CHAPTER 128C

HIGH SCHOOL LEAGUE

128C.01 FORM, MAKEUP, DELEGATED POWER, BOARD MEMBERS.
128C.02 DUTIES, POLICIES, CRITERIA, RULES OF BOARD.
128C.03 PROCEDURES.
128C.05 TOURNAMENTS, CLASSES OF ATHLETIC COMPETITION.
128C.07 ARRANGING INTERSCHOLASTIC CONFERENCE MEMBERSHIP.
128C.08 ASSAULTING A SPORTS OFFICIAL PROHIBITED.
128C.10 EXPENSE LIMITS.
128C.12 AUDITS AND REPORTS BY STATE AUDITOR.
128C.15 EMPLOYMENT.
128C.17 LEAGUE IS SUBJECT TO DATA PRACTICES ACT.
128C.20 COMMISSIONER REVIEW OF LEAGUE.
128C.22 LEAGUE MUST HAVE OPEN MEETINGS.
128C.24 LEAGUE FUNDS TRANSFER.

128C.01 FORM, MAKEUP, DELEGATED POWER, BOARD MEMBERS.

Subdivision 1. **Voluntary association.** The Minnesota State High School League is a nonprofit corporation that is a voluntary association of high schools. A high school that is a school under section 120A.22, subdivision 4, may be a member of the league. The league is made up of high schools whose governing boards have delegated their control of extracurricular activities, as described in section 123B.49, subdivision 4, to the league. The delegation is made when the governing board files a certificate of delegation with the commissioner of education.

Subd. 2. **Power to delegate to, pay for, league.** The governing board of a high school may delegate its control of extracurricular activities to the league. A school board may spend money for, and pay dues to, the league.

Subd. 3. **League power to control.** The State High School League may control contests by and between pupils of the Minnesota high schools that are delegated to it under this section.

Subd. 4. **Board.** (a) The league must have a 22-member governing board.

(1) The governor must appoint four members according to section 15.0597. Each of the four appointees must be a parent. At least one of them must be an American Indian, an Asian, a Black, or a Hispanic.

(2) The Minnesota Association of Secondary School Principals must appoint two of its members.

(3) The remaining 16 members must be selected according to the league's constitution.

(b) The terms, compensation, removal of members, and the filling of membership vacancies are governed by section 15.0575, except that the four-year terms begin on August 1 and end on July 31. As provided by section 15.0575, members who are full-time state employees or full-time employees of school districts or other political subdivisions of the state may not receive any per diem payment for service on the board.

Subd. 5. MS 2002 [Repealed, 1Sp2003 c 9 art 2 s 56]

History: *1973 c 492 s 14; 1973 c 738 s 1; 1980 c 355 s 2; 1982 c 424 s 34,130; 1985 c 248 s 70; 1986 c 444; 1987 c 243 s 1,2; 1988 c 718 art 7 s 45-49; 1989 c 220 s 4;; 1991 c 265 art 9 s 59; 1992 c 499 art 8 s 18; 1Sp1995 c 3 art 16 s 13; 1998 c 397 art 11 s 3; 1999 c 241 art 9 s 37; 2003 c 130 s 12; 2023 c 55 art 1 s 29*

128C.02 DUTIES, POLICIES, CRITERIA, RULES OF BOARD.

Subdivision 1. **Decisions, policies, advisory committees.** The board shall establish and adopt policies, including a policy on corporate sponsorships and similar agreements, make decisions on behalf of the league, and establish advisory committees necessary to carry out board functions.

Subd. 2. **Sexual harassment and violence; hazing.** The board of the league shall adopt a policy, rules, penalties, and recommendations addressing sexual harassment and sexual violence and hazing toward and by participants in league activities.

Subd. 3. **Criteria for conference arrangements.** The board must develop criteria for the league to use when it is asked to arrange for membership in an interscholastic conference by a league member under section 128C.07. The league must give notice and an opportunity for league members to be heard before adopting the criteria. The criteria must include, at least, the distance to be traveled by competing schools, the relative enrollments of the schools, and the comparability of extracurricular activities in the schools.

Subd. 3a. MS 1999 Supp [Repealed, 2000 c 498 s 1]

Subd. 3b. **Concussion awareness, safety, and protection.** The league may adopt a concussion awareness, safety, and protection policy that exceeds the requirements of section 121A.38.

Subd. 3c. **Eating disorder awareness.** The league must provide school coaches with eating disorder prevention education resources developed specifically for school coaches about the nature and risks of eating disorders, including the risk factors, mitigation strategies, effects, and risks of undiagnosed and untreated eating disorders, consistent with current medical research.

Subd. 4. **Rules are APA exempt.** The rules of the league are exempt from chapter 14, including section 14.386.

Subd. 5. **Rules for open enrollees.** (a) The league shall adopt league rules and regulations governing the athletic participation of pupils attending school in a nonresident district under section 124D.03.

(b) Notwithstanding other law or league rule or regulation to the contrary, when a student enrolls in or is readmitted to a recovery-focused high school after successfully completing a licensed program for treatment of alcohol or substance abuse or mental illness, the student is immediately eligible to participate on the same basis as other district students in the league-sponsored activities of the student's resident school district. Nothing in this paragraph prohibits the league or school district from enforcing a league or district penalty resulting from the student violating a league or district rule.

(c) The league shall adopt league rules making a student with an individualized education program who transfers from one public school to another public school as a reasonable accommodation to reduce barriers to educational access immediately eligible to participate in league-sponsored varsity competition on the same basis as other students in the school to which the student transfers. The league also must establish guidelines, consistent with this paragraph, for reviewing the 504 plan of a student who transfers between public schools to determine whether the student is immediately eligible to participate in league-sponsored varsity competition on the same basis as other students in the school to which the student transfers.

Subd. 6. **Annual report.** The board annually shall prepare a written report containing the information about the league that the commissioner is required to obtain and review under section 128C.20. The board shall present copies of the report in a timely manner to the education committees of the legislature.

Subd. 7. **Women referees.** The league shall adopt league rules and policy requiring, to the extent possible, the equal employment of women as referees for high school activities and sports contests, from game level to tournament level.

Subd. 8. MS 2002 [Repealed, 1Sp2003 c 9 art 2 s 56]

Subd. 9. **Purchasing.** In purchasing goods and services, the league must follow all laws that apply to school districts under sections 123B.52 and 471.345.

History: *1989 c 220 s 4; 1989 c 329 art 8 s 9; art 9 s 16; 1990 c 425 s 2; 1992 c 499 art 8 s 19; 1993 c 224 art 9 s 40; 1995 c 233 art 2 s 56; 1997 c 187 art 4 s 5; 1Sp1997 c 4 art 7 s 36,37; 1998 c 397 art 11 s 3; 1999 c 241 art 9 s 38; 1999 c 250 art 1 s 79; 1Sp2003 c 9 art 2 s 39; 2007 c 7 s 1; 2011 c 90 s 4; 2014 c 272 art 3 s 51; 2024 c 109 art 8 s 10; 2025 c 38 art 8 s 5*

128C.03 PROCEDURES.

The league shall adopt procedures to ensure public notice of all eligibility rules and policies that will afford the opportunity for public hearings on proposed eligibility rules. If requested by 100 or more parents or guardians of students, the public hearing must be conducted by an administrative law judge from the Court of Administrative Hearings, by a person hired under contract by the Court of Administrative Hearings, or by an independent hearing officer appointed by the commissioner of education from a list maintained for that purpose. At the conclusion of a hearing requested by 100 or more parents or guardians of students, the person conducting the hearing shall write a report evaluating the extent to which the league has shown that the proposed rule is needed and reasonable and the legality of the proposed rule. The league shall pay for hearings under this section.

History: *1997 c 187 art 4 s 6; 2003 c 130 s 12; 2025 c 39 art 2 s 68*

128C.05 TOURNAMENTS, CLASSES OF ATHLETIC COMPETITION.

Subdivision 1. **Tournaments.** The Minnesota State High School League shall establish, conduct, and regulate championship high school tournament activities.

Subd. 1a. [Renumbered 123B.492]

Subd. 2. **Classes.** The league shall determine the number of classes in all interscholastic athletic activities under its jurisdiction.

Subd. 3. **Exemption.** The appropriate regional committee must hear a request for a waiver to allow a nonresident student to participate in another district when that participation affects a school's classification for interscholastic athletic activities. The regional committee must review requests for waivers and make timely recommendations to the Minnesota State High School League Board of Directors.

History: *1989 c 329 art 9 s 16; 1990 c 425 s 2; 1Sp2003 c 9 art 2 s 40; 2004 c 288 art 6 s 10; 2004 c 294 art 2 s 15; 1Sp2005 c 5 art 2 s 74*

128C.07 ARRANGING INTERSCHOLASTIC CONFERENCE MEMBERSHIP.

Subdivision 1. **Policy.** The league may establish a policy to guide member high schools in forming or altering interscholastic conferences.

Subd. 1a. **Request.** A league member high school that is not in a conference may ask the league to arrange membership for the league member in an interscholastic conference.

Subd. 2. **Reason not in conference.** The reason the member is not in a conference must be: (1) the conference was dissolved, or (2) the member was involuntarily excluded.

Subd. 3. **Prerequisite: 90-day good faith effort.** Before asking the league to arrange membership, the school must make a good faith attempt over at least 90 days to join a conference. The 90 days run from the date of the school's first written request to join or rejoin a conference.

Subd. 4. **League deadline: 90 days.** The league must arrange the conference membership within 90 days after receiving a timely written request from a league member high school.

Subd. 5. **Must use criteria.** The league must follow its criteria in arranging the conference membership.

Subd. 6. **Right to hearing, notice.** (a) The requesting school or a high school already in the conference that is the subject of the proposed arrangement may request a timely public hearing on the proposed arrangement.

(b) The league must notify the schools mentioned in paragraph (a) of the right to a hearing.

Subd. 7. **Decision is binding.** The league's final decision on a matter of conference membership under this section is binding on all of the schools required to be notified of the right to a hearing.

Subd. 8. **Otherwise, conferences are voluntary.** Except to the extent the league arranges conference membership under this section, an interscholastic conference of schools participating in activities delegated to the league may be formed and changed freely.

History: *1989 c 220 s 4; 2012 c 125 s 1*

128C.08 ASSAULTING A SPORTS OFFICIAL PROHIBITED.

Subdivision 1. **Definitions.** For the purposes of this section, the following terms have the meanings given in this subdivision.

"Assault" is (1) an act done with intent to cause fear in another of immediate bodily harm or death, or (2) the infliction of or attempt to inflict bodily harm upon another.

"Sports official" is a person who serves as an umpire, referee, judge, linesperson, timer, scorekeeper, or in another similar capacity for an interscholastic athletic activity.

"Interscholastic athletic activity" or "activity" means an interscholastic athletic activity whose control, supervision, and regulation have been delegated to the Minnesota State High School League pursuant to section 128C.01.

Subd. 2. **Prohibited conduct.** Any person who assaults a sports official in connection with an interscholastic athletic activity may be excluded from attending an activity for up to 12 months.

Subd. 3. **Sanction.** The board of directors of the Minnesota State High School League or a school board may exclude any person except as provided in subdivision 5.

The board of directors of the Minnesota State High School League may exclude a person from:

(1) any activity of the kind in connection with which the assault occurred; or

(2) all interscholastic athletic activities.

A school board may exclude a person from any activity sponsored or participated in by the school district.

Subd. 4. **Procedure.** The board of directors of the Minnesota State High School League or a school board may exclude a person from any interscholastic athletic activity if the person assaulted a sports official in connection with an activity. A person alleged to have assaulted a sports official shall be entitled to an informal hearing on the matter by the board of directors of the Minnesota State High School League or school board. Upon finding that the person assaulted a sports official, the board of directors of the Minnesota State High School League or school board shall notify the individual in writing and shall indicate any activity from which, and the period of time for which, the person is excluded.

Subd. 5. **Head varsity coach.** A head varsity coach may be excluded under this section only by the school board employing the coach.

History: *1991 c 168 s 1; 1995 c 186 s 119*

128C.10 EXPENSE LIMITS.

Subdivision 1. **Employee expenses.** Employees of the league may be reimbursed only for expenses as authorized by the commissioner's plan for state employees adopted under section 43A.18, subdivision 2.

Subd. 2. **No credit cards.** The league cannot have credit cards.

Subd. 3. **Director's expense account.** The executive director of the league may have a department head expense account. The account is subject to the same limits and guidelines as the same account for the commissioner of education. The executive director may spend money to entertain from this account only. The executive director may reimburse the expenses of guests of the league from this account only.

Subd. 4. **Advisory committee pay.** A member of an advisory committee may be paid for expenses only. The only way the expenses may be reimbursed is in the same way board members' expenses are reimbursed.

Subd. 5. **Auto policy.** The board must have a policy on the use of automobiles by league staff. The board must show annually how the policy is the most cost-effective alternative available.

History: *1989 c 220 s 4; 1Sp1995 c 3 art 16 s 13; 2003 c 130 s 12*

128C.12 AUDITS AND REPORTS BY STATE AUDITOR.

Subdivision 1. **Dues and events revenue.** (a) The state auditor annually must examine the accounts of, and audit all money paid to, the State High School League by its members. The audit must include financial and compliance issues. The audit must also include all money derived from any event sponsored by the league.

(b) The administrative regions of the league may contract with the state auditor or with a private certified public accountant for the audit required by this section. If a private certified public accountant performs the audit, the state auditor may require additional information from the private certified public accountant as the state auditor deems in the public interest. The state auditor may accept the audit or make additional examinations as the state auditor deems to be in the public interest.

Subd. 2. MS 1990 [Repealed, 1991 c 265 art 11 s 26]

Subd. 3. **Copies.** The board must file copies of the audit report with the commissioner of education and the director of the Legislative Reference Library.

Subd. 4. MS 2004 [Repealed, 1Sp2005 c 5 art 2 s 85]

Subd. 5. **League to pay for audit.** The league must pay for the audit.

History: *1989 c 220 s 4; 1991 c 265 art 11 s 13; 1991 c 345 art 1 s 75; 1Sp1995 c 3 art 16 s 13; 1Sp1997 c 4 art 7 s 38; 2003 c 130 s 12; 1Sp2005 c 5 art 2 s 75,76*

128C.13 MS 2002 [Repealed, 1Sp2003 c 9 art 2 s 56]

128C.15 EMPLOYMENT.

Subdivision 1. **Affirmative action.** The State High School League must adopt an affirmative action policy. The reason for the policy is to ensure that jobs within the league are equally accessible to all qualified persons. The policy is also needed to eliminate underemployment by the league of the protected groups that are defined in section 43A.02, subdivision 33.

Subd. 2. **Recruiting.** The league must actively and publicly recruit qualified people to become its employees. The league must give special emphasis to recruiting members of protected groups. The league must advertise available positions in newspapers of general circulation. The advertisement must contain a deadline for submitting applications that is at least 14 days after the date of the last advertisement. The league must keep each application for at least six months and must notify an applicant when a position, for which the applicant is qualified, becomes available.

Subd. 3. **Comparable worth.** The league is a political subdivision under sections 471.992 to 471.999. A cause of action against the league does not arise before August 1, 1989, for failure to comply with sections 471.992 to 471.999.

History: *1989 c 220 s 4; 2009 c 101 art 2 s 67*

128C.17 LEAGUE IS SUBJECT TO DATA PRACTICES ACT.

The collection, creation, receipt, maintenance, dissemination, or use of information by the State High School League is subject to chapter 13. The league must make data relating to its eligibility determinations available to the public in the form of summary data, with all personal identifiers removed.

History: *1989 c 220 s 4; 1995 c 259 art 1 s 30*

128C.20 COMMISSIONER REVIEW OF LEAGUE.

Subdivision 1. **Annually.** Each year the commissioner of education shall obtain and review the following information about the league:

(1) an accurate and concise summary of the annual financial and compliance audit prepared by the state auditor that includes information about the compensation of and the expenditures by the executive director of the league and league staff;

(2) a list of all complaints filed with the league and all lawsuits filed against the league and the disposition of those complaints and lawsuits;

(3) an explanation of the executive director's performance review;

(4) information about the extent to which the league has implemented its affirmative action policy, its comparable worth plan, and its sexual harassment and violence policy and rules; and

(5) an evaluation of any proposed changes in league policy.

The commissioner may examine any league activities or league-related issues when the commissioner believes this review is warranted.

Subd. 2. **Recommend laws.** The commissioner may recommend to the legislature whether any legislation is made necessary by league activities.

History: *1989 c 220 s 4; 1990 c 562 art 7 s 9; 1991 c 265 art 11 s 14; 1Sp1995 c 3 art 16 s 13; 1999 c 241 art 9 s 39; 2003 c 130 s 12*

128C.22 LEAGUE MUST HAVE OPEN MEETINGS.

For the purposes of chapter 13D, the State High School League is considered a state agency required by law to transact business in meetings open to the public.

History: *1989 c 220 s 4*

128C.24 LEAGUE FUNDS TRANSFER.

Beginning July 1, 2007, the Minnesota State High School League shall annually determine the sales tax savings attributable to section 297A.70, subdivision 11a, and annually transfer that amount to a nonprofit charitable foundation created for the purpose of promoting high school extracurricular activities. The funds must be used by the foundation to make grants to fund, assist, recognize, or promote high school students' participation in extracurricular activities. The first priority for funding will be grants for scholarships to individuals to offset athletic fees. The foundation must equitably award grants based on considerations of gender balance, school size, and geographic location, to the extent feasible.

History: *2006 c 257 s 19; 1Sp2017 c 1 art 3 s 4*

NOTE: The amendment to this section by Laws 2017, First Special Session chapter 1, article 3, section 4, is effective for sales and purchases made after June 30, 2017, and before July 1, 2027. Laws 2017, First Special Session chapter 1, article 3, section 4, the effective date.