

# MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

## EXECUTIVE COMMITTEE MEETING

East Lansing, April 20, 2022

### Committee Members:

Scott Grimes, Grand Haven  
Nicole Carter, Novi  
Vic Michaels, Detroit  
John Thompson, Brighton  
Sean Jacques, Calumet

### Staff Members:

Cody Inglis  
Mark Uyl (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 MHSAA is a private, nonprofit corporation, made up of voluntary membership; it is neither a state agency nor a court of law, and is not bound by any particular legal standard of review or burden of proof when applying its Regulations or while administering an internal appeal. The *MHSAA Handbook* may identify which party bears the burden of proof, depending on the particular situation or if a particular Regulation is at issue. The MHSAA staff, its Executive Committee, or its Representative Council, where appropriate, shall determine whether the circumstances in each situation, as presented to the MHSAA, warrant application or waiver of a particular Regulation or Interpretation. To make that determination, the MHSAA considers what a reasonable person given the same information would decide.

The Executive Committee was reminded that it was the responsibility of each member school involved to provide sufficient 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 vacated.

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 agreement 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 postseason 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.

Ann Arbor-Greenhills, Whitmore Lake and Wixom-St. Catherine of Siena Academy High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program between these three schools in girls swimming & diving (varsity and JV). Greenhills will be the primary school. The combined enrollment of 780 student will add a new team to the Division 3 tournament. Support from the Catholic High School League was submitted.

Calumet, Dollar Bay, Hancock and Lake Linden-Hubbell High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of Hancock to a cooperative program in boys and girls bowling (varsity only) that exists between the other three schools. Calumet will continue as the primary school. The combined enrollment of 804 students will make the program eligible for Division 2 tournaments. Support from the Upper Peninsula Bowling Conference was submitted.

Macomb-Dakota and Clinton Township-Chippewa Valley High Schools (Regulation I, Section 1[F-2]) – The Executive Committee approved a cooperative program between these two schools of the same district in ice hockey (varsity and JV). Both schools sponsored the sport previously; Dakota will be the primary school. The combined enrollment will be 5,127 students. Support from the Macomb Area Conference was submitted.

Manistique and Cooks-Big Bay de Noc High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of 11-player football (varsity and JV) to the cooperative agreement that exists between these two schools in girls competitive cheer, boys and girls cross country and girls softball. Manistique sponsored the sport previously and will be the primary school. The combined enrollment of 319 students will move one team from Division 8 to the Division 7 tournament. Support from the Western Peninsula Athletic Conference has been submitted.

Whitmore Lake High School and Brighton-Charyl Stockwell Prep Academy (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program between these two schools in 11-player football (varsity and JV). Whitmore Lake sponsored the sport previously and will be the primary school. The combined enrollment of 498 students will move one team from Division 8 to the Division 5 tournament. Support from the Michigan Independent Athletic Conference was submitted.

Burton-Genesee Christian High School (Regulation I, Section 9) – A second request to waive the transfer regulation was made on behalf of two sisters, a senior and sophomore, who transferred from Immanuel Baptist School in Corunna, a non-member school. The family cited issues with the administration of the former school in dealing with a situation involving another family member. The two students played soccer last spring, with the senior having participated in four games and the sophomore having participated in seven games. The request also cited COVID issues that have impacted students over the past two years. A letter of support from the former school was submitted.

The Executive Committee did not approve the request for waiver.

Chelsea High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11<sup>th</sup>-grade student who attended Chelsea through the end of his sophomore year and played football. Last summer, the student experienced trauma that included the deaths of close family members, which intensified the academic issues he was experiencing. The student has dealt with medical issues in the past. He attended an online school from August of 2021 through March of 2022. The school requested eligibility for football in the fall of 2022.

The Executive Committee approved the request for waiver.

Fraser High School (Regulation I, Section 9) – A second request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade student who transferred to Fraser from Chippewa Valley High School in November of 2021. The student transferred from Chippewa Valley where she participated in the softball program as a 9<sup>th</sup>-grader. The school resubmitted additional information regarding this request which was denied back in February by the Executive Committee. The student's parents provided additional paperwork regarding her situation along with medical documentation.

The Executive Committee did not approve the request for waiver.

Grand Rapids Catholic Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade student who transferred from Forest Hills Central in January of 2022. The student transferred because of a terminal cancer diagnosis for his father. Support from the former school was submitted. The request was for subvarsity eligibility in lacrosse for this spring.

The Executive Committee approved the request for waiver in lacrosse at the subvarsity level only.

Perry High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade student who transferred to Perry from Morrice on March 7, 2022. The request was for eligibility in basketball, volleyball and track & field based on the continual harassment and inappropriate behaviors toward the student while attending her former school. The constant barrage of attacks and harassment led the student to change schools in order to end the daily contact with these individuals, which has made a significant difference in the last month. Documentation was included from the student, her parents, counselors and former coach, along with a copy of the police report.

The Executive Committee approved the request for waiver beginning with the 2022-23 school year.

Perry High School (Regulation I, Section 9) – A request to waive the transfer regulation at the subvarsity level in girls volleyball was made on behalf of a 9<sup>th</sup>-grade student who transferred to Perry from Williamston High School. The student experienced social struggles at the previous school and transferred to Perry on Nov. 1, 2021, after playing freshman volleyball. Documents of support were received by the student, her parents, a physician and family friends.

The Executive Committee did not approve the request for waiver.

Shepherd High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade student who transferred from Reed City to Shepherd in August of 2021. The family relocated due to a change in jobs for the mother in the health care industry, buying a home in what they believed was the Shepherd attendance area. The home turned out to be in the St. Louis attendance area. The family has sold the former residence and Shepherd Schools requested that the student be eligible for athletics at the school of attendance.

The Executive Committee did not approve the request for waiver.

Traverse City Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of 11<sup>th</sup>-grade twin sisters who transferred from Traverse City West to Traverse City Central to begin the 2021-22 school year. The students transferred to take advantage of dual enrollment classes at Northwestern Michigan College which is adjacent to the Traverse City Central High School building. The sisters were unable to complete driver's training due to COVID, thus the reason to transfer due to transportation issues.

The Executive Committee did not approve the request for waiver.

West Bloomfield High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade student who transferred from South Lyon High School in March of 2022. The student was harassed and bullied by students and coaches at the former school. The student's mother is a staff member at West Bloomfield. A letter from the family was received.

The Executive Committee did not approve the request for waiver.

Grosse Pointe Woods-University Liggett High School (Regulation I, Section 12) – A request to modify the Limited Team Membership regulation was made on behalf of a tennis student at University Liggett High School. The student competed in two non-school tennis tournaments over the school's two-week spring break on March 21-26 (six days) and on March 28-30 (three days). While that six-day tournament exceeded the MHSAA rule limit in terms of days, the student did not miss any school to travel and compete. The school requested that the student sit out Liggett's first three varsity girls tennis matches of the season on April 11, 20, and 23 as the penalty in this situation. The student would not compete in any additional non-school events until the conclusion of the MHSAA spring season.

The Executive Committee approved the request for waiver. The student will be withheld from the first four girls tennis matches this spring. This is a one-time-only modification of the regulation for this student.

Madison Heights-Bishop Foley Catholic High School (Football Classification) – A request was made to opt up in football from Division 7 to 6 for the next two school years due to an anticipated increase in enrollment and class size with next year's freshman class, allowing the school to be more competitive with local teams with similar school enrollment numbers. Staff supported this request under the newly adopted opt-up policy for football.

The Executive Committee approved the request for the 2022-23 and 2023-24 school years only.

Representative Council Meeting – The Executive Committee reviewed the agenda for the May 1-2 Council meetings.

Next Meetings – The next meetings of the Executive Committee are scheduled for Sunday, May 1, 2022, at 10: 30 a.m. in Gaylord (Representative Council meets at 1 p.m.); and Wednesday, June 15, 2022, at 1 p.m. in East Lansing.