MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING
East Lansing, January 9, 2013

Members Present:
Jim Derocher, Negaunee
Scott Grimes, Grand Haven
Fred Smith, Buchanan
Vic Michaels, Detroit
Al Unger, Kingsford

Staff Members Present:
Tom Rashid
Jack Roberts (Recorder)

Executive Committee Authority and Responsibility – The Executive Committee reviewed its authority under Article VII of the MHSAA Constitution and specifically its responsibility to consider each application for waiver of an eligibility requirement on its individual merits, determining if the regulation serves the purpose for which it was intended in each case or if the regulation works an undue hardship on any student who is the subject of a request for waiver. (These underlying criteria may not be restated for every subject of these minutes.)

The Executive Committee was reminded that it was the responsibility of each member school involved to provide sufficient factual information about the specific request for the Executive Committee to reach a decision without further investigation. If information is incomplete, contradictory or otherwise unclear or has been received too late to be studied completely, the Executive Committee may deny the request for waiver or delay action. Such requests may be resubmitted to the Executive Committee with additional information at a subsequent meeting or appealed to the full Representative Council.

It is possible that some of the information presented as facts to the Executive Committee by school personnel and others may be inaccurate. However, to avoid constant repetition in this report of phrases such as “it was alleged” or “it was reported,” no attempt is made in the introduction of each waiver request to distinguish between truth, allegation, hearsay, opinion, summary or conclusion. If any information provided to the Executive Committee is inaccurate, any decision of the Executive Committee to grant waiver of a regulation shall be null and void.

The Executive Committee is not authorized to approve waiver based on alleged or actual differences between schools based on “environment,” demographics, curriculum or extracurricular offerings. A determination of undue hardship is a matter addressed to the discretion of the Executive Committee within the educational philosophy and secondary role of voluntary extracurricular competitive athletics in the academic environment. The Executive Committee will avoid making exceptions that would create precedent that effectively changes a rule without Representative Council action or local board of education adoption, which would exceed Executive Committee authority. The contract the MHSAA has with member schools obligates the MHSAA to not change rules during the school year.

Students for whom waiver of a particular regulation is approved must be eligible in all other respects under all sections and interpretations of the regulations prior to their participation.

Adoption of these regulations, as well as policies, procedures and schedules of MHSAA tournaments, is a choice schools make locally when they consider their option of MHSAA membership. Consistent with rulings of the Attorney General and Michigan Supreme Court, schools are not bound by the decisions of the Executive Committee, but the association may limit participation in the post-season tournaments it sponsors to those schools which choose to apply rules and penalties as promulgated by the MHSAA and adopted by each member school’s board of education. The MHSAA exercises no independent authority over schools or students.
Hillsdale-Will Carleton Academy and North Adams-Jerome High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of boys and girls track & field to a cooperative program which already exists between these two schools in football. The combined enrollment of 225 students will continue placement of a team in the Division 4 Girls Track & Field Tournament. Will Carleton sponsored the sport previously and will be the primary school. Support from the South Central Athletic Association was received.

Wetmore-Munising Baptist and Grand Marais-Burt Township High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in boys and girls track & field between these two schools whose combined enrollment of 40 students will place a new team in Division 3 of the Upper Peninsula Track & Field Tournament. Munising Baptist is a new member school for which membership is approved later in these minutes, sponsored track & field previously, and will be the primary school. Support from the Northern Lights League was received.

Ann Arbor-Gabriel Richard High School (Regulation I, Section 2) – A request to waive the maximum age regulation to permit eligibility in the first and second semesters of the 2012-13 school year was made on behalf of a 19 year old 12th-grade student about to begin her eighth semester since enrolling in high school in the 2009-10 school year. The student was born in Poland on July 21, 1993, and lived with her birth parents for two and one-half years before being removed by the state and placed in an orphanage for four years. The parents in Poland were abusive and neglectful and users of alcohol and drugs. The student was first diagnosed in July 2002 (after 1st grade) with Fetal Alcohol Syndrome. In June 2011, the student was reassessed with the syndrome manifesting itself in a social and emotional manner. The student was adopted by her American parents at age six in 1999 and began Kindergarten at age 7 in the 2000-01 school year. The student has club feet, had multiple surgeries and cannot walk or run normally. The student is 4' 9 ¾" tall and weighs 90 pounds. The student’s only organized sport participation has been bowling and only for the 10th and 11th grades. She turned 19 years of age on July 21, 2012.

The Executive Committee found that the required documentation supported that the student’s early education was delayed by a qualifying and medically documented disability, that such a medically documented disability now limits the student’s capabilities both physically and intellectually or emotionally, and that the student does not present a reasonably anticipated significant risk of injury to self, teammates or opponents in the sport involved and does not create a competitive advantage. The disability has a direct and significant negative impact on the student's physical athletic ability. The request to extend the maximum age limit one year (to Sept. 1, 2013) was approved.

International Academy of Oakland County (Regulation I, Sections 1 & 7) – It was recently learned that, contrary to the enrollment and current academic record regulations for non-traditional schools, several incoming 9th-grade students from the International Academy of Oakland County (a non-traditional international baccalaureate school with three campuses) have been participating in athletics while not enrolled at the base (original) school (school of residence). Typically, the IA only admits incoming 9th-grade students. Students have been allowed to enter “school of choice” into a school not of their residence and then participate in athletics. In 2012-13, Interpretation 47, Note 2, was changed to allow incoming 9th graders eligibility at their base school only. Last year, in 2011-12, incoming 9th graders had eligibility at any non-traditional school – regardless of residence, causing concerns that there was no relationship between the school of participation and the student – and the interpretation was changed for this year. Previous to 2011-12, it was possible for incoming 9th graders entering a non-traditional school or program to not have eligibility at any school as no base school was established.

The Executive Committee voted to allow all students now enrolled in one of the three campuses of the International Academy to continue their participation at the school where they have participated or are expecting to participate during this school year through their graduation at that school, insofar as these regulations are concerned, and directed MHSAA staff to work with the IA staff and the high schools involved to create, for the Representative Council’s consideration in May, a long-term solution through changes in how the IA operates and/or changes in MHSAA regulations and interpretations.
Canton-Plymouth High School (Regulation I, Sections 4 & 5 and Regulation V, Section 3) – A request to waive the maximum enrollment and competition portions of the eligibility regulation, as well as the requirement of forfeiture, was made on behalf of a 12th-grade student who participated in 12 varsity football games, including a District championship, while ineligible. The student began the 9th grade in the 2008-09 school year, is the subject of an IEP and has been receiving special education services throughout his high school career. The first semester of 2012-13 is the student’s fifth first semester and ninth overall since first enrolling in the 9th grade. The student did not participate in athletics in any of the eight previous semesters of enrollment and received grades and credits in all eight semesters and would have been academically eligible for six of those semesters.

The Executive Committee found that, prior to the current school year, the student had received the maximum opportunity to participate afforded all students of MHSAA member schools. In any event, any request for waiver must precede actual participation. The Executive Committee did not approve waiver of the maximum semesters section of the eligibility regulation on behalf of the student and did not approve waiver of the forfeiture requirement for contests in which this student participated beyond his eighth semester.

Mason High School (Regulation I, Sections 7 & 9) – A request to waive the previous academic credit record and transfer portions of the eligibility regulation was made on behalf of a 9th-grade student whose medication was discontinued at the end of the 7th grade, resulting in academic failures through the first trimester of the 9th grade in 2012-13. The student lived with his mother and began the 9th grade at Middleton-Fulton. After two weeks, the student moved in with his father and enrolled at Eaton Rapids High School before enrolling at Mason on Dec. 3, 2012. The student has resumed his medication and his behavior and grades have improved. The student has not participated in athletics since starting the 9th grade and had previously attended Mason Schools through the 7th grade.

The Executive Committee did not approve the request to waive the previous academic term requirements. Pending establishment of a satisfactory previous term academic record, the Executive Committee approved the request to waive the transfer regulation at the subvarsity level only for the remainder of the 2012-13 school year.

Alanson-Littlefield High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose mother had to split her family among relatives because she could not find employment. The student began the 9th grade at Petoskey High School while living with her mother and participated in basketball. The family moved from Petoskey to the Traverse City area in search of a job and the student enrolled at Benzie Central to begin the 2012-13 school year. Due to the financial struggles, the mother then sent the student to live with an uncle in the Alanson School District and the student enrolled on Oct. 1, 2012. The father has recently been released from prison after ten years.

The Executive Committee did not approve the request for immediate eligibility but did approve the waiver effective with the student’s 91st school day of enrollment at Littlefield High School starting Oct. 1, 2012.

Algonac High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Algonac Schools from Kindergarten until Oct. 26, 2012, when the student enrolled at Marine City High School for 14 school days. The student changed schools due to repeated bullying over time. The student reenrolled at Algonac on Nov. 14, 2012, and did not participate in athletics. The school requested eligibility for softball.

The Executive Committee did not approve the request for waiver.
Big Rapids High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who was the victim of criminal sexual conduct on the part of a staff member at Evart High School and who enrolled at Big Rapids High School on Sept. 26, 2012. The staff member has been convicted and is serving a term in prison.

The Executive Committee approved the request for waiver.

Burt Lake-Northern Michigan Christian Academy (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who was placed on temporary in-home suspension in November 2012 for failure to maintain the school’s morality code and enrolled at Inland Lakes High School for nine school days between Nov. 19 and 29, 2012. The student did not participate in athletics during that time. The student is receiving credit currently at Northern Michigan Christian and was physically in attendance on Jan. 7, 2013.

The Executive Committee approved the request for waiver.

Byron Area High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation to permit eligibility on the 91st school day of enrollment was made on behalf of a 9th-grade student who previously attended Linden High School and played football before enrolling at Byron Area High School on Oct. 15, 2012. The student had attended Byron Schools previous to the 9th grade.

The Executive Committee approved the request for waiver effective with the student’s 91st school day of enrollment at Byron Area High School starting Oct. 15, 2012.

Detroit-Western International High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 61 (public school of residence) was made on behalf of a 12th-grade student who made a full and complete residential change from Ypsilanti into a new housing project in Detroit whose attendance boundary was confused but later determined to be within both Northwestern and ML King Jr. High Schools. When the family moved in October 2012, a 10th grade brother enrolled at Western and has not participated in athletics. The student lives closer to Western than to Northwestern or ML King. The student previously attended Washtenaw Way, an alternative school of the Ypsilanti Public Schools, and continued there before enrolling at Western on Jan. 7, 2013.

The Executive Committee approved the request for waiver.

Grand Haven High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose family lived in a shelter in Hudsonville and changed residences to a shelter in Grand Haven, and the student began the 2012-13 school year at Grand Haven High School. The mother was removed from the shelter in Grand Haven, and the family was then placed in a shelter in Holland where the student enrolled at Holland High School from Oct. 25-Nov. 30, 2012. The student is no longer living with the mother and has been placed in a church-sponsored foster care home in Grand Haven, reenrolling at Grand Haven High School on Dec. 3, 2012.

The Executive Committee approved the request for waiver.

Grand Rapids-Ottawa Hills High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who transferred from Grand Rapids City High School (a non-traditional school for the Ottawa Hills attendance area) and enrolled at Grand River Prep High School due to threats of physical violence from another student. New administration at the school was unaware of the history, causing the threats to continue and the student to withdraw from City High School on Jan. 31, 2012. The student reenrolled at City High School on Sept. 10, 2012, and did not participate in athletics at Grand River Prep.

The Executive Committee did not approve the request for waiver.
Grandville High School (Regulation I, Section 9[C]) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who will be transferring into Grandville High School on Jan. 19, 2013, and previously participated in the cooperative boys swim program between Kenowa Hills and Grandville High Schools. Support from Kenowa Hills was submitted.

The Executive Committee approved the request for waiver for boys swimming & diving only for the remainder of the 2012-13 school year.

Harrison High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who previously attended Holt High School while residing with his family and moved to the home of his grandparents in Harrison to avoid bad influences among family and friends. The student has no previous participation in athletics and enrolled at Harrison on Nov. 5, 2012.

The Executive Committee did not approve the request for waiver.

Lapeer East High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation to permit eligibility on the 91st school day of enrollment was made on behalf of an 11th-grade student who previously attended Clarkston High School before enrolling at Lapeer East on Oct. 1, 2012.

The Executive Committee approved the request for waiver effective with the student’s 91st school day of enrollment at Lapeer East High School starting Oct. 1, 2012.

Linden-Lake Fenton High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who attended Lake Fenton Schools since 2007 and whose parents were separating in August 2012. The student moved to Mt. Pleasant with his mother who was in search of employment, and the student enrolled to begin the 2012-13 school year at Mt. Pleasant High School. The student returned to the Lake Fenton School District to the residence of his father and reenrolled at Lake Fenton on Oct. 1, 2012.

The Executive Committee did not approve the request for immediate eligibility but did approve the waiver effective with the student’s 91st school day of enrollment at Lake Fenton High School beginning Oct. 1, 2012.

Mancelona High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who previously attended Mancelona before moving with his single mother to Traverse City in search of employment over the summer of 2012. The student enrolled at Traverse City Central to begin the 2012-13 school year and did not participate in athletics. The student had attended Mancelona Schools for grades 6-8 and lived with his grandparents in Mancelona, during which time his mother resided there on and off for several months. On Nov. 26, 2012, the student returned to the home of his grandparents and reenrolled at Mancelona while the mother remained in Traverse City. The school sought the application of Exception 2 as the grandparents are in a better position to be the parents than his mother.

The Executive Committee approved the request for waiver for this student for this one time only.

Monroe-St. Mary Catholic Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose family home was robbed on Oct. 5, 2012 by fellow Monroe High School students. Other students involved in the burglary were not apprehended, continued to attend Monroe High School, and approached the student about the incident at school. Fearing for his safety and well-being, the student enrolled at St. Mary Catholic Central on Dec. 17, 2012. The change of schools was supported by Monroe High School.

The Executive Committee approved the request for waiver.
New Boston-Huron High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who was the subject of harassment and bullying by teammates in the Southgate Public Schools beginning in the 8th grade which increased when the student was brought onto the JV volleyball team in August 2012. The student played in one JV volleyball tournament for Southgate Anderson High School in August before enrolling at New Boston-Huron to begin the 2012-13 school year on Sept. 4, 2012. The student has not participated in athletics for New Boston-Huron.

The Executive Committee did not approve the request for waiver.

Plainwell High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who is moving from Illinois with his parents into the home of grandparents in Parchment to provide care for the grandmother who is ill. The student enrolled at Plainwell on Jan. 7, 2013. The grandparents’ home is just inside the Parchment School District, which does not offer swimming & diving.

The Executive Committee did not approve the request for waiver.

Redford Union High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who previously attended Rochester Hills-Lutheran Northwest High School and enrolled at Redford Union on Oct. 29, 2012 due to financial hardship.

The Executive Committee did not approve the request for waiver.

River Rouge High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who moved from his grandparents’ home in Ypsilanti to the residence of his divorced mother in River Rouge on May 4, 2012 (Exception 2). The student continued to attend Willow Run High School for the remainder of 2011-12 and then enrolled at River Rouge to begin the 2012-13 school year. Due to confusion regarding with whom the student lived previously, the school requested and received a written interpretation from the MHSAA staff prior to participation that indicated the student appeared to be eligible under Exception 1. The student then participated in one game on Dec. 14, 2012, after which time it was learned that the student previously lived with grandparents and did not actually move with his mother. The school has withheld the student from participation since that time. In the 10th grade (2011-12) the student used an Educational Transfer Form (Exception 8), moving from divorced mother while attending Westland-John Glenn to his father in the Ypsilanti-Willow Run School District.

The Executive Committee did not approve the request for waiver and confirmed that the one contest in which this student participated on the basis of erroneous information provided to the MHSAA must be forfeited.

Scottville-Mason County Central High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 61 (public school of residence) was made on behalf of a 12th-grade student whose family moved without her over the summer of 2012 to a home in the Mason County Eastern School District and enrolled a 1st grade sibling at Mason County Central Elementary to begin the 2012-13 school year. The student intended to remain and graduate from Grand Rapids-Northview High School but missed her family and decided to join her parents and enroll at Mason County Central on Jan. 8, 2013.

The Executive Committee approved the request for waiver effective Jan. 21, 2013.
Waterford Mott High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose father died last year and whose mother has recurring problems with alcohol. After an altercation with the mother, the student has moved in with his grandmother in the Waterford Mott attendance area. The student had previously lived between mother, father and other family members while attending Holly High School, which supports eligibility. The student has participated in athletics previously and enrolled at Waterford Mott on Dec. 6, 2012.

The Executive Committee approved the request for waiver.

Subvarsity Waiver Requests Meeting All Conditions of Section 9(B) – The Executive Committee approved immediate eligibility at the subvarsity level for the following transferring 9th- or 10th-grade students (after entering 9th grade, before completing 10th grade) **who have not previously participated in an interscholastic scrimmage or contest in any MHSAA sport at the high school level** (whether MHSAA member schools or not) and who do not qualify for one of the 15 stated exceptions to the transfer regulation and have transferred for reasons having nothing to do with athletics, discipline or family finances and would not require Executive Committee evaluation or comparison of school demographics or curriculum:

<table>
<thead>
<tr>
<th>Requesting High School</th>
<th>Grade</th>
<th>Former High School</th>
<th>Date of Enrollment</th>
<th>Length of Subvarsity Eligibility Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adrian-Lenawee Christian</td>
<td>9</td>
<td>Sand Creek</td>
<td>Dec. 3, 2012</td>
<td>Remainder of 12-13 School Year</td>
</tr>
<tr>
<td>Akron-Fairgrove</td>
<td>9</td>
<td>Unionville-Sebewaing</td>
<td>Dec. 12, 2012</td>
<td>Remainder of 12-13 School Year</td>
</tr>
<tr>
<td>Baldwin</td>
<td>9</td>
<td>Big Rapids</td>
<td>Nov. 27, 2012</td>
<td>Remainder of 12-13 School Year</td>
</tr>
<tr>
<td>Burton-Atherton</td>
<td>9</td>
<td>Grand Blanc</td>
<td>Dec. 3, 2012</td>
<td>Remainder of 12-13 School Year</td>
</tr>
<tr>
<td>Burton-Bentley</td>
<td>9</td>
<td>Davison</td>
<td>Nov. 28, 2012</td>
<td>Remainder of 12-13 School Year</td>
</tr>
<tr>
<td>Oscoda</td>
<td>9</td>
<td>Tawas Area</td>
<td>Dec. 3, 2012</td>
<td>Remainder of 12-13 School Year</td>
</tr>
</tbody>
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Flint-Michigan School for the Deaf (Regulation II, Section 6) – A request to waive the 600-mile round-trip travel limitation was made to allow the school’s boys and girls varsity track & field teams to participate at the Berg/Seeger Classic Invitational in Faribault, Minnesota on Fri.-Sat., April 12-13, 2013. The event is 1,340 miles round-trip from Flint and the school would transport by school vehicles or bus. The event is hosted by the Minnesota State Academy for the Deaf and includes deaf schools from Indiana, Kansas, Maryland, Phoenix and Wisconsin.

The Executive Committee approved the request for waiver.
Saginaw Valley High School Association (Regulation II, Section 10(C)) – Citing the specific purpose of the rule which is to minimize loss of classroom instructional time, on Nov. 29, 2012, the Executive Committee did not approve a request to waive the soccer limitation on competition for participation in a multi-team tournament on a school day on behalf of this 15-team league, all of which sponsor girls soccer. The limitation states that a student or team is allowed two multi-team tournaments per season with running clock halves of no more than 30 minutes. These events may be held on non-school days. The event was tentatively scheduled for 1 pm on May 17, 2013 and is the SVHSA League Tournament.

Since the waiver was not approved, the league director has polled principals and all 15 are supportive; and the start time has also been moved back to 3 pm.

The Executive Committee approved the request for waiver.

Saranac Middle School (Regulation III, Section 1(C)) – The school requested waiver of the enrollment regulation to allow 6th grade girls to play with and against 7th graders in girls basketball. The high school enrollment is 383 students; there are 35 7th-grade girls in the middle school.

The Executive Committee did not approve the request for waiver.

New Member Schools – Pursuant to the MHSAA Constitution adopted by member schools and according to procedures for MHSAA membership adopted by the Representative Council on March 27, 1997, the Executive Committee approved membership for the following schools:

Marquette-North Star Academy began as a non-traditional school of three local school districts. In 1994, it became a self-managed charter school chartered by Northern Michigan University. Currently there are 80 students enrolled in grades 9-12 and 64 students in grades 7 and 8. The school intends to continue to sponsor boys and girls cross country and boys and girls golf. The school facility was renovated over the past several years and includes a small non-regulation gym. There are no outdoor competition courts or fields. A signed 2012-13 MHSAA Membership Resolution was received July 16, 2012 for both a high school and middle school. The Preliminary Enrollment Declaration and Athletic Code of Conduct were also submitted. If a 2013-14 Membership Resolution is received prior to Sept. 27, 2013, and provided all other rules are complied with, the school will be eligible for MHSAA tournaments for the 2013-14 school year.

Wetmore-Munising Baptist High School is located in the buildings of the Munising Baptist Church and has been in operation for 31 years and participated in competition with the Northern Lights Conference. In 1994, it became a self-managed charter school chartered by Northern Michigan University. Currently there are 16 students enrolled in grades 9-12 and 15 students in grades 7 and 8. The school intends to sponsor boys soccer, boys and girls basketball and boys and girls track & field. An application for a cooperative program in track and field with Grand Marais-Burt Township High School was approved earlier in this meeting and is allowed during the non-tournament year of membership. The school is in the process of constructing a soccer field and has access to gym space through Munising Middle School. A signed 2012-13 MHSAA Membership Resolution was received Oct. 1, 2012 for both a high school and junior high/middle school. The Preliminary Enrollment Declaration and Athletic Code of Conduct were also submitted. If a 2013-14 Membership Resolution is received prior to Sept. 27, 2013, and provided all other rules are complied with, the school will be eligible for all other MHSAA tournaments for the 2013-14 school year.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, Feb. 20, 2013, at 8:30 a.m. in East Lansing; Thursday, March 21, 2013, at 8:30 a.m. in East Lansing; Wednesday, April 24, 2013, at 8:30 a.m. in East Lansing; Sunday, May 5, 2013, at 10:30 a.m. in Gaylord; and Wednesday, June 12, 2013, at 8:30 a.m. in East Lansing.