MINNESOTA STATE HIGH SCHOOL LEAGUE

Bylaw 101 Amendment Proposal

Submitted on
October 15, 2026

Indicate the category of the proposed recommendation
The proposed amendment is regarding the General Eligibility Bylaws located in the 100.00 series of bylaws. This category determines a student's initial eligibility and is the responsibility of the member school to enforce for the students participating in their school's athletic programs.

Activity/Activities (Check all that apply)
This proposed amendment would apply to all sports in which sex-separated teams are identified as separate programs. (i.e., basketball, cross country, hockey, etc.)

Authors of the Proposal
The Constitution of the Minnesota State High School League states that "Proposed amendments and resolutions may be submitted: By the designated school representatives of the five or more member schools." The following school districts or designated school representatives from school boards have submitted this amendment proposal.

- Detroit Lakes Public Schools School Board
- ISD 728 School Board (Elk River H.S., Rogers H.S., Zimmerman H.S.)
- Curt Rebelein, MSHSL School Board Representative/School Board President, Forest Lake Area Schools
- Randy Heidmann, MSHSL School Board Representative, Brainerd Public Schools
- Leigh King, MSHSL School Board Representative, Caledonia Area Public Schools
- Danny Olmstead, MSHSL School Board Representative, Hutchinson Public Schools
- Rhonda Moore, MSHSL School Board Representative, Jackson County Central Schools
- Matthew Hoheisel, MSHSL School Board Representative, Pierz School District
- Trevor Houn, MSHSL School Board Representative, Tri-City United Public Schools
- Gus Booth, MSHSL School Board Representative, Warroad Public Schools

Authors may be contacted through their respective school board contact information at their local school district.

Current Rule/Policy
State the rule/policy as it appears in the current MSHSL Handbook or Activity/Sport Specific Rules and Policies.

BYLAW 101.00 AGE
Cross Reference: Bylaw 109 (Seasons of Participation) and Bylaw 110 (Semesters Enrolled)

A student who turns 20 during the 11th or 12th semester since first entering the 7th grade shall be allowed to participate through the completion of the 12th semester.

Students who participate in the Adapted Athletics Program shall be under 22 years of age. A student under age 22 who has started a sport season will be permitted to complete that sports season.

Proposed Recommendation

Submit your proposed change to the above-stated rule/policy.

Amend Bylaw 101.00 as follows[1]:

BYLAW 101.00 AGE AND SEX
Cross Reference: Bylaw 109 (Seasons of Participation) and Bylaw 110 (Semesters Enrolled)

A student who turns 20 during the 11th or 12th semester since first entering the 7th grade shall be allowed to participate through the completion of the 12th semester.

Students who participate in the Adapted Athletics Program shall be under 22 years of age. A student under age 22 who has started a sport season will be permitted to complete that sports season.

A student who participates in a sex-separated sport shall participate on the team consistent with their biological sex at birth.

Include any other policies that are impacted by this proposal.

The Authors are also requesting that the MSHSL:

Make conforming changes to the Eligibility Information Brochure for MSHSL Programs which is used as attestation of compliance with MSHSL eligibility criteria and is required to be signed annually by each athlete and a parent/guardian as a condition of MSHSL participation.

Amend Bylaw Series 300, Fair Hearing Procedure, section 3 as follows: Repeal MSHSL's Eligibility Appeal Procedure for a Transgender Student which was imposed in 2014 through the MSHSL Board's adoption of a new policy rather than through a Member School vote under MSHSL Constitution 215.00. Revert to resolution and escalation of eligibility disputes using the established Fair Hearing Procedure (300).

Amend Bylaw Appendix as follows: Repeal APPENDIX: Board Policy: A Code of Commitment to Diversity, Equity, Inclusivity and Belonging adopted by the MSHSL Board in 2023. Revert to adjudication of good sportsmanship/good standing under existing bylaws including 209.00, 409.00, the Student Code of Responsibilities in 206.2, Fair Hearing Procedure (300) and the Board Policy on Sexual, Racial and Religious Harassment, Violence and/or Hazing (APPENDIX).

[1] Regular text indicates existing language of MSHSL Bylaw. Underlined text indicates proposed new language to Bylaw. ~~Stricken~~ text indicates proposed deleted language in Bylaw. *Italicized* text gives conforming and drafting instructions.

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Rationale Provided By The Authors

Why propose this amendment to MSHSL Bylaws?

The MSHSL Board and State leaders required Member Schools to sort high school sports teams based on gender identity rather than on biological sex through Board policy passed in 2014. Many of those affected by this decision support decency and concern for athletes struggling to accept their biology while also expecting safety and fair play in girls' sports. Member Schools have the opportunity to adopt this popular and lawful biology-based eligibility policy by providing their feedback to their region committees and the Representative Assembly as described in the MSHSL Constitution.

Why propose this amendment now?

Four reasons:

1. Minnesota girls face the compromises of MSHSL's gender affirmation maximalist approach to safety and fair play whenever they compete.
2. Member Schools are in imminent jeopardy of losing federal funding after the MSHSL's year of defiance and legal battle for not adopting a Title IX compliant (biology-based) definition of sports eligibility.
3. The authority of the MSHSL to officiate rules-based events continues to erode by its own flaunting of official oversight and Member School objections.
4. Lastly, while the *West Virginia v BPJ* decision by the Supreme Court released on June 30, 2026, did not automate an eligibility change in Minnesota as it did in many other states, it resolved precedent-setting questions at the federal level that make sex-separated sports team eligibility legally acceptable and determine that biology-based eligibility is not discrimination based on gender identity.

What does the amendment propose to change?

1. It adds a requirement to MSHSL Bylaw 101 that students participating on sex-separated teams compete on the team consistent with their biological sex at birth. It further instructs that the attestation of eligibility document that is signed by students and a parent as a condition of participation be updated to include this new requirement.
2. It would require the repeal the MSHSL Board declaration that Member Schools must allow biological males (described as transgender girls) to compete on girls' teams and the associated appeal procedure that the MSHSL Board adopted in 2014 and 2016. Future disputes regarding eligibility related to sex or gender will be handled through the same processes that the Member School and the MSHSL Board use for other eligibility disputes.
3. It requests the repeal of the statement on DEIB that the MSHSL Board adopted in 2023 which is used to advance reinterpretations of common terms like *inclusivity*, *discrimination and belonging* and to require compliance with novel concepts such as *gender fairness*. Related MSHSL trainings and marketing make personal endorsement of the participation of certain males (those claiming a feminine gender identity) on female teams a condition of good sportsmanship/good standing (which is an eligibility requirement for student athletes and coaches). Future disputes regarding conduct and good standing will be evaluated using established MSHSL bylaws and policies.

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Staff Analysis: The following sections are responses provided by MSHSL Staff

Impact

How does your proposal affect this activity, including its impact on all classes, areas of the state, and variety of schools

The proposed amendment has the same impact on all sex-separated sports. If passed and implemented, all participants in sex-separated sports must compete on the team that aligns with their biological sex at birth. If passed and implemented, the proposed amendment could impact the opportunity for girls to participate on the boys teams in sex-separated sports.

Administration

How does your proposal impact section and state tournaments?

School Administrators will be required to be knowledgeable about Bylaw 101.00 and administer it as written. There are no other specific impacts to section and state tournaments.

Length of Tournament

How does your proposal impact the needed competition time for section and state tournaments?

The Proposed Amendment will not have any impact on the time needed for section and state tournaments.

Participants

How does your proposal impact the number of participants/teams?

The Proposed Amendment will not have any impact on the number of participants/teams in the section and state tournaments.

How does your proposal impact the percentage of participants/teams that would qualify for the state tournament?

The Proposed Amendment will not have any impact on the percentage of participants/teams that would qualify for the state tournament.

Facilities

How does your proposal impact the facilities needed to accommodate your recommendation at both the section and state level?

The Proposed Amendment will not have any impact on the facilities needed to accommodate this proposal at either the section or state level.

Awards

How does your proposal impact the number of awards at both section and state?

The Proposed Amendment will not have any impact on the number of awards at both the section and state tournaments.

Cost analysis of the proposal

The Proposed Amendment proposal does not create any known increases in cost.

Potential precedence for other activities

This Proposed Amendment applies to all sex-separated sports and will not create precedence for other activities.

Amended: 11-2-26