

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, August 2, 2017

Members Present:

Scott Grimes, Grand Haven
Fred Smith, Benton Harbor
Vic Michaels, Detroit
Kris Isom, Adrian
Dave Derocher, Reese

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 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 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.

Summary of 2016-17 Waivers – During the 2016-17 program year, there were 420 (versus 453 in 2015-16, 467 in 2014-15, 449 in 2013-14, 522 in 2012-13, 506 in 2011-12, 462 in 2010-11, 500 in 2009-10, 540 in 2008-09, 524 in 2007-08, 448 in 2006-07, 518 in 2005-06, 436 in 2004-05, 355 in 2003-04 and 408 in 2002-03) requests by member schools to waive regulations, of which 350 (versus 381 in 2015-16, 362 in 2014-15, 345 in 2013-14, 416 in 2012-13, 386 in 2011-12, 337 in 2010-11, 366 in 2009-10, 419 in 2008-09, 396 in 2007-08, 326 in 2006-07, 387 in 2005-06, 297 in 2004-05, 214 in 2003-04 and 215 in 2002-03) were approved by the Executive Committee. Of the total, 285 (versus 291 in 2015-16, 300 in 2014-15, 316 in 2013-14, 338 in 2012-13, 352 in 2011-12, 320 in 2010-11, 320 in 2009-10, 354 in 2008-09, 372 in 2007-08, 282 in 2006-07, 276 in 2005-06, 295 in 2004-05, 232 in 2003-04 and 291 in 2002-03) requests involved the transfer regulation, of which 234 were approved (224 in 2015-16, 213 in 2014-15, 229 in 2013-14, 259 in 2012-13, 265 in 2011-12, 219 in 2010-11, 217 in 2009-10, 263 in 2008-09, 275 in 2007-08, 198 in 2006-07, 204 in 2005-06, 196 in 2004-05, 144 in 2003-04 and 130 in 2002-03).

Rationale for Transfer Regulation – The following rationale for the transfer regulation, first established by the Executive Committee on Aug. 6, 1985 and last reviewed Aug. 3, 2016, was reaffirmed:

- a. The rule tends to insure equality of competition in that each school plays students who have been in that school and established their eligibility in that school.
- b. The rule tends to prevent students from "jumping" from one school to another.
- c. The rule prevents the "bumping" of students who have previously gained eligibility in a school system by persons coming from outside the school system.
- d. The rule tends to prevent interscholastic athletic recruiting.
- e. The rule tends to prevent or discourage dominance of one sport at one school with a successful program, i.e., the concentration of excellent baseball players at one school to the detriment of surrounding schools through transfers and to the detriment of the natural school population and ability mix.
- f. The rule tends to create and maintain stability in that age group, i.e., it promotes team stability and teamwork expectation fulfillment.
- g. The rule is designed to discourage parents from "school shopping" for athletic purposes.
- h. The rule is consistent with educational philosophy of going to school for academics first and athletics second.
- i. It eliminates family financial status from becoming a factor on eligibility, thus making a uniform rule for all students across the state of Michigan (i.e., tuition and millage considerations).
- j. It tends to encourage competition between nonpublic and public schools, rather than discourage that competition.
- k. It tends to reduce friction or threat of students changing schools because of problems they may have created or because of their misconduct, etc.

Mio-AuSable and Fairview High Schools (Regulation I, Section 1[D]) – The Executive Committee approved the addition of baseball and girls softball to a cooperative program which already exists in other sports. The combined enrollment of 159 students will continue placement of one team in the Division 4 tournaments. Both schools sponsored baseball previously; Mio-AuSable sponsored girls softball. Mio-AuSable will be the primary school. Support from the North Star League was submitted.

Ovid-Elsie and Ashley High Schools (Regulation I, Section 1[E-1]) – The Executive Committee approved a cooperative program at the subvarsity level only in boys soccer between these two schools whose combined enrollment is 547 students. Ovid-Elsie sponsors varsity boys soccer and will be the primary school. Support from several future opponents was submitted.

Saginaw-Valley Lutheran and Saginaw-Nouvel Catholic Central High Schools (Regulation I, Section 1[D]) – The Executive Committee approved a cooperative program between these two schools in wrestling. The combined enrollment of 522 students will place one team in the Division 3 tournament. Both schools sponsored wrestling previously; Valley Lutheran will be the primary school. Support from the Tri Valley Conference was submitted.

Vassar, Caro, Frankenmuth, Mayville, Millington and Reese High Schools (Regulation I, Section 1[D]) – The Executive Committee approved the addition of Mayville and Reese to a girls gymnastics cooperative program that already exists between the other four schools. The combined enrollment will be 2,805 students. Vassar will continue as the primary school. Support from future opponents was submitted.

Plainwell High School (Regulation I, Section 7) – A request to waive the previous academic credit record regulation was made on behalf of an unaccompanied minor who is a refugee from the Congo and was placed with foster parents in Plainwell this spring. Records were unattainable due to the flight from the Congo. The student did take some courses in the refugee camp, and enrolled at Plainwell in May of 2017. The student will be entering Plainwell as a 9th-grader this fall but starting his fifth of eight allowed semesters since entering the 9th grade in 2015-16. The student will be ineligible by age at the end of the 2018-19 school year.

The Executive Committee approved the request for waiver.

Ann Arbor-Pioneer High School (Regulation I, Sections 7 & 9) – A request to waive the previous academic credit record and transfer regulations was made on behalf of an 11th-grade student who lived in the Ann Arbor-Huron attendance area with his mother and siblings; the father is in prison. The family lost their home and were living in a camper in a friend's driveway when a friend of the family, who lives in the Pioneer attendance area, took the family into her home – minus the mother whose whereabouts are unknown. For the first semester of 2016-17, the student attended Huron. Midway into the second semester, he enrolled in Pathways to Success, an Ann Arbor Public Schools alternative school. The student passed one course, has an incomplete in another, and completed one summer school course. The student is two classes short of 66 percent of full credit load potential for a full-time student at Pioneer. The school requested eligibility for subvarsity football.

The Executive Committee approved waiver of the transfer rule; the committee did not approve the request to waive the previous term academic rule.

Ann Arbor-Father Gabriel Richard High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (closest nonpublic school) was made on behalf of an 11th-grade student who previously attended Gibraltar-Carlson while living with his mother in Gibraltar. The student and mother changed residences to Canton but live closer to Plymouth Christian than Gabriel Richard. The student is Catholic, has a history of parish membership, and attended Catholic elementary school. Gabriel Richard is the closest Catholic high school to the new residence.

The Executive Committee approved the request for waiver.

Battle Creek-St. Philip Catholic Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who has been in treatment for mental health issues since March 2017, compounded by transferring from St. Philip to Battle Creek-Harper Creek in the fall of 2016. The student has attended Battle Creek Catholic schools his entire career and will be reenrolling at St. Philip to begin the 2017-18 school year.

The Executive Committee approved the request for waiver.

Big Rapids-Crossroads Charter Academy (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who has lived with his parents in Florida where the father is finishing his final year of military service. The mother has found employment in Michigan and the student and 4th-grade brother have moved to Big Rapids. The father will be completing his military service in April 2018 and will be joining the family in Big Rapids. The family has been released from a lease on a home in Florida from the military and the father has rented an apartment. The student played soccer while enrolled in school in Florida. Crossroads Charter is the closest charter school to the student's new home.

The Executive Committee approved the request for waiver.

Brighton High School (Regulation I, Section 9) – A request to waive the transfer regulation and the elements of a full and complete residential change was made on behalf of a 10th-grade student whose father's employment changed from Kansas to Lansing in April 2017. The family is building a new home in Brighton that will not be complete until mid-September and will be residing in a furnished apartment in Novi until their home is completed. The family closed on the home in Kansas on July 24, 2017, and have their belongings in storage. The student played sports in Kansas and would like to play JV football at Brighton.

The Executive Committee approved the request for waiver.

Burr Oak High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who has a history of living between households and attended 23 schools since Kindergarten. The student attended 9th grade at Union City. He attended Indianapolis-Irvington Preparatory Academy for the 10th grade and half of the 11th grade before entering Bronson High School in January 2017. The student completed the 11th grade at Bronson while living with the wife of his incarcerated father (stepmother). This did not work out, and in May 2017, the student moved into the home of a coworker who lives in the Burr Oak School District. The student has no legal guardian. His birth parents and extended family have been unable to provide care for the student. The Bronson guidance counselor has written in support of eligibility. The student will turn 18 on Sept. 2, 2017.

The Executive Committee approved the request to waive the transfer regulation in this instance but determined this student will not be able to use the 18-year-old exception to the transfer rule if he should transfer to another school.

Detroit-Loyola High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of two 10th-grade students who previously attended Detroit-Martin Luther King and Detroit-University Prep Science & Math and a 12th-grade student who previously attended Detroit-Mumford. All three students enrolled on the Monday following the fourth Friday of February, Feb. 27, 2017, because Loyola was on winter break and did not have classes the week of Feb. 20-24, 2017.

The Executive Committee did not approve immediate eligibility; the committee approved the request for waiver following the students' 90th scheduled school day of enrollment at Loyola High School.

Escanaba 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 Gladstone and enrolled at Escanaba on April 3, 2017 (first day of marking period). The student had experienced conflicts with the staff and the athletic director at his former school, causing him to change schools.

The Executive Committee did not approve the request for waiver.

Grand Rapids-Forest Hills Northern High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically interpretation 62 (public school of residence) was made on behalf of an 11th-grade student who has lived with her mother and two younger siblings and attended Goodrich Schools. The mother is remarrying in August 2017 and moving into the home of her new husband in the Forest Hills Central attendance area. The stepfather has three children (7th, 9th and 10th grades) who have attended Forest Hills Northern their entire careers. The student will be enrolling at Forest Hills Northern to begin the 2017-18 school year.

The Executive Committee approved the request for waiver.

Grand Rapids-South Christian High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade international student who has attended South Christian the past three years through an unapproved international student program – Partners in Learning. The student has practiced with the cross country team but not participated in varsity contests. The request was for eligibility at the varsity level.

The Executive Committee did not approve the request for waiver to allow the student to be eligible at the varsity level in any sport. Subvarsity eligibility continues by rule.

Grand Rapids-West Catholic High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who is reenrolling at West Catholic for the fall of 2017-18 for her seventh and eighth semesters of eligibility. The student began the 9th grade at West Catholic in 2014-15. The student transferred to Grand Rapids-Sacred Heart, repeating the 9th grade in 2015-16 and continuing attendance there through the 2016-17 school year. Sacred Heart does not offer athletics.

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 to permit eligibility in swimming & diving was made on behalf of a 10th-grade student who previously attended Grand Rapids-Kenowa Hills and participated as a 9th-grader in the swimming & diving cooperative program between these two schools. Support from the former school was submitted. The student will enroll at Grandville to begin the 2017-18 school year.

The Executive Committee approved the request for boys swimming & diving only during the first semester of the 2017-18 school year. The student is eligible for all sports on Jan. 15, 2018.

Hazel Park High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (public school of residence) was made on behalf of an 11th-grade student who attended Hazel Park for most of the 2016-17 school year before abruptly moving with his mother to Ohio on April 19, 2017. The student and mother lived in a friend's home in Ohio. In late June, the student and his mother relocated to the residence of the student's grandmother in the Warren-Fitzgerald School District. To begin the 2017-18 school year, the student will be reenrolling at his most recent former school in Michigan (Hazel Park) but not his school of residence. For the 9th grade in 2015-16, the student lived with his mother in Center Line and attended Center Line High School. To begin the 2016-17 school year, the student and mother moved to Warren and the student enrolled at Hazel Park where he participated in basketball after MLK Day, 2017. There was no athletic participation while the student was enrolled in Ohio.

The Executive Committee approved the request for waiver.

Howard City-Tri County High School (Regulation I, Section 9) – On March 23, 2017, the Executive Committee approved a request to waive the transfer regulation to permit eligibility on the 91st school day based on compelling circumstances, made on behalf of 10th- and 11th-grade siblings. The students attended Tri County Schools their entire career except for a six-week period from Feb. 6 to March 17, 2017 when the students enrolled at Newaygo for academic reasons. After the students enrolled at Newaygo, the students' single mother had her job transferred to Troy. The mother had to relocate to the Metro Area, at which time the students began residing with elderly grandparents who live in the Howard Tri-County School District. The students reenrolled at Tri County on March 20, 2017. At this time, the school requested that the students be eligible immediately for fall sports as the mother's job changed, causing a residential change and reenrollment at the former school.

The Executive Committee approved the request for waiver.

Hudsonville High School (Regulation I, Section 9) – On June 14, 2017, the Executive Committee did not approve a request to waive the transfer regulation made on behalf of a 10th-grade student who experienced social media harassment/bullying while a student at Grand Rapids-South Christian High School. The school resubmitted this request with additional information, including a Twitter posting which mentioned the student.

The Executive Committee did not approve the request for waiver.

Jenison High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who struggled socially and emotionally from middle school through the 9th grade while at Grandville. The student sought to participate on the Grandville varsity hockey team as a 9th-grader but was not accepted, and there is no JV team. The student's counselor and the Grandville principal have written in support of eligibility.

The Executive Committee approved the request for waiver.

Midland High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (public school of residence) was made on behalf of a 12th-grade student who attended Midland High School through the 10th grade before moving to Utah with his family to care for the student's grandmother who was ill. The student completed the 11th grade in Utah. The family is returning to Midland but unknowingly purchased a home in the H.H. Dow attendance area. The student was requesting eligibility at the former school but not the school of residence.

The Executive Committee approved the request for waiver.

North Adams-Jerome High School (Regulation I, Section 9[C]) – A request to waive the transfer regulation to permit eligibility in football was made on behalf of a 10th-grade student who previously attended Hillsdale-Will Carleton Academy and participated as a 9th-grader in the football cooperative program between these two schools. Support from the former school was submitted. The student will enroll at North Adams-Jerome to begin the 2017-18 school year.

The Executive Committee approved the request for football only during the first semester of the 2017-18 school year. The student is eligible for all sports on Jan. 15, 2018.

Olivet High School (Regulation I, Section 9) – A request was made on behalf of a 10th-grade student to waive the transfer regulation and permit a delayed use of an Educational Transfer Form. In April 2016, while in the 8th grade, the student moved from his divorced mother's home in Marshall into his father's home in Olivet and attended Marshall Schools through the 9th grade (2016-17 school year). The student remained at Marshall until his 12th-grade sister, who lived in Marshall with the birth mother, graduated from Marshall in June 2017. The sister picked the student up in Olivet and drove the student to Marshall because the father was unable due to a chronic illness. The birth mother has taken a new job in Kalamazoo and the 12th-grade sister graduated, so there is now a willingness on the part of the mother to allow the student to enroll at Olivet. The father has an illness that prevents him from transporting the student to school on some days. The request was to allow the student to catch up by completing an Educational Transfer Form to permit eligibility at Olivet to begin the 2017-18 school year. The student participated in athletics at Marshall.

The Executive Committee approved the request for waiver upon completion of the Educational Transfer Form by both schools and the MHSAA office.

Oscoda High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student whose grandmother took the student into her home in Oscoda. The student contacted his grandparents because of an abusive and neglectful home life with the mother and stepfather in Texas. The student's birth father is not in the student's life. The student enrolled at Oscoda on May 1, 2017.

The Executive Committee approved the request for waiver.

Ottawa Lake-Whiteford High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (public school of residence) was made on behalf of a 10th-grade student who is moving from his divorced mother in Ohio to the father's home in the Temperance-Bedford School District. The student attended Whiteford Schools from the 3rd through 8th grades before moving into his mother's home and attending the 9th grade in Ohio for the 2016-17 school year. The student participated in athletics in Ohio. An otherwise completed Educational Transfer Form is in process. The request was for eligibility at the former school district but not the school of residence.

Pending completion of the Educational Transfer Form by both schools and the MHSAA office, the Executive Committee approved the request for waiver.

Parma-Western High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose mental health issues caused the student to withdraw from Parma-Western in September 2016 and enroll for the remainder of the 2016-17 school year in the American School of Correspondence. The student has improved and would like to reenroll at his former school, Parma-Western, which has accepted his academic work through the correspondence school.

The Executive Committee approved the request for waiver.

Rochester Hills-Lutheran Northwest High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (closest nonpublic school) was made on behalf of a 12th-grade student whose family moved from Arizona to the West Bloomfield School District and will be enrolling at Lutheran Northwest to begin the 2017-18 school year. The student has attended online schools since middle school; Lutheran Northwest will be the first actual school building he will have attended. Lutheran Northwest is not the closest nonpublic school but is the closest Lutheran high school to the family's new residence. The family is a member of Cross of Christ Lutheran Church in Bloomfield Hills which is a contributing parish and feeder to Lutheran Northwest.

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:

Requesting High School	Grade	Former High School	Date of Enrollment	Length of Subvarsity Eligibility Status
Adrian-Lenawee Christian	10	Chelsea	Aug. 25, 2017	Jan. 15, 2018
Adrian-Lenawee Christian	10	Home School	Aug. 25, 2017	Jan. 15, 2018
Holland Christian	10	Grand Rapids-Lighthouse Academy	Aug. 22, 2017	Jan. 15, 2018
Pottersville	10	DeWitt	Sept. 5, 2017	Jan. 15, 2018

Brethren and Bear Lake Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in football between these two member middle schools. Brethren will be the primary school. Participation will be among 6th-, 7th- and 8th-grade students.

MHSAA Committees – The Executive Committee reviewed and approved membership on MHSAA committees that meet prior to Jan. 1, 2018.

Special Olympics of Michigan – The Executive Committee reviewed and approved a Letter of Understanding and Agreement between the MHSAA and Special Olympics of Michigan for the 2017-18 school year outlining ways the organizations will work together to promote SOMI Unified Champion Schools.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, Aug. 23, 2017, at 9 am in East Lansing; Wednesday, Sept. 6, 2017, at 9 am in East Lansing; Wednesday, Oct. 4, 2017, at 9 am in East Lansing; Wednesday, Nov. 1, 2017, at 9 am in East Lansing; and Thursday, Nov. 30, 2017, at 1:30 pm in East Lansing.