

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, December 5, 2013

Members Present:

Jim Derocher, Negaunee
Scott Grimes, Grand Haven
Vic Michaels, Detroit
Fred Smith, Buchanan
Alvin Ward, Detroit

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 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.

Bellaire High School (Regulation I, Section 1) – A request was made to waive Interpretation 11 to permit 8th-graders from Bellaire Middle School to practice basketball, but not play in games, with the high school teams at Bellaire High School.

The Executive Committee did not approve the request for waiver.

Ferndale and Ferndale-University High Schools (Regulation I, Section 1[E]) – A request to waive the 1,000-student enrollment cap was made to allow a cooperative program in football between these two schools of the same district whose combined enrollment in February 2013 was 1,241 students (Ferndale 784 students, University 457 students). Currently only Ferndale sponsors football, it has struggled to offer subvarsity teams and is the smallest of the 24 teams in the Oakland Activities Association. The current and previous athletic directors, head football coach and booster club president met with the Executive Committee.

The request for waiver was tabled and the staff was directed to seek additional information from the school district.

Livonia-Clarenceville High School (Regulation I, Section 1[A-1]) – A request was made on behalf of a 9th-grade student to waive the enrollment regulation that a student be enrolled in a high school prior to the fourth Friday after Labor Day for eligibility in the first or second term of the year. In early August, the student was the victim of a drive-by shooting. The recovery prevented the student from enrolling in school until Oct. 15, 2013. The student and his mother made a full and complete residential change into the Clarenceville district on Oct. 1, 2013 and the student was eligible insofar as the transfer regulation is concerned, but was not attending any school prior to the fourth Friday after Labor Day.

The Executive Committee approved the request for waiver.

Addison High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student whose family moved to Bangor when the father accepted employment in nearby Covert. The student participated in JV football at Bangor. The parents have separated and the student has moved back to Addison to live with his maternal grandmother, enrolling on Nov. 18, 2013. The mother has followed and now also resides at the same address. The father continues to reside in Bangor and work in Covert.

The Executive Committee did not approve the request for waiver.

Auburn Hills-Avondale 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 10th-grade student who previously attended Detroit-U of D Jesuit, withdrew on Oct. 17, 2013, and enrolled at Avondale on Oct. 22, 2013. The student has previously participated in athletics and has changed schools for financial reasons.

The Executive Committee did not approve the request for waiver.

Belding High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Belding High School for the 9th grade and Greenville-Grattan Academic High School for six school days (Sept. 6-10, 2013) before reenrolling at Belding on Sept. 11, 2013. The student wrestled for Belding in the 9th grade.

The Executive Committee approved the request for waiver.

Bellaire High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who enrolled at Bellaire High School on Oct. 28, 2013, when he began living with family friends in Bellaire because his father works and lives on an oil rig in Wyoming three weeks each month. The father and son will live together at the grandfather's home in Bellaire one week a month. The student attended Bellaire Schools in the 7th grade (2009-10) before moving to Wyoming where he lived with the father and the father's girlfriend in the girlfriend's home. They have recently separated, causing the return to Bellaire. The mother has no parental rights and is incarcerated.

The Executive Committee approved the request for waiver.

Concord High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose mother has been recently hired by the school district and resides with the student in Concord. The father remains in Saline due to his job. The student attended Saline High School for the 9th and 10th grades and Dundee High School for the first quarter of 2013-14 before enrolling at Concord on Nov. 25, 2013. The student has not wrestled since the 7th grade and is interested in wrestling for Concord.

The Executive Committee did not approve the request for waiver.

Dearborn Heights-Robichaud High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who was enrolled at Westland-John Glenn High School for ten school days from Oct. 25-Nov. 11, 2013, when he moved to the residence of his divorced father in Inkster (now the Wayne-Westland attendance area). The student previously attended John Glenn for the 9th and 10th grades and the beginning of the 2013-14 school year while living with his mother in the John Glenn attendance area. On Sept. 13, 2013, the student enrolled at Robichaud where he continued until Oct. 25, 2013, after moving to his father's home. The school requested that his original date of eligibility (Martin Luther King Day 2014) be permitted as he left Robichaud for a brief number of days before returning.

The Executive Committee approved the request for waiver of Interpretation 61, provided an Educational Transfer Form is completed, and effective Jan. 20, 2014 because of the student's three enrollment changes.

Durand High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Durand Schools most of his career except for five school days when the student enrolled at Byron High School (Oct. 2-8, 2013) due to a troubling personal relationship with another student at Durand. The student reenrolled at Durand on Oct. 8, 2013.

The Executive Committee approved the request for waiver.

East Lansing High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who did not attend school during the 2012-13 school year due to unspecified academic and health issues and was denied readmittance at his former school (Haslett High School) for 2013-14. The student enrolled at his school of residence (East Lansing High School) to begin the 2013-14 school year.

The Executive Committee did not approve the request for waiver.

Flushing High School (Regulation I, Section 9) – On Nov. 6, 2013, the Executive Committee did not approve a request to waive the transfer regulation on behalf of a 10th-grade student who attended Flushing Schools her entire career except for 13 school days (Sept. 3-19, 2013) when the student attended Flint-Powers Catholic where she did not participate in fall sports. The student reenrolled at Flushing on Sept. 23, 2013. The student has participated in basketball and soccer previously at Flushing. The school submitted a request for reconsideration, noting that the student's mother was a teacher and the student has a higher than usual sensitivity to student-teacher relationships and the student was in attendance at classes for 12 school days.

The Executive Committee approved the request for waiver.

Goodrich 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 an 11th-grade student whose father's job changed and who could not find housing for sale or rent in the Goodrich School District. The student previously attended Remus-Chippewa Hills High School before enrolling to begin the 2013-14 school year. The family is renting a townhome in the Grand Blanc School District.

The Executive Committee did not approve the request for waiver.

Grass Lake 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 10th-grade student who previously attended school in Idaho while residing with her family and has moved to the home of her aunt in Grass Lake. The student enrolled at Grass Lake on Oct. 1, 2013.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Grass Lake High School beginning Oct. 1, 2013.

Hart High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose family moved into the Hart School District in October 2012. The student attended West Michigan Christian from October 2012 until February 2013 when the student and his siblings enrolled at Shelby High School. To begin the 2013-14 school year, the student enrolled at Hart, his school of residence.

The Executive Committee did not approve the request for waiver.

Iron Mountain High School (Regulation I, Section 9[C]) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who participated in the skiing cooperative program between Iron Mountain, Norway and Kingsford High Schools during the previous season. The student previously attended Norway and enrolled at Iron Mountain to begin the 2013-14 school year. Support from Norway High School was submitted.

The Executive Committee approved the request for waiver for alpine skiing only until Jan. 20, 2014, at which time the student is eligible for all sports.

Jackson Christian High School (Regulation I, Section 9[B]) – A request to waive the transfer regulation to permit eligibility at the subvarsity level only was made on behalf of a 10th-grade student who previously attended Jackson-Vandercook Lake and participated in cross country and track & field but not basketball, which the student desires to play at Jackson Christian. The student enrolled at Jackson Christian on Aug. 26, 2013.

The Executive Committee did not approve the request for waiver.

Kentwood-East Kentwood 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 school in Tennessee while living with his parents and participated in non-school ice hockey. The student is living in the East Kentwood School District with a family which has legal guardianship. The student enrolled to begin the 2013-14 school year at East Kentwood and has never participated in ice hockey in Michigan.

The Executive Committee did not approve the request for waiver.

Lansing Catholic High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who attended St. Gerard Catholic grade school from elementary through the 8th grade before enrolling at Charlotte High School to begin the 2013-14 school year. After two school days, the student visited and then enrolled at Lansing Catholic High School on Friday, Sept. 6, 2013. The school requested immediate eligibility because the student previously attended Lansing Catholic's feeder school and is returning to a Catholic school after a brief number of days.

The Executive Committee approved the request for waiver.

Macomb-L'Anse Creuse North 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 parents are in the process of divorcing and who moved with his mother from Texas to the L'Anse Creuse High School attendance area. Prior to living in Texas, from elementary school through the 6th grade, the student attended the middle school which feeds L'Anse Creuse North High School. The student enrolled at L'Anse Creuse North on April 17, 2013. The student lived with his mother only in Texas from October 2012 to February 2013 before moving to Michigan.

The Executive Committee approved the request for waiver.

Muskegon High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose mother was incarcerated over the summer and whose father is not in the student's life. The family was split up and the student moved from the Muskegon Heights attendance area to the residence of an aunt in Muskegon, two blocks from Muskegon High School, while two brothers moved in with their biological father (not the student's father) and two other siblings moved in with their grandmother. The student previously attended Muskegon Heights Public School Academy and participated in athletics. The student enrolled to begin the 2013-14 school year and would participate in subvarsity athletics.

The Executive Committee approved the request for waiver.

Negaunee High School (Regulation I, Section 9[C]) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who previously attended Ishpeming. The student did not participate in the swimming & diving cooperative program between these two schools last year. The student attended Negaunee High School for grades 9-11 before enrolling at Ishpeming on Jan. 11, 2013. The student reenrolled at Negaunee on Sept. 16, 2013. Support from Ishpeming High School was submitted.

The Executive Committee did not approve the request for waiver.

Pentwater 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 Hart High School and enrolled at Pentwater on Nov. 19, 2013, due to safety concerns and the opportunity to develop new relationships in a fresh environment. The student has no history of athletic participation; Pentwater only sponsors varsity basketball. Hart has written in support of the change of schools.

The Executive Committee did not approve the request for waiver.

Port Huron Northern High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose mother will be out of state for training with the US Custom and Border Protection Services from Feb. 24-May 5, 2014. Because the student will be unsupervised during this time, he is now living with a Godparent in the Port Huron Northern attendance area and changed schools. The student previously attended Port Huron High School and enrolled at Port Huron Northern on Nov. 15, 2013.

The Executive Committee did not approve the request for waiver.

Remus-Chippewa Hills High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who has returned to the home of his grandparents in Remus after residing with a family friend in Grand Rapids and attending Comstock Park High School. The student attended Chippewa Hills for the 9th and 10th grades while living with his grandparents, returned to the same residence and reenrolled at Chippewa Hills on Dec. 2, 2013, when the family friend declined to continue caring for the student. The divorced father lives part-time with the grandparents. The student's primary caregivers since 8th grade are the grandparents.

The Executive Committee approved the request for waiver.

Republic-Michigamme High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Republic-Michigamme for most of his career except for eight school days when, at the direction of his father, the student attended Ishpeming-Westwood High School (Sept. 3-12, 2013) and did not participate in athletics. The student reenrolled at Republic-Michigamme on Sept. 13, 2013.

The Executive Committee approved the request for waiver.

St. Joseph 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 started the 2013-14 school year with St. Joseph, participated in football, became overwhelmed with the high school experience and enrolled in the Berrien Springs Virtual Academy on Oct. 1, 2013. The student reenrolled at St. Joseph High School on Oct 22. The student is a resident of St. Joseph and attended school there his entire career except for 15 days in the fall of 2013.

The Executive Committee did not approve the request for waiver.

St. Joseph High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretations 64 and 76 (full and complete residential change) was made on behalf of an 11th-grade student whose father's employment caused a relocation to St. Joseph. The student's mother remains in Wisconsin in order to finish her college degree. The father and student reside in a new home the family has built in St. Joseph. The family sold its home in Wisconsin. The mother and a 10 year old daughter reside in an apartment in Wisconsin with a one-year lease and will rejoin the father and student in the summer of 2014.

The Executive Committee approved the request for waiver.

Shelby High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose family recently moved into the Hart School District and enrolled at Shelby High School to begin the 2013-14 school year. The student has no prior participation in sports, but Shelby High School will not sponsor subvarsity cheerleading.

The Executive Committee did not approve the request for waiver for immediate eligibility. Waiver was approved at the subvarsity level if an opportunity at that level should occur.

Sterling Heights-Parkway Christian High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Parkway Christian Schools from the 6th through 10th grades before enrolling at Utica Eisenhower to begin the 2013-14 school year. Two siblings remained at Parkway Christian. The student missed his former school and he reenrolled at Parkway Christian on Nov. 11, 2013, when the first trimester at Eisenhower concluded.

The Executive Committee did not approve the request for waiver.

Sturgis High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of 10th- and 12th-grade sisters who moved with their mother and 9th-grade brother from Mexico to an uncle's residence in Sturgis. The father remains in Mexico in order to be eligible for his pension in three years. The students have participated in athletics previously and enrolled to begin the 2013-14 school year.

The Executive Committee did not approve the request for waiver.

Three Rivers High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who enrolled at Three Rivers on Nov. 4, 2013, when her father's job changed and he became employed by Three Rivers Public Schools. The student had participated in athletics previously at Berrien Springs High School where her father was employed from 2004 through October 2013. The student's 4th-grade brother has also enrolled in the Three Rivers Schools.

The Executive Committee did not approve 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
Birmingham-Seaholm	9	Niles	Oct. 29, 2013	Remainder of 13-14 school year
Canton-Salem	10	Ann Arbor-Wash-tenaw Intermediate	Sept. 3, 2013	Jan. 20, 2014
Fairgrove—Akron-Fairgrove	9	Unionville-Sebewaing Area	Nov. 5, 2013	Remainder of 13-14 school year
Flushing	9	Flint-Powers Catholic	Nov. 4, 2013	Remainder of 13-14 school year
Grand Rapids-West Michigan Aviation	10	Kentwood-Grand River Prep	Sept. 3, 2013	Jan. 20, 2014

Requesting High School	Grade	Former High School	Date of Enrollment	Length of Subvarsity Eligibility Status
Grand Rapids-West Michigan Aviation	9	Home Schooled	Nov. 21, 2013	Remainder of 13-14 school year
Hamtramck	10	Detroit-Davis Aerospace	Sept. 3, 2013	Jan. 20, 2014
Hillsdale	9	Reading	Nov. 11, 2013	Remainder of 13-14 school year
Lake Linden-Hubbell	10	Calumet	Sept. 3, 2013	Jan. 20, 2014
Livonia-Clarenceville	9	Detroit-Cody	Oct. 22, 2013	Remainder of 13-14 school year
Owendale-Gagetown	9	Elkton-Pigeon-Bay Port	Oct. 22, 2013	Remainder of 13-14 school year
Redford-Union	9	Livonia-Churchill	Oct. 25, 2103	Remainder of 13-14 school year
Whitehall	9	Battle Creek-Harper Creek	Dec. 2, 2013	Reminder of 13-14 school year
Wixom-St. Catherine of Siena	9	Brighton	Nov. 5, 2013	Remainder of 13-14 school year

Regulation III, Section 1(C) – Pursuant to 2013-14 *Handbook* Interpretation 262, the Executive Committee approved waiver of the enrollment regulation for the following junior high/middle schools to permit 6th-grade students to participate with and against 7th- and/or 8th-graders for the sports listed in the 2013-14 school year only (unless otherwise indicated below).

Junior High/ Middle School	Sport(s)	High School Enrollment	Middle School Enrollment
North Adams-Jerome	boys & girls basketball, boys & girls track & field	130	26 7th graders 35 8th graders

Dryden High School (Regulation V, Section 3[A]) – On Nov. 6, 2013, the Executive Committee tabled a matter pending additional information involving a boys soccer coach removing his team from competition with 19 minutes remaining in the District Final boys soccer game versus New Haven at Memphis on Oct. 18, 2013. The Officials Report, school's response and subsequent actions by the school and athletic director were presented for Executive Committee review.

The Executive Committee accepted the school's actions and will not require an appearance of the coach and administration at this time.

New Member School – 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 school:

Detroit Public Safety Academy High School is a charter school with a current 9th- and 10th-grade class located in the facilities of the former Detroit Consortium on Rosa Parks Blvd. in Detroit. The school has a focus on careers in law enforcement, fire and emergency medical services, is chartered through Eastern Michigan University and is operated by the Leona Group which operates many other member schools. There is no middle school. Presently, there are 57 students enrolled in the high school, which will add additional grades each year (11th grade in 2014-15). The facility has a regulation gymnasium with limited seating and no outdoor courts or fields for competition. The school currently sponsors boys and girls basketball and has a schedule for 2013-14. The school hopes to sponsor track & field this spring and is seeking a school to partner in a football cooperative program. A signed 2013-14 Membership Resolution and Preliminary Enrollment Declaration was received Oct. 23, 2013, after the deadline for active membership in the current school year. The Athletic Department Code of Conduct has been submitted and updated to include progressive discipline for the use of pre-forming enhancing drugs. If a 2014-15 Membership Resolution is received prior to Sept. 26, 2014, and all other regulations are followed, the school will serve its non-tournament year in 2014-15. If a completed Membership Resolution is received by Oct. 2, 2015, and all other regulations are followed, the school will be eligible for MHSAA tournaments beginning with the 2015-16 school year.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, Jan. 8, at 1:30 p.m. in East Lansing (Classification Committee in a.m.); Wednesday, Feb. 19, at 8:30 a.m. in East Lansing (Audit & Finance Committee follows); Thursday, March 20, at 8:30 a.m. in East Lansing (Representative Council following day); Wednesday, April 23, at 8:30 a.m. in East Lansing (Audit & Finance Committee follows); Sunday, May 4, at 10 a.m. in Gaylord (Representative Council in p.m.); and Wednesday, June 11, at 9 a.m. in East Lansing.