$5.00 or less in value may be provided to individuals based on sportsmanship exhibited in any single Association contest. Awards of \$3.00 or less in value may be provided to individuals based on satisfactory completion of tasks set forth for fundraising activities such as pop hoop shoots, passing accuracy contests etc.~~

~~15.3 When a student is selected by chance or random drawing, to participate in a halftime or pregame contest involving a sport skill (e.g. throwing, kicking, or shooting a basketball), he or she may receive cash or merchandise prize from the contest, without affecting eligibility under MHSAs Awards and Amateur rules. Random drawing of names or lucky numbers in a program determining the participant would not be a violation. Examples include, but are not limited to, booster club fund-raisers, drawings to shoot a half-court or three point shot, or passing a football to win a prize. During the season of activity, a player from a school team is permitted to participate in such contests, provided the selection occurs randomly.~~

~~15.4 Individual miniature trophies for first and second place MHSAs state championship events may be purchased from the Association's awards provider.~~

~~15.5 Penalties shall apply when:~~

- ~~a. The student accepts any award exceeding one hundred dollars (\$100.00) in value from a commercial club or other civic organization.~~
- ~~b. Any type of cash is accepted.~~
~~Penalties shall not apply when:~~
- ~~c. The award is purchased and presented by the student's parents.~~
- ~~d. The award is purchased by the student with money earned or secured through his/her own individual efforts.~~

~~15.6 Violation of the award rule will render the student ineligible in the MHSAA-sponsored sport or activity for which the student received the award. The Executive Board will follow the same procedure for restoring the eligibility status as provided in the last paragraph of the Amateur Rule, Article II, Section (19) of the By-Laws.~~

15.1 A student participant may not accept monetary compensation (cash) in recognition of activities performance, participation and/or achievement. A student may accept non-monetary compensation or items of value solely in recognition of activities ability, participation and/or achievement if the total value of such non-monetary compensation or items of value, including the actual value of any gift certificates (so long as they are not convertible to cash), discounts, coupons, etc., does not exceed \$500 retail value annually (July 1 – June 30).

NOTE: For the purposes of this rule, “non-monetary compensation or items of value” does not include customary awards of a symbolic nature without resale value such as:

- a. The school’s athletic letter, medals, ribbons, certificates, plaques, trophies, and other emblems.**
- b. The award is purchased and presented by the student’s parents or when the award is purchased by the student with money earned or secured through his/her own individual efforts.**
- c. MHSAA Sportsmanship Awards**

NOTE: For the purposes of this rule, these items which have been a part of the previous awards rule would be included in the “non-monetary compensation or items of value”:

- a. Training apparel for practice and/or workouts provided by the school. These items include but are not limited to the following: practice shirt, practice shorts, spandex, tights and a pair of socks.**
- b. Schools may provide warm-up shirts (e.g. shooting shirts) to be worn on the court/field before a contest.**
- c. Fundraising activities such as pop hoop shoots, passing accuracy contests etc.**
- d. Individual miniature trophies for first and second place MHSAA state championship events purchased from the Association’s awards provider.**

15.2 This rule does not regulate or prohibit compensation received by a student for ability, participation and/or achievement in a non-MHSAA sport or activity, nor does this rule prohibit the acceptance of college scholarships by students.

15.3 A coach or director is responsible for reporting to the school’s athletic/activities director all compensation or items of value received by the students on that coach/director’s team within one month of the receipt of the compensation or items of value. Principals are responsible for verifying to the association, if requested, that the total sum of compensation or items of value received by each student participant at that school does not exceed \$500 retail value for each participant.

15.4 A student participating without compensation as a contestant, coach, or similar participant in athletic or other activities may accept the use of necessary equipment and incidental services customarily furnished amateur participants in such activities, may accept reimbursement for direct and necessary expenses for participation (including mileage where the student must drive), and where participation requires absence from home, may accept necessary meals and lodging.

15.5 When a student is selected by chance or random drawing, to participate in a halftime or pregame contest involving a sport skill (e.g. throwing, kicking, or shooting a basketball), he or she may receive cash or merchandise prize from the contest, without affecting eligibility under MHSAA Awards and Amateur rules.

Random drawing of names or lucky numbers in a program determining the participant would not be a violation. Examples include, but are not limited to, booster club fund-raisers, drawings to shoot a half-court or three point shot, or passing a football to win a prize. During the season of activity, a player from a school team is permitted to participate in such contests, provided the selection occurs randomly.

15.6 A student becomes ineligible from the date of the report of the violation to the MHSAA office. Penalties for the awards rule apply when:

- a. *Any type of cash is accepted.*
- b. *A student is awarded non-monetary compensation or items of value over \$500 annually (July 1 – June 30).*
- c. *The MHSA Ridgeway Settlement Agreement is not followed by schools.*

Rationale

The MHSA Executive Board is proposing a change to the current awards rule to mirror policies that have been adopted in surrounding states. The current MHSA Awards rule allows students to accept awards in value up to \$100 and the award can only be given for 4 defined events: Camp, Tournament, Post season banquet, or a fundraiser. The defined events are often misunderstood.

The new proposal is that a student may accept non-monetary compensation or items of value solely in recognition of activities ability, participation and/or achievement if the total value of such non-monetary compensation or items of value, including gift certificates (no cash), discounts, coupons, apparel, shoes, etc., does not exceed \$500 retail value annually. The MHSA Ridgeway Settlement in this decision must be followed

Fiscal Note: (if any)

None

A motion was made by Dan Mills of Bozeman High School, and seconded by Joe McElroy of Missoula, to adopt the proposal. The motion passed.

4. Proposal to Amend Requirements for Eligibility for Participation in an Association Contest By-Law – Amateur Rule

The MHSA Executive Board proposes a revision to the Eligibility section (pg. 15-16, Section 16, to amend the amateur rule to allow the opportunity for MHSA student athletes to capitalize on their Name, Image and Likeness (NIL).

~~Section (16) — AMATEUR RULE~~

~~16.1 — All contestants in the Montana High School Association must be amateurs. An amateur is one who engages in athletics for the educational, physical, mental and social benefits he/she derives therefrom, and to whom athletics are nothing more than an avocation. To remain an amateur, the student may not:~~

- ~~a. — Accept remuneration directly or indirectly for playing on athletic teams.~~
- ~~b. — Play or manage under an assumed name.~~
- ~~c. — Receive donations or gifts for participation outside the MHSA award rule.~~
- ~~d. — Knowingly accept payment for excessive expense allowances. It is not permissible for an athlete to receive money from coaches for unidentified or unspecified expenses.~~
- ~~e. — Sell a prize won in competition.~~
- ~~f. — Bet on a contest in which he/she is to participate.~~

~~16.2 — A student who becomes a professional in an MHSA-sponsored sport is considered a professional in that sport only and is ineligible for further high school athletic competition in that sport only until such time as returned to amateur status in that sport.~~

~~16.3 — A student may be reinstated as an amateur by the Executive Board after not less than one calendar year has elapsed since the date he/she was declared a professional, provided his/her high school principal requests in writing the reinstatement as an amateur and certifies that the student has not, during that one year period, violated the rules of amateurism, and that the student is not now under contract to, or owned by, any professional athletic organization.~~

~~INTERPRETATION~~

~~A student athlete may:~~

- ~~1. — A student athlete may work in camps where he/she is not participating as a “camper”, fulfilling duties that include some officiating, coaching and instructing.~~
- ~~2. — Be employed in the intramural sports program of his/her school in which duties include officiating intramural contests for the going rate for such employment.~~
- ~~3. — Participate as an individual or as a member of a team against professional athletes, but the student athlete may not participate on a professional team.~~

- ~~4. Participate and/or work in summer athletic camps but any awards accepted must not be in conflict with the awards rule.~~
- ~~5. Participate in sports during the summer or during a season when the player is not a member of a regular high school team, providing monetary compensation is not received for services.~~

NEW RULE

Section (16) AMATEUR RULE

16.1 All contestants in the Montana High School Association must be amateurs. An amateur is one who engages in athletics for the educational, physical, mental and social benefits he/she derives therefrom, and to whom athletics are nothing more than an avocation. An athlete forfeits amateur status in a sport by:

- a. Competing for or accepting money or other monetary compensation (it is permissible for a student to accept necessary meals, lodging, and transportation in connection with playing a contest).**
- b. Play or manage under an assumed name.**
- c. Receiving any award or prize of monetary value which exceeds the amount that has been approved by the MHSA.**
- d. Except as provided under By-Law 16.2, permitting the use of name, image, and/or likeness (NIL) as an athlete, in the promotion of a commercial or profit-making event, item, plan, or service**
- e. A student who becomes a professional in an MHSA-sponsored sport is considered a professional in that sport only and is ineligible for further high school athletic competition in that sport only until such time as returned to amateur status in that sport.**
- f. Sell a prize won in a competition.**
- g. Bet on a contest in which he/she is to participate.**

16.2 Under By-law 16.1d, the term “commercial or profit-making event, item, plan, or service” means any situation in which the person or entity will receive or hopes to receive anything of value, monetary or non-monetary, but does not include student participation in fundraising activities for non-profit organizations. This also does not prohibit a student from participating in any such event, item, plan, or services sponsored by or benefiting the student’s MHSA member school or its activities.

Under By-law 16.1d, the term “as an athlete” shall not include use of the name, image, or likeness of a student of a MHSA member school participating in MHSA-sponsored activities, unless otherwise explicitly permitted or prohibited by state or federal law or the MHSA member school’s policies or rules, within the following limitations:

- a. Students may engage in name, image and/or likeness (NIL) activities subject to the following:**
 - 1. The student’s NIL activities may NOT include an image or likeness of the student in uniform or other clothing or gear provided by the MHSA or the member school the student is attending or has attended.**
 - 2. The student shall not use any MHSA or the member school’s facilities, proprietary patents, products, copyrights, and/or equipment for the purpose of any NIL activities**
 - 3. The student shall not use any MHSA or the member school’s practice and/or game film for the purpose of any NIL activities**
 - 4. The student shall not promote any person or entity, or their services and/or products, during the MHSA member school’s scheduled school day or during any team activities.**
 - 5. When required to follow the MHSA or MHSA member school’s uniform or dress requirements, the student may not wear any person’s or entity’s logo, mark, or insignia, or in any other way represent the person or entity with which the student has agreed to an NIL activity.**
 - 6. No compensation (or prospective compensation) for the NIL activity may be provided by the MHSA member school; an agent of the member school (e.g., school booster club,**

foundation, employee, etc.); or anyone affiliated with the member school in any way attempting to induce the student to attend or participate in any activity of a MHSA member school.

7. The student shall not promote activities, services, or products, directly or in any way associated with, but not limited to:

- i. Alcohol, tobacco, nicotine, or vaping.**
- ii. Controlled substances, including illegal drugs (such as cannabis) or any paraphernalia**
- iii. Any item, activity, or conduct which is prohibited or unlawful for any school-aged student under state or federal law or the policies of the MHSA or the MHSA member school.**
- iv. Gambling of any kind, including sports betting, lottery, or other, even if the entity for whom the student has agreed to engage in NIL activities has the appropriate permits or licenses as required by law.**

b. Violation of by-law 16.2 may result in a determination by the member school and the MHSA of the student's ineligibility for activity participation. Compliance with these rules does not guarantee the student's NIL activity or activities comply with other laws or rules which may affect the student, such as rules established by the NCAA, NAIA, or NJCAA. Students and their parents or guardians are strongly encouraged to contact any such organization which may have separate rules and to consult with their own legal counsel regarding any compliance questions or concerns, including review of any contracts or agreements related to NIL activities of any kind. The MHSA and its staff will consult with MHSA member schools, parents/guardians, and/or students who have questions about the MHSA-specific NIL rules but will not offer advisory opinions that are binding on the MHSA, its staff, or its Board of Directors, and will not review contracts or agreements relating to NIL activities.

16.3 Accepting a nominal standards fee or salary for instructing, supervising or officiating in an organized youth sports program or recreation or playground activities shall not jeopardize amateur standards.

16.4 A student may be reinstated as an amateur by the Executive Board after not less than one calendar year has elapsed since the date he/she was declared a professional, provided his/her high school principal requests in writing the reinstatement as an amateur and certifies that the student has not, during that one year period, violated the rules of amateurism, and that the student is not now under contract to, or owned by, any professional athletic organization.

Interpretations

A student athlete may:

- 1. Work in camps where he/she is not participating as a "camper", fulfilling duties that include some officiating, coaching and instructing.**
- 2. Be employed in the intramural sports program of his/her school in which duties include officiating intramural contests for the going rate for such employment.**
- 3. Participate as an individual or as a member of a team against professional athletes, but the student athlete may not participate on a professional team.**
- 4. Participate and/or work in summer athletic camps, but any awards accepted must not be in conflict with the awards rule.**
- 5. Participate in sports during the summer or during a season when the player is not a member of a regular high school team, providing monetary compensation is not received for services.**

Rationale:

The MHSA Executive Board is proposing the addition of NIL in high school in Montana. This rule is pending approval from the 2025 Montana Legislative session for our state law to allow. Currently 38 of 50 states allow NIL for high school athletes and this proposal is consistent with other surrounding state policies that have been

implemented. This rule allows for a student athlete to profit on his/her NIL, but in no way can it be tied to his/her school.

Fiscal Note:

None

A motion was made by Aric Harris of Whitefish High School and seconded by Krystal Zentner of Bridger to approve the proposal. Ms. Zentner of Bridger made a motion to make the following amendment to the proposal:

16.2, letter a, #6 to add:

- 6. No compensation (or prospective compensation) for the NIL activity may be provided by the MHSAs member school; an agent of the member school (e.g., school booster club, foundation, employee, etc.), collective or anyone affiliated with the member school in any way attempting to induce the student to attend or participate in any activity of a MHSAs member school.**

Kara Triplett of Lambert High School seconded the amendment to the proposal. The amendment passed.

The amended motion passed.

5. Proposal to Amend Penalties By-Law, Add General Penalties, Section 2.8.2
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The following amendment is proposed to By-Laws, Article VIII, Section (2) on page 19 and 20 of the current MHSAs Handbook:

Section 2 - General Penalties, Section 2.8.2 (added at the end):

Any attendee ejected by mutual agreement of the Official and Administration from a regular season or MHSAs tournament contest will incur a minimum three (3) game/event suspension from that team's games/events and all other MHSAs games/events in the interim at any level of competition.

If the ejection occurs with fewer than three (3) games/events remaining in the team's season, the suspension will carry over to the school's sports season which immediately follows.

An attendee ejected for a second time during a school year shall be suspended for a minimum of one (1) calendar year from all MHSAs regular and postseason events. MHSAs member schools may increase these minimum penalties at their discretion.

Rationale:

Rationale:

Montana needs a consistent policy for fan ejections across the state. This will serve as a deterrent for fans and will promote better sportsmanship for MHSAs spectators.

Fiscal Note:

N/A.

A motion was made by Joe McElroy of Missoula and seconded by Dan Mills of Bozeman High School, to adopt the proposal. The motion passed.

6. Proposal to Amend Requirements for Eligibility for Participation in an Association Contest By-Law – Physical Exam

The following amendment is proposed to By-Laws, Article II, Section (3) on page 12 of the current MHSA Handbook:

Article II, Section 3:

Section (3) PHYSICAL EXAM

- 3.1 A physical examination is required for each student in order to be considered eligible and to be approved for participation in an Association contest. Physical examinations must be completed prior to the first day of practice. This examination must be certified by a licensed medical professional acting within the scope and limitations of his/her practice. ~~This certification is valid for a period of one school year. A physical examination conducted before May 1st is not valid for participation the following school year.~~ **Physical examinations conducted May 1 and thereafter are valid for the following two school years; Physical examinations conducted prior to May 1 are valid only for the remainder of that school year and the following school year.** The physical examination form developed by the MHSA Sports Medicine Advisory Committee and approved by the MHSA Executive Board must be used. A current form may be obtained from the Montana High School Association. **An interim history form is required during the off years when no physical examination is conducted and must be submitted to the school prior to the first practice.**

NOTE: Whenever the Association's Rules and Regulations specify that physical examinations shall be required or that doctors shall be present at certain events or that reports or physical examinations or certificates of physical fitness shall be furnished to an official of the Association, the rules and regulations shall be deemed complied with if the services are performed within the scope and limitations of his/her practice. This complies with Section 33-22-111 of the Laws of Montana which provide for freedom of choice of practitioners.

Rationale

1. The timing of a comprehensive physical exam occurring between 1-3 years is supported by the AAP, AAFP and sports medicine organizations such as the ACSM, AMSSM, AOSSM and AOASM.
2. A two-year physical exam would help alleviate the strain on medical providers, particularly in rural areas, that typically need to perform a high volume of pre-participation physical exams (PPEs) in a short amount of time.
3. The SMAC believes the PPE is best used in conjunction with an athlete's medical home/primary care provider incorporated into routine health-care supervision. The goal of this change is to encourage families to have the PPE performed as part of routine well-child checks.
4. The SMAC also believes the two-year PPE would facilitate a move away from mass physicals which are strongly discouraged by the NFHS and to the medical home/ primary care provider's office where the provider is familiar with the athlete's medical history. (NFHS article on PPEs)
5. Following NFHS recommendations, encouraging the PPE to occur at the medical home/primary care provider's office increases the effectiveness, safety and completeness of the examination and is considered best practice. Athletes are more willing to discuss sensitive subjects, including mental health, with a familiar physician ensuring an accurate evaluation. (NFHS article on value, timing of PPEs)

Fiscal Note (if any)

1. PPEs are covered by insurance when performed as part of routine medical care.
2. There would be no cost to the schools.

A motion was made by Kara Triplett of Lambert High School, and seconded by Aric Harris of Whitefish High School, to adopt the proposal. The motion passed.

BUDGET APPROVAL

A motion was made by Kara Triplett of Lambert High School, and seconded by Krystal Zentner of Bridger, to adopt the 2025-26 budget as presented. The motion passed.

ADJOURNMENT

There being no further business to conduct, Brian Rayburn of Chinook High School motioned to adjourn the meeting. James Baldwin of Twin Bridges High School seconded and the motion passed. At 1:20 pm, President Fitzgerald adjourned the meeting.