

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, June 10, 2009

Members Present:

Jim Derocher, Negaunee
Scott Grimes, Grand Haven
Vic Michaels, Detroit
Rudy Godefroidt, Hemlock
Kris Isom, Adrian

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.

Grandville-Calvin Christian and Wyoming-Kelloggsville High Schools (Regulation I, Section 1[F])

– The Executive Committee approved a cooperative program between these two schools in girls swimming & diving. The combined 2009-10 enrollment of 998 students will place the team in the Division 3 tournament. Both schools sponsored the sport previously; Calvin Christian will be the primary school. Kelloggsville was previously in an agreement with Wyoming-Godwin Heights, Rogers and Wyoming Park High Schools which has been dissolved. Support from the OK Conference was received.

Mason, Charlotte, Eaton Rapids, Lansing Catholic, Lansing Christian, Potterville and Webberville High Schools Regulation I, Section 1[F])

– A request to waive the 3,500-student limit for a cooperative program was made on behalf of two Eaton Rapids students who would be excluded from participation in a merger of ice hockey cooperative programs between these schools in process for the 2009-10 school year. Lansing Catholic and Lansing Christian High Schools have dissolved their agreement with the intention to join in an agreement with Mason, Charlotte, Potterville and Webberville High Schools which previously included Eaton Rapids. The request was to allow two 12th-grade students from Eaton Rapids to be grandfathered into the agreement for the 2009-10 school year. It was determined that excluding Eaton Rapids and including the two Lansing Schools would provide enough students to sponsor a team.

The Executive Committee expressed concerns that a cooperative program of so many schools and so few students from any school lacks the essential characteristics of school-sponsored sports; and after successfully steering so many existing programs to comply with the 3,500-student limit, the Executive Committee was reluctant to approve a waiver that would exceed the limit that was established by the Council and not waived by the Council when requested to do so previously. The request for waiver was not approved.

Midland-Bullock Creek and Sanford-Meridian High Schools (Regulation I, Section 1[F])

– The Executive Committee tabled until not later than Aug. 11, 2009 an application for a cooperative program in ice hockey between these two schools because support from a sufficient number of future opponents had not been received. The schools have not sponsored the sport previously, and the combined enrollment of 1,078 students would place a new team in the Division 3 tournament.

Rochester Hills-Rochester and Rochester-Adams High Schools – On May 2, 2009, the Executive Committee reviewed the renewal form for this ice hockey cooperative program. The Executive Committee expressed concern over the large number of students cut and requested additional information prior to approval being granted. The schools' response and the original renewal form were submitted for review.

The Executive Committee accepted the school's explanation and approved the renewal.

Romulus-Summit Academy North and Flat Rock High Schools (Regulation I, Section 1[F])

– The Executive Committee approved a cooperative program in ice hockey between these two schools whose combined enrollment of 1,079 students will place a new team in the Division 3 tournament. Both schools have sponsored the sport previously in other cooperative agreements which have since dissolved. Summit Academy will be the primary school. Support from the Huron League was received.

Troy and Troy-Athens High Schools (Regulation I, Section 1[F])

– A request was made to allow these two schools of the same district to form a cooperative program in girls gymnastics in excess of the 3,500-student limit for the 2009-10 school year only. With three gymnasts returning from Athens and eight at Troy High School, the district is contemplating forming an agreement with a school outside of the district rather than Troy High School and prefers to form with a school of the same district. After the 2009-10 season, the district will either sponsor two stand-alone teams, enter into cooperative agreements under 3,500 students or drop gymnastics at Athens High School. The combined enrollment is 4,105 students; Troy has 2,181 students and Athens has 1,924 students.

Citing the history of other schools' compliance with the 3,500-student limit in gymnastics and all other sports and noting *Handbook* provisions which allow schools with separate teams to share resources, the Executive Committee did not approve the request for waiver.

Williamston and Lansing Christian High Schools (Regulation I, Section 1[F]) – The Executive Committee approved a cooperative program in boys and girls swimming & diving between these two schools whose combined enrollment of 861 students will continue placement of teams in the Division 3 tournaments. Williamston sponsored the sports previously and will be the primary school. Support from the Capital Area Activities Conference was submitted.

Cooperative Program Renewals (Regulation I, Section 1[F]) –

- a. Pursuant to instructions revised by the Representative Council in December 2006, the MHSAA staff identified Cooperative Team Renewal Forms that required Executive Committee review, including those involving Class A or B schools or three or more schools of any size which indicate large numbers of students trying out or being cut, or a significant win/loss record. All agreements include conference approvals. The Executive Committee approved the following renewals:
 - South Lyon and South Lyon East in boys and girls lacrosse and ice hockey.
- b. Pursuant to instructions of the Representative Council in 1997, the Executive Committee must review Cooperative Team Renewal Forms for cooperative agreements in boys bowling, girls bowling, girls golf and girls competitive cheer where the combined enrollment exceeds the maximum for Class B. The Executive Committee approved the following renewal form:
 - Battle Creek-Central and Battle Creek-Pennfield in girls golf.

Adrian High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Adrian-Lenawee Christian High School for the 9th grade and enrolled at Adrian High School on March 3, 2009 because the student continued to struggle with problems which surfaced at the end of the 8th grade and which had a negative influence on the student's educational performance. The student has an IEP from April 2009. Lenawee Christian does not offer special education services.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Adrian High School starting March 3, 2009.

Armada 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 Rochester Hills-Lutheran Northwest High School, participated in athletics and intends to enroll at Armada High School because tuition can no longer be afforded. The student would participate at the subvarsity level.

The Executive Committee did not approve the request for waiver.

Battle Creek-St. Philip Catholic Central 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 12th-grade student who previously attended Athens High School and enrolled at St. Phillip on March 30, 2009 for academic and personal reasons.

The Executive Committee did not approve the request for waiver.

Fenton 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 Livonia-Stevenson High School while living with her mother and had difficulty with housing and transportation to school, as well as a lack of supervision. The student's father was not an option. The student has moved in with a cousin and the cousin's spouse in Fenton, enrolling May 6, 2009.

The Executive Committee did not approve the request for waiver.

Flint Community Schools (Regulation I, Section 9) – A request was made to waive the transfer regulation and 2009-10 Interpretation 84 on behalf of students who previously attended Flint-Central High School, which is closing at the end of the 2008-09 school year, and who wish to attend Flint Southwestern High School which is an application-only school without boundaries. The request was only for the first semester of the 2009-10 school year. The school district is both closing Flint-Central and redrawing the boundaries for former Central High School students to now include Flint-Northern and Northwestern High Schools.

In September 2008, the Executive Committee allowed students to be immediately eligible at other schools when Flint Southwestern did not allow students to reenroll there due to changes in enrollment criteria. In December 2008, students from Holmes Gender Based Academy were considered eligible immediately under Exception 6 when that school ceased to operate. In either case, there were not changes to school geographical boundaries; and in both cases, students were eligible at any school in Michigan that would accept them. In the current case, the school district requested eligibility for students at Southwestern, Northern or Northwestern, but not outside the school district as well.

The Executive Committee noted that MHSAA staff has provided the school district with interpretations that are consistent with the Representative Council's review of policies in May of 2007, and with the treatment of other school districts before and since that review, as well as with the Council's additional interpretation adopted for the 2009-10 *Handbook*. The school district has the option under the established rules to adopt policies that allow students of the closed school to be immediately eligible at Northern and Northwestern High Schools only, or also at Southwestern Academy in which case they would be eligible at any other high school in other school districts which accept them.

The Executive Committee did not approve the request for waiver. If the school district decides that students from Central will be eligible immediately at Southwestern, then the applicable MHSAA rule is that those students would be immediately eligible at the start of the 2009-10 school year at any other school which accepts them.

Fowlerville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who lived with his divorced father and attended Fowlerville High School for the 9th grade and first half of 10th grade. In January 2009, the student moved with his mother to Howell because of behaviors of his father. The mother was unable to transport the student to Fowlerville at that time. The student has reenrolled at Fowlerville High School to begin the 2009-10 school year, living with the mother in Howell and now able to drive to Fowlerville High School.

Based on the documentation submitted, the Executive Committee did not approve the request for waiver.

Manistee High School (Regulation I, Section 9[D]) – A request was made on behalf of an 11th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Casman Alternative Education Academy and resides in the Brethren School District. Interpretation 47 does not apply as Manistee is not the student's base/original school. The student enrolled at Manistee on March 18, 2009.

The Executive Committee did not approve the request for waiver.

Port Hope High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who attended Port Hope for the 9th grade while living with his grandmother in Port Hope. The student moved to another school district, lived with his mother and was home schooled for the 10th and 11th grades. To begin the 12th-grade in the fall of 2009-10, the student will be moving back into the residence of his grandmother and reenrolling at Port Hope High School, eligible in part under 2008-09 Interpretation 75 (Exception 6 – home school ceases to operate). Interpretation 62 (2008-09 *Handbook*), which allows eligibility at any school when a school ceases to operate, is not applicable to students who change their residence. The student is reenrolling at the former school as a result of the home school ceasing to operate.

The Executive Committee approved the request for waiver.

Saline 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 Ann Arbor-Greenhills High School, participated in athletics, and is enrolling at Saline High School for academic and emotional reasons to begin the 2009-10 school year. The student attended Saline Schools prior to the 9th grade and has struggled emotionally since his mother's death in the summer of 2008.

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 only for the following transferring 9th- or 10th-grade student (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
West Bloomfield	10	Walled Lake Western	September 2009	Jan. 18, 2010

Okemos High School (Regulation I, Section 13[B]) – A request to waive the Limited Team Membership regulation was made on behalf of an incoming 12th-grade student to permit participation in the Under Armour All-American Girls Lacrosse Games. The event is open to any student and has eight national regions represented. The student wishes to participate with the team from the Midwest named the Elite team, as well as teams from other parts of the country which are called all-star teams.

Section 13(B) states the following: “After once representing any MHSAA member school in competition in any MHSAA tournament sport, a student shall not compete at any time in any MHSAA tournament sport in any of the following events: (1) Any event which is or purports to be an ‘All-Star’ contest, regardless of the method of selection.” Interpretation 144 (2008-09 *Handbook*) states that an “all-star” contest is one which is called “All-Star” and/or in which there is participation by one or more “all-star” teams.

Noting the consistent application of the rule in other sports and to other students in lacrosse, the Executive Committee did not approve the request for waiver.

Grosse Pointe North High School (Regulation II, Section 11[H]) – Pursuant to 2008-09 *Handbook* Interpretation 221, a request to waive the three-player rule for the 2009-10 school year was made on behalf of the boys and girls swimming & diving coach who is a retired teacher employed full time by the Pointe Aquatics Club which involves 81 participants, 63 who are below the 6th grade. Thirteen of 19 7-12 grade students do not attend Grosse Pointe Public Schools. The request was granted previously for this coach in the 2006-07, 2007-08 and 2008-09 school years.

The Executive Committee approved the request for wavier for this coach of boys and girls swimming & diving in 2009-10.

Hartland High School (Regulation II, Section 11[H]) – Pursuant to 2008-09 *Handbook* Interpretation 221, a request to waive the three-player rule for the 2009-10 school year was made on behalf of the girls swimming & diving coach who is employed full time by the Hurricanes Swim Club and by the Hartland Community Education program as the head water safety instructor and lesson coordinator. It is anticipated that there will be 100-125 participants ages 5-18. In years past, participants have come from six different school districts including Hartland, Brighton, Linden, Milford, Howell and Fenton. It is estimated that 15-20 students from Hartland Public Schools grades 7-12 will participate. The request was granted previously for the girls swim coach in the 2006-07, 2007-08 and 2008-09 school years.

The Executive Committee approved the request for wavier for this coach of girls swimming & diving in 2009-10.

Regulation III, Section 1(C) – Pursuant to Interpretation 246, 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 2009-10 school year only:

Junior High/ Middle School	Sport(s)	High School Enrollment	Middle School Enrollment
Atlantic Mine-E. B. Holman	Boys & girls basketball, boys & girls track & field	N/A	34 7 th & 8 th graders
Fairview	Boys & girls basketball, boys & girls cross country, boys & girls track & field	125	17 7 th graders 25 8 th graders
Gaylord-St. Mary	Boys & girls cross country, boys & girls track & field	89	32 8 th graders 29 7 th graders
Holland-Calvary	Boys & girls basketball, boys & girls soccer, girls volleyball	67	14 7 th graders 17 8 th graders
Jackson Christian	Boys & girls basketball, boys & girls cross country, boys & girls track & field, girls volleyball, girls competitive cheer, boys soccer	132	30 7 th graders 24 8 th graders
Sault Ste. Marie- JKL Bahweting	Boys & girls basketball, boys & girls track & field, boys & girls cross country, girls volleyball	N/A	32 7 th graders 32 8 th graders

Climax-Scotts Junior High School (Regulation III, Section 1(C)) – The school requested waiver of the enrollment regulation to permit 6th-grade students to participate with and against 7th and 8th graders in boys and girls basketball, boys and girls track & field, wrestling and girls volleyball.

Citing the relatively large enrollment and also the specific prohibition of wrestling, the Executive Committee did not approve the request for waiver.

Painesdale-Jeffers and Chassell Junior High Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in boys and girls basketball between these two member middle schools. Jeffers will be the primary school for boys basketball and Chassell will be the primary school for girls basketball.

Sturgis Middle, Sturgis-Trinity Lutheran and Bronson-St. Mary's Assumption Schools (Regulation III, Section 1[D]) – The Executive Committee approved the addition of football to a cooperative agreement which has existed between Sturgis and Trinity Lutheran since the 1990s, and also the addition to this agreement of students from Bronson-St. Mary's Assumption who reside in Sturgis and previously attended Holy Angels Catholic School (closed in 2008). The agreement will include boys and girls tennis, boys and girls track & field, boys and girls cross country, football and wrestling. Sturgis will continue as the primary school. St. Mary's Assumption is also in a cooperative agreement with Bronson Middle School in all sports as well as boys and girls basketball and girls volleyball. Bronson Middle School is supportive of the new agreement.

Highland Park High School (Regulation V, Section 3) – The Executive Committee was updated regarding a recent MHSAA staff meeting with administration and wrestling coach of Highland Park Community High School.

Personnel – The Executive Committee approved the executive director's 2009-10 Standards of Performance and contract extension through July 31, 2012.

Next Meetings – The next meetings of the Executive Committee are scheduled for Tuesday, Aug. 11, 2009, at 8:30 a.m. in East Lansing; Wednesday, Sept. 9, 2009, at 8:30 a.m. in East Lansing. Monday, Oct. 5, 2009, at 8:30 a.m. in East Lansing; Wednesday, Nov. 4, 2009, at 8:30 a.m. in East Lansing; Thursday, Dec. 3, 2009, at 1:30 p.m. in East Lansing (with the Representative Council meeting the following morning); Wednesday, Jan. 13, 2010, at 8:30 a.m. in East Lansing (with the Classification Committee meeting at 1 p.m.); Wednesday, Feb. 24, 2010, at 8:30 a.m. in East Lansing; and Thursday, March 25, 2010, at 8:30 a.m. in East Lansing (with the Representative Council meeting the following morning).