

[http://bismarcktribune.com/sports/push-to-switch-soccer-seasons-at-a-stalemate/article\\_f556c2c2-398e-5384-a37c-de121902e3db.html](http://bismarcktribune.com/sports/push-to-switch-soccer-seasons-at-a-stalemate/article_f556c2c2-398e-5384-a37c-de121902e3db.html)

## Push to switch soccer seasons at a stalemate

KEVIN SCHNEPF Forum News Service 21 hrs ago

SUBSCRIBE FOR 33¢ / DAY

FARGO — A group's two-year mission to move the North Dakota high school girls soccer season from the spring to the fall continues. And the group asked to make the change continues to play the waiting game.

The tug-of-war match doesn't appear to be ending soon. Both sides are waiting to see what the U.S. Office of Civil Rights has to say about a grievance filed back in 2016 claiming the North Dakota High School Activities Association is violating the Title IX sexual-discrimination law by forcing girls soccer to compete in the spring while boys play in the fall.

"Weather is not the big issue here," said Kerry Wynne, a parent of a Fargo Davies girls soccer player and an advocate for an organization called 'Goals for Girls ND' — created specifically to champion the mission to move the girls season from the spring to the fall.

"The bigger issue is these girls are missing out on non-school opportunities during the spring," Wynne said, referring to higher-level club tournaments held in the spring where college coaches flock to evaluate potential recruits. "Because South Dakota, Montana and Minnesota have high school girls seasons in the fall, they are at these tournaments where they can be seen by college coaches and our girls are not. We are like an island up here."

Matt Fetsch, NDHSAA executive director, said he feels his association is not discriminating against girls playing soccer — something the league's attorneys argued in a 17-page document it sent to the Office of Civil Rights office in Chicago back in July 2016.

“The OCR notified us of a complaint and we responded,” Fetsch said. “We haven’t heard from them since.”

## No word from U.S. body

Likewise, Ben Brooks — who filed the original grievance in March 2016 — has yet to hear from the OCR, an arm of the U.S. Department of Education primarily focused on enforcing civil rights laws such as sexual discrimination.

“I have no anticipation of hearing from the OCR,” said Brooks, who inquired about the grievance as recently as two months ago. “I don’t know why we didn’t get a ruling back. I really have no idea.”

The Forum emailed Daniel Kim of the OCR, but got no response.

Brooks was a coach for the Tri-City Soccer Club in Fargo when he filed the original grievance.

He cited that North Dakota girls miss the opportunities to compete in regional club tournaments and national club tournaments, which college coaches attend to recruit.

“The level of competition is just not the same as it is in high school,” Brooks said. “These coaches want to see the kids playing at a high, high level.”

Brooks also cited court cases in Michigan and South Dakota, which forced many states — including North Dakota — to switch the girls basketball season from fall to winter and the volleyball season from winter to fall. The cases defined an “advantageous” season as a time of year when the sport is typically played and a “disadvantageous” season as a time of year when the sport is not typically played — causing inequities or discrimination.

Nationwide, 30 states have boys high school soccer in the fall and 23 states have girls high school soccer in the fall. There are 22 states with girls soccer seasons in the spring and 15 states with boys soccer seasons in the spring. Nine states — like North Dakota — have split seasons.

“The way I see it, girls soccer is the equivalent to boys football ... it is one of the premier girls sports in the country,” Brooks said. “You cannot have your premier girls sports being played during a ‘disadvantageous’ season.”

NDHSAA Executive Director Fetsch has a different interpretation of the “advantageous” and “disadvantageous” seasons presented by the Michigan and South Dakota court cases. Fetsch maintains as long as his association can balance girls and boys sports with each season, it is in compliance with Title IX regulations.

North Dakota’s sports that come under the “advantageous” season definition are: Girls golf in the fall, girls tennis in the spring, boys soccer in the fall and boys swimming in the winter. The sports under the “disadvantageous” definition are: Girls soccer in the spring, girls swimming in the fall, boys golf in the spring and boys tennis in the fall.

Fetsch maintains if girls soccer is moved to the fall, it would disrupt that balance.

“As a membership-driven organization, we feel we are complying with Title IX obligations and the wishes of our membership,” Fetsch said.

## Referees are main hurdle

When the grievance was filed two years ago, the NDHSAA conducted a survey among its girls soccer coaches. Only one supported moving the season to the fall.

Coaches and athletic directors said there would be a number of obstacles to overcome if the girls season was moved to the fall — including coaching availability, since some coach both boys and girls teams, and field availability, where girls teams would have to share game sites with the football teams and boys soccer teams. West Fargo is the only school district in the metro area that uses a separate soccer field for games.

But the No. 1 concern among coaches when they were surveyed two years ago was availability of referees.

“High school boys, college men and women all play in the fall and then you add high school girls ... the same pool of refs are used for all these games,” said South girls coach David Weiler. Davies girls coach Nick Christianson agreed. “You might not get three refs for a game, but only two.”

But, according to Brooks, “Title IX says resources are not arguments.”

Michelle Martinez, the girls soccer coach at Fargo North, was once a boys coach at Fargo Davies. As an assistant coach for the Minnesota State Moorhead women’s soccer team, she argues that North Dakota girls soccer players are still getting chances to play in college.

“I know quite a few North Dakota girls who are playing college soccer,” Martinez said. “We get quite a few college coaches who come and watch our games in the spring. Personally, I am not in favor of losing girls to the fall. But it wouldn’t be the end of the world if it were to happen.”

Christianson said there are positives and negatives to each side of the argument.

“Whatever they (OCR) come back with is probably what we will end up doing,” Christianson said.

Weiler said he hopes some conversations could occur between the advocates for fall girls soccer and the NDHSAA. The advocates have lobbied to get on the agenda for a NDHSAA board meeting. But in a letter dated May 12, 2017, Fetsch sent to Wynne, it

stated: “Since a member school did not make the request to meet with the Board and because of the pending OCR matter, we will not plan to meet regarding this issue at this time.”

“I am not necessarily opposed to a change or for it,” Weiler said. “I would hope some conversations could happen between the two groups.”

In the meantime, both groups await an OCR ruling.

“It has become wait and see now,” Fetsch said.