

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, February 24, 2010

Members Present:

Jim Derocher, Negaunee
Scott Grimes, Grand Haven
Vic Michaels, Detroit
Rudy Godefroidt, Hemlock
Chip Hansen, East Jordan

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.

Detroit Public Schools (Regulation I, Section 3) – A request was made to extend the window for physical exams to 11 days earlier than April 15, 2010, so that physicals given to students during the week of April 5-9, 2010 at a health fair conducted by the Detroit Wayne County Health Authority will serve to fulfill the physical exam requirement for the 2010-11 school year. The Authority and other health care partners will provide physical exams to students in the Detroit Public Schools at no cost during this program which runs during the Spring Break of the Detroit Public Schools.

The Executive Committee approved the request for waiver to permit eligibility under this Section for all students of the Detroit Public Schools whose physical examinations are administered on or after April 5, 2010. This consideration is for the 2010-11 school year only because of the special arrangements being made for the Detroit Public Schools during its 2010 Spring Break.

Temperance-Bedford High School (Regulation I, Section 7) – A request to waive the previous academic credit record portions of the eligibility regulation was made on behalf of an 11th-grade student who was diagnosed with Postural Orthostatic Tachycardia Syndrome (POTS) in the late spring of 2009 and who was a homebound student for the 10th grade. The student returned to school on a reduced schedule of two classes in the first trimester and three in the second (current) trimester, which is one class short of 66 percent of full credit load potential for a full-time student at Bedford High School (four of five classes). It is anticipated the student will take four classes in the third trimester, which begins before the girls soccer season.

The Executive Committee approved the request for waiver provided the student passes all three courses in which she is enrolled during the second trimester of the current school year.

Bangor High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Bangor High School his entire career except for seven school days from Feb 1-9, 2010, when the student was enrolled at South Haven High School. The student reenrolled at Bangor on Feb. 12, 2010.

The Executive Committee approved 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 lived with her parents in Tennessee for the 9th grade and the start of 10th grade. When the mother died in 2009, the student was sent to the home of an aunt and uncle in Big Rapids because the father was unable to care for the student, who is in counseling. The student enrolled at Big Rapids High School on Nov. 16, 2009, and participated in athletics in Tennessee.

The Executive Committee approved the request for waiver.

Bloomington High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation was made to permit eligibility on the 91st school day of enrollment on behalf of an 11th-grade student who attended Bloomington Schools since the fourth grade except for the beginning of the 2009-10 school year when the student enrolled at Gobles High School due to family and boyfriend problems. The student reenrolled at Bloomington High School on Oct. 19, 2009.

The Executive Committee did not approve the request for waiver.

Commerce-Walled Lake Northern 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 Waterford Kettering High School and was the victim of domestic violence/assault and battery on Dec. 5, 2009. A Personal Protection Order was violated both in school and via text messages. The student became distraught over the matter and changed schools for a safer environment.

The Executive Committee approved the request for waiver.

Elk Rapids High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student, originally from Florida, who attended Elk Rapids High School for the 9th and 10th grades. The student's parents are divorced and the father has a history of violence and threats which include a warrant recently issued by the FBI on the father. Over the summer of 2009, the mother and two siblings moved to South Carolina and the student to Florida to live with grandparents. On Nov. 9, 2009, the student reenrolled at Elk Rapids and has been residing with a family in Elk Rapids.

The Executive Committee did not approve the request for waiver.

Fairview High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who lived with his father and attended Fairview Schools for the 7th and 8th grades until his father was sent to prison. The student finished the 8th grade while living with an uncle and then moved to Tennessee to live with his mother where he attended school for the first semester of the 2009-10 school year and participated in cross country. The student's mother lost her job in Tennessee and asked the uncle to again care for the student. The student reenrolled at Fairview High School to begin the second semester of the 2009-10 school year and is again living with his uncle in Fairview.

The Executive Committee approved the request for waiver.

Flint Southwestern High School (Regulation I, Section 9) – A request was made on behalf of an 11th-grade student to waive the transfer regulation and specifically Interpretation 58c which indicates that a student who changes residences and attends a district-wide (no boundary) school of a multi-high school district is not immediately eligible. Flint Southwestern is a district-wide school which the student had attended for the 9th and 10th grades before moving to Texas to live with her mother for the first semester of the 2009-10 school year. The student has returned to the residence of her father and reenrolled on Feb. 1, 2010 to begin the second semester at the same school she attended previously. An otherwise completed Educational Transfer Form and birth certificate were submitted under Interpretation 86 as the parents never married.

The Executive Committee approved the request for waiver.

Fraser High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who previously attended Fraser High School except for eight school days from Jan. 25 – Feb. 4, 2010, when the student was enrolled at Clinton Township-Chippewa Valley High School.

The Executive Committee approved the request for waiver.

Norton Shores-Mona Shores High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of 9th- and 10th-grade students who are cousins and who attended Muskegon Catholic Central High School for six and seven days, respectively, between Jan. 11 and Jan. 26, 2010, before reenrolling at Mona Shores High School on Jan. 28, 2010. The students previously attended Mona Shores Public Schools their entire career.

The Executive Committee approved the requests for waiver.

Perry 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 Carrollton High School while living with his parents. The student has moved to the residence of his grandmother in Perry, enrolling on Feb. 2, 2010, due to negative changes in his previous academic performance and problems with poor choices and the student's peer group.

The Executive Committee did not approve the request for waiver.

Pontiac-Notre Dame Preparatory High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose parents never married. The parents have not lived together and the student has not lived with the father since 1994. The student previously lived with his mother in Ohio and attended St. Ignatius Catholic High School. The student's mother died in November 2009. The student continued to attend St. Ignatius and moved in with his Godparents until winter break when the student moved to the residence of an aunt and uncle where Notre Dame Preparatory is the closest Catholic high school. The student enrolled on Jan. 5, 2010.

The Executive Committee approved the request for waiver.

Portage Central High School (Regulation I, Section 9[F]) – A request was made to waive the portion of the transfer regulation which requires a transfer student to be enrolled prior to Feb. 1 so as to be eligible for winter MHSAA tournaments. The student made a full and complete residential change from Iowa to the Portage Central School District and registered to enroll on Jan. 22, 2010. The student did not actually attend a class until Feb. 1, 2010, because Portage Central was in exam week or closed for records day. The student is presently swimming for Portage Central.

The Executive Committee approved the request for waiver.

Redford Union High School Regulation I, Section 9[D]) – A request was made on behalf of a 10th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Ann Arbor-Pioneer High School and moved with his father and stepmother to Redford before enrolling at Redford Union High School on Oct. 7, 2009. The student was not immediately eligible because the former residence is occupied by other family members.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment starting Oct. 7, 2009.

Royal Oak High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who has been in the Royal Oak Schools her entire career except for the first semester of the 2009-10 school year when the student attended Waterford Mott High School and participated in JV volleyball contests while ineligible due to an error on the school's part. The student's mother died in April 2009 and the student moved in with her grandmother and finished the 2008-09 school year at Royal Oak. When the grandmother moved to Clarkston and could no longer care for the student, the student moved to an uncle's home in Waterford to begin the 10th grade. With no parents in her life, the student has moved again and become the guardian of her great aunt who lives in Royal Oak. The student reenrolled at Royal Oak High School on Feb. 1, 2010. The student's father has not been in the student's life. The student has not participated in athletics at either school since November 2009 and would like to play softball at Royal Oak High School.

The Executive Committee approved the request for waiver effective May 1, 2010.

Saranac High School (Regulation I, Section 9[D]) – A request was made on behalf of a 10th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Ionia High School and participated in athletics before enrolling at Saranac High School for academic and mental health reasons on Dec. 2, 2009.

The Executive Committee took note of the stated concerns for athletics and academics at the previous school, as well as the specific language of Interpretation 93 which does not permit such concerns to be a factor in approving waiver under this Section; and the request for waiver was not approved.

Shepherd High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Shepherd Schools her entire career except for one day, Jan. 4, 2010, when the student attended school in Oklahoma. The day before Christmas break, the student's entire family moved to Oklahoma. While there, the parents told the student she must move back to Michigan, unaccompanied by the parents. The student resides with a family in Shepherd and reenrolled at Shepherd on Jan. 7, 2010.

The Executive Committee approved the request for waiver.

Troy-Athens High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who completed the 9th grade at Troy-Athens High School and participated in athletics. Due to domestic difficulty, the student and mother changed residences to the Troy High School attendance area. The mother was unaware that the student could have remained enrolled at Athens, and the student enrolled at Troy High School for the first semester of the 2009-10 school year and did not participate in athletics. The student reenrolled at Troy-Athens High School on Feb. 1, 2010. The student has psychological issues and has been in therapy since May 2009.

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
Farmington Hills- Mercy	9	Birmingham-Seaholm	Jan. 25, 2010	Remainder of 2009-10 school year
Grand Rapids Christian	9	Grand Rapids-NorthPointe Chr.	Feb. 1, 2010	Remainder of 2009-10 school year
Oxford	10	Lapeer East	Jan. 12, 2010	Remainder of 2009-10 school year.
Saginaw-Arthur Hill	9	Saginaw Arts & Sciences	Jan. 25, 2010	Remainder of 2009-10 school year.

Ironwood-L. L. Wright High School (Regulation II, Section 11[F]) – A request was made to play the first boys basketball game of the 2010-11 season on Thursday, Dec, 2, 2010. The first allowed game by rule is Monday, Dec 6, 2010. To save travel and expenses, the school is joining a conference with all Wisconsin schools whose conference games start earlier than MHSAA member schools.

The Executive Committee did not approve the request for waiver.

Walled Lake Central High School (Regulation II, Section 15[A]) – A request was made to allow an 11th-grade Division 1 former club gymnast to compete in Division 2. The student participated as a level 9 USAG gymnast prior to participation for the school as a 9th grader in November 2008. The student last competed in February 2008, having sustained a stress fracture to her back which removed her from the sport and physical activity. The student has not been participating the past nine months, has gained 30 pounds and lost skill, strength and conditioning. A criterion for consideration of such requests and a history of previous cases were provided.

The Executive Committee did not approve the request.

Regulation III, Section 1(C) – Pursuant to Interpretation 249, the Executive Committee approved the following junior high/middle school request for waiver of the enrollment regulation to permit 6th-grade students to participate with and against 7th and/or 8th graders for the sports listed in the 2010-11 school year only:

Junior High/ Middle School	Sport(s)	High School Enrollment	Middle School Enrollment
Engadine	boys & girls basketball, boys & girls track & field, girls volleyball	80 (2009-10) 82 (2010-11)	14 7 th graders 23 8 th graders

Saginaw-Arthur Hill High School (Regulation V, Section 4) – A request was made to waive the requirement of forfeiture for playing an ineligible 12th-grade student in seven basketball games from Dec. 11, 2009 through Jan. 5, 2010. The student previously attended Saginaw High School and moved from the residence of his mother to the residence of his father in the Arthur Hill attendance area. The parents never married. An Educational Transfer Form was submitted to the MHSAA with a birth certificate, as allowed under Interpretation 86, and returned to the school by fax on Jan. 12, 2010. On Jan. 13, 2010, it was learned that the student had participated prior to the form being submitted, after which MSHAA staff informed the school by phone that the student was not eligible, the school would have to forfeit the contests the student participated in and the student may be ineligible for the same number of contests once the student became eligible (Interpretation 280). The student was withheld from eight games between Jan. 9 and Feb. 6, 2010, participating in a game on Feb. 13, 2010.

Sonja Dudley, Athletic Director, Mark Frost, Assistant Principal, and Greg McMath, Head Basketball Coach, attended the meeting.

The request to waive the forfeiture requirement was not approved.

Additional Items Related to Earthquake in Haiti – Two requests were submitted, along with policies and procedures used for students who were victims of Hurricane Katrina in 2005.

Mt. Pleasant-Sacred Heart Academy (Regulation I, Sections 7 & 9) – A request to waive the previous academic credit record and transfer regulations was made on behalf of an 11th- or 12th-grade student whose school in Port Au Prince, Haiti was destroyed by an earthquake. The student and an 8th grade brother have moved to the residence of a family in Mt. Pleasant. The school has one classroom operating. Incomplete school records were provided.

The Executive Committee approved the request for waiver of Sections 7 and 9 but requested that staff seek additional information to clarify if the student has eligibility beyond the 2009-10 school year.

Mt. Pleasant-Sacred Heart Academy (Regulation III, Section 7) – A request to waive the previous academic credit record regulation was made on behalf of an 8th-grade student whose school in Port Au Prince, Haiti was destroyed by an earthquake. The student and an 11th grade brother have moved to the residence of a family in Mt. Pleasant. The school has one classroom operating. Partial school records were submitted.

The Executive Committee approved the request for waiver.

Regulation I, Sections 7 & 8 – The Executive Committee discussed the eligibility of students who do not receive credit toward graduation, as under Interpretation 44 for many students, including Cognitively Impaired (CI) students who may be in a special education program at the Intermediate School District and certified by an IEPT, as under Interpretations 43 and 57. These special education students, and other students, receive credit but not toward graduation and are awarded a Certificate of Completion, not a diploma. The more difficult Michigan Merit Curriculum has brought about this approach for these students in some schools.

The Executive Committee will propose to the Representative Council that Interpretation 44 be revised for the 2010-11 *Handbook* to reference “credit toward graduation and/or a certificate of completion.” Staff should consider this the appropriate interpretation at this time.

Upper Peninsula Division 4 Baseball and Softball District – Because of the vast distance between groups of schools from the east and west ends of the Upper Peninsula, and at the request of schools in this District, staff prepared a proposal which involves geographic pairings in softball and allows games to be played on Friday, June 4, 2010, so that students may also participate in other UP sports tournaments that week and Saturday.

The Executive Committee approved the proposal for the 2010 tournaments.

Representative Council – The Executive Committee reviewed a draft of the March 26, 2010 Representative Council meeting agenda.

Next Meetings – The next meetings of the Executive Committee are scheduled for Thursday, March 25, 2010, at 8:30 a.m. in East Lansing (with the Representative Council meeting the following morning); Wednesday, April 21, 2010, at 8:30 a.m. in East Lansing (with the Audit and Finance Committee meeting to follow); Sunday, May 2, 2010, at 9 a.m. in Gaylord (with the Representative Council meeting at 1 p.m.); and Wednesday, June 16, 2010, at 9 a.m. in East Lansing.