

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, June 16, 2010

Members Present:

Jim Derocher, Negaunee
Scott Grimes, Grand Haven
Vic Michaels, Detroit
Dan Flynn, Escanaba
Steve Newkirk, Clare

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-Westside Christian Academy and Detroit Community High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program between these two schools in football. Westside Christian sponsored football previously and will be the primary school. The combined enrollment will be 610 students. Support from five future opponents was received. Due to a previous violation of Regulation II, Section 9 by Westside Christian High School, the team will not be eligible for the MHSAA Football Playoffs in 2010.

Fairview and Atlanta High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of boys and girls cross country to a cooperative program which was approved on April 21, 2010 between these schools in football and boys and girls track & field. The combined enrollment of 242 students will continue placement of a team in the Division 4 tournament. Fairview sponsored cross country previously and will be the primary school. Support from four future opponents was received.

Holly, Oxford and Linden High Schools (Regulation I, Section 1[F]) – An application to add Linden to a cooperative agreement in boys and girls skiing which has existed between Holly and Oxford High Schools was received, with league support, but is in excess of the 3,500-student enrollment cap by one student; the combined enrollment is 3,501 students. The schools requested that the limit be waived and the application approved. If not approved, the request was to delay approval until the Department of Education's September count day when the school's actual enrollment (but not the MHSAA classification enrollment) may be less than reported on the Enrollment Declaration Form in February 2010.

The Executive Committee reviewed the history of the 3,500-student limit and the process by which all schools come into compliance. The committee did not approve this application or the request to waive the 3,500-student maximum or to allow a second count date for these schools.

Lansing-Everett, Lansing-Eastern and Lansing-Sexton High Schools (Regulation I, Section 1[F]) – The Executive Committee approved a cooperative program in girls swimming & diving between these three schools of the same district whose combined enrollment of 3,352 students will continue placement of one team in the Division 1 tournament. Everett sponsored its own team previously; Sexton and Eastern sponsored a cooperative agreement which has dissolved. Everett will be the primary school. Support from the Capital Areas Activities Conference, was received.

Saginaw-Arthur Hill and Saginaw High Schools (Regulation I, Section 1[F]) – The Executive Committee approved a cooperative program in girls and boys swimming & diving between these two schools of the same district whose combined enrollment of 1,980 students will place one new team in the Division 1 tournament. Both schools sponsored their own teams previously. Arthur Hill will be the primary school. Support from the Saginaw Valley Conference was received.

Livonia-Franklin High School (Regulation I, Sections 4 & 5) – A request to waive the maximum enrollment and competition sections of the eligibility regulation was made on behalf of a 12th-grade student who began the 9th grade at Franklin High School in 2006-07 and attended there until his mother remarried and moved to Grand Blanc. While enrolled at Grand Blanc High School in the 10th grade during the 2007-08 school year, the student passed one of six and two of six classes each semester. The student's academic failures were attributed to an unstable domestic environment. The mother and student returned to Livonia and the student enrolled at Franklin High School to begin the 11th grade in 2008-09. The student has improved in several aspects in recent years but is in need of additional academic terms to graduate.

The Executive Committee noted that the student has received grades for eight semesters and has had the maximum opportunity to participate that is permitted all students. The request for waiver was not approved.

Byron High School (Regulation I, Section 9) – A request was made on behalf of a 10th-grade student to waive the transfer regulation and specifically the requirement that a student of divorced parents move from one school district to another in order to be eligible immediately after a change of enrollment. The student began the 9th grade living in Byron and in attendance at Byron High School, and he participated in football before enrolling at Linden High School to begin the second trimester because his older brother who was living with the student's father in Linden was in attendance there as a 12th-grade student. The parents are divorced and have joint custody of the children who reside half the week with each parent. In 2008, the father lived in the Linden School District where the 12th-grade sibling graduated from this spring. In 2009, the father remarried and moved into the Byron School District. The student has a middle school sister who has attended Byron Schools since Kindergarten. An Educational Transfer Form will be completed for the first time this fall, but the student is not moving from one school district to another in that the father has relocated to Byron. The one-time use of the Educational Transfer Form is permitted for students in joint custody.

The Executive Committee approved the request for waiver after execution of an otherwise complete Educational Transfer Form.

Charlevoix 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 Ellsworth High School, participated in athletics, and whose father is changing jobs over the summer of 2010. The student intended to enroll at Charlevoix High School in February 2010 in anticipation of the father's job change. Due to issues involving an Ellsworth teacher in late February, the father decided it best that the student not transfer at that time but complete the school year at Ellsworth.

The Executive Committee did not approve the request for waiver.

Elk Rapids High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of two 10th-grade students who entered foster care at ages 8 and 10. The students have since been adopted by their foster parents and are moving from Lawton to the Mancelona School District. Because the former family continues to reside in the Mancelona School District, the new family believes it necessary to enroll the students at Elk Rapids High School, which their residence borders.

The Executive Committee approved the request for waiver.

Elsie—Ovid-Elsie High School (Regulation I, Section 9[D]) – A request was made to waive the transfer regulation to permit eligibility on the 91st school day of enrollment on behalf of an 11th-grade student who previously attended Ashley High School and enrolled at Ovid-Elsie on March 8, 2010.

The Executive Committee approved the request for waiver, effective with the student's 91st school day of enrollment at Ovid-Elsie High School beginning March 8, 2010.

Essexville-Garber High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who attended Garber Schools until the end of the first semester of the 2009-10 school year (Jan 15, 2010) when her father's automobile industry job was transferred to Tennessee and the student relocated with her father and mother to Tennessee. The student will be returning to live with a relative in the Essexville-Garber School District for her senior year while the family remains in Tennessee. The student did not participate in athletics in Tennessee.

The Executive Committee approved the request for waiver.

Farwell High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who was expelled from Clare High School and enrolled at Farwell High School on May 14, 2010. It was alleged that there were extenuating circumstances and unfair treatment under due process which led to the expulsion.

The Executive Committee did not approve the request for waiver.

Highland-Milford 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 Novi High School and enrolled at Milford High School on April 12, 2010, after being suspended from Novi for a safety issue, which the parent self-reported to Novi High School.

The Executive Committee did not approve the request for waiver.

Holland-West Ottawa 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 Hamilton High School before enrolling at West Ottawa on March 4, 2010.

The Executive Committee approved the request for waiver, effective with the student's 91st school day of enrollment at West Ottawa High School beginning March 4, 2010.

Hudsonville-Freedom 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 Freedom Christian Schools since the 5th grade and began the 9th grade at Freedom Christian High School in 2008-09, attending until March 3, 2010 when the student enrolled at Hudsonville High School for ten school days before reenrolling at Freedom Christian on March 22, 2010.

The Executive Committee approved the request for waiver.

Melvindale-Academy for Business and Technology (Regulation I, Section 9) – A request was made on behalf of an 11th-grade student to waive the transfer regulation and the specific language of Exception 2 that a student must return to the residence of the single parent if divorced or only living parent. The student previously was a boarding school student at Orchard Lake-St. Mary's for the 9th and 10th grades before moving to his mother's residence and enrolling at MABT on March 3, 2010. The parents never married and, prior to boarding school, the student has lived with his mother for all but one year in the 6th grade. MABT is the closest public school academy to the residence of the mother.

The Executive Committee approved the request for waiver.

Portland High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Portland-St. Patrick High School and intends to enroll at Portland High School to begin the 2010-11 school year because of serious issues faced by the student at St. Patrick.

The Executive Committee approved the request for waiver.

South Lyon High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended a computer-based school (Brighton Alternative) for the second semester of the 2009-10 school year. The school is accredited through the Hazel Park school system. The student began the 9th grade at South Lyon High School and participated in football before experiencing several mental health issues which resulted in weeks of hospitalization.

The Executive Committee approved the request for waiver.

Tekonsha High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Tekonsha Schools from Kindergarten, every year but one through the 9th grade while living with her grandmother in Tekonsha. In January 2009, the student's mother reentered the student's life and the student moved to an apartment in Kalamazoo, enrolling at Kalamazoo Central High School for the second semester of the 2008-09 school year. In March 2010, the student returned to live with her grandmother, reenrolling at Tekonsha on March 24, 2010. The school requested waiver under Exception 2 because the grandmother raised the student and may be more the parent than the mother.

The Executive Committee approved the request for waiver.

Traverse City West High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student (2010-11) who attended Traverse City Central High School from the 9th grade until March 19, 2010, when the student enrolled at Traverse City West High School. The student was the subject of an incident on Oct. 1, 2009, which negatively impacted the student and caused him to change schools. The student is in a fragile home environment, and was reported to have been the subject of additional harassment at the former school.

The Executive Committee approved the request for waiver.

Wyoming Park 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 Wyoming-Lee High School before enrolling at Wyoming Park on March 8, 2010.

The Executive Committee approved the request for waiver, effective with the student's 91st school day of enrollment at Wyoming Park High School beginning March 8, 2010.

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
Burton-Bentley	10	Home School	Fall 2010	Jan. 17, 2011

Flint-Michigan School for the Deaf (Regulation II, Section 6) – A request to waive the travel limitation was made to allow Michigan School for the Deaf to compete in a four-team tournament on Jan. 7 and 8, 2011, hosted by the Kentucky School for the Deaf which also includes the deaf schools from Ohio and Georgia.

The Executive Committee noted the needs and circumstances of this school are unique among the MHSAA membership and that waiver is not precedent-setting for any other member school. The request for waiver was approved.

Michigan 8-Man Football Conference (Regulation II, Sections 10 & 12) – A request was made by Flint-Michigan School for the Deaf and other schools to permit a three-week, eight-player football non-MHSAA tournament commencing after the ninth regular season football game and concluding before the MHSAA 11-player football tournament.

The Executive Committee traced the past nine months of MHSAA assistance to schools that were struggling with enough players and other resources to start or maintain 11-player football programs. Nevertheless, fewer than half of the Representative Council established minimum of 20 schools made the commitment necessary by April 1, 2010 for the MHSAA to proceed with sponsoring and conducting an eight-player division in the 2010 MHSAA Football Playoffs.

The Executive Committee discussed if eight-player football might be deserving of or in need of special considerations, which has sometimes thought to have been the case with “emerging sports” or newer MHSAA tournament sports. However, in reviewing the MHSAA Constitution, the Executive Committee determined it would exceed its authority to grant waiver for a single additional game, much less three. These schools will have the opportunity to play the maximum of nine games allowed which may be played until the Saturday after Thanksgiving; and therefore, they face no “undue hardship” by not being able to play up to three more games.

The request for waiver was not approved.

DeWitt High School (Regulation II, Section 11[H]) – Pursuant to 2010-11 *Handbook* Interpretation 233, a request to waive the three/four-player rule for the 2010-11 school year was made on behalf of the boys and girls diving coach who is a student and an employee of Spartan Diving Club. The program will begin in the summer with up to 12 students per session anticipated from six different school districts including Dewitt (Haslett, Holt, Okemos, Ovid-Elsie, and Williamston). It is expected that 10-15 students in grades 7-12 from DeWitt will be participating in the program.

The Executive Committee approved the request for this coach for the 2010-11 school year. All other rules, including the preseason down time and summer dead period, apply.

Fenton High School (Regulation II, Section 11[H]) – Pursuant to 2010-11 *Handbook* Interpretation 233, a request to waive the three/four-player rule for the 2010-11 school year was made on behalf of a person that Fenton would like to employ as an assistant boys and girls diving coach. The person currently is the head coach of the Fenton Tiger Sharks US Swim program. This program involves approximately 60 students ages 5-18 from eight school districts including Fenton (Grand Blanc, Swartz Creek, Linden, Holly, Ortonville-Brandon, Flushing and Flint—Carman-Ainsworth) and is operated by Southern Lakes Parks and Recreation. Twelve participants are Fenton students in grades 7-12.

The Executive Committee approved the request for this coach for the 2010-11 school year. All other rules, including the preseason down time and summer dead period, apply.

Grand Rapids-East Grand Rapids High School (Regulation II, Section 11[H]) – Pursuant to 2010-11 *Handbook* Interpretation 233, a request to waive the three/four-player rule for the 2010-11 school year was made on behalf of the assistant girls swimming & diving coach who is also the head coach of the East Grand Rapids Aquatics USA Swim Club (Waves). The program has over 200 swimmers ages 6-18 from five different school districts including East Grand Rapids and two nonpublic schools (Forest Hills, Byron Center, East Kentwood, Middleville-Thornapple Kellogg and Grand Rapids-Catholic Central and Christian High Schools). There are approximately 50 students in grades 7-12 from East Grand Rapids participating in the program. This same request for this coach and this program was granted in October 2009.

The Executive Committee approved the request for this coach for the 2010-11 school year. All other rules, including the preseason down time and summer dead period, apply.

Grosse Ile High School (Regulation II, Section 11[H]) – Pursuant to 2010-11 *Handbook* Interpretation 233, a request to waive the three/four-player rule for the 2010-11 school year was made on behalf of a person that Grosse Ile High School has recently hired to be the girls swimming coach. The person is also the pool director for the Grosse Ile Golf and Country Club and the head coach of the Devil Rays Club Swim Team. This program involves approximately 60 students ages 5-17 who are the children of club members from two school districts including Grosse Ile and a nonpublic school (Trenton, Riverview-Gabriel Richard). Fourteen participants are Grosse Ile students in grades 7-12. In addition, the school is requesting that the coach be exempt from the summer dead period as the swim season is short, running from June 1-July 25, 2010, and the Grosse Ile dead period is July 5-11, 2010.

The Executive Committee approved the request for waiver of the three/four-player rule for this coach for the 2010-11 school year, subject to all other rules, including the preseason down time. The Executive Committee did not approve the waiver of the summer dead period.

Grosse Pointe North High School (Regulation II, Section 11[H]) – Pursuant to 2010-11 *Handbook* Interpretation 233, a request to waive the three/four-player rule for the 2010-11 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 76 participants, 64 who are below the 6th grade. Thirteen of 17 participants in grades 7-12 do not attend Grosse Pointe Public Schools. The request was granted previously for this coach and this program each year since the 2006-07 school year.

The Executive Committee approved the request for this coach for the 2010-11 school year. All other rules, including the preseason down time and summer dead period, apply.

Regulation III, Section 1(C) – Pursuant to 2010-11 *Handbook* Interpretation 258, the Executive Committee approved the following junior high/middle schools' requests 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
AuGres-Sims	boys & girls basketball, boys & girls track & field	122	26 7 th graders 34 8 th graders
Climax-Scotts	boys & girls basketball, boys & girls track & field, girls volleyball	197	47 7 th graders 35 8 th graders
Fairview	boys & girls basketball, boys & girls cross country, boys & girls track & field	127	19 7 th graders 27 8 th graders
Gaylord-St. Mary	boys & girls cross country, boys & girls track & field, girls volleyball	71	23 7 th graders 19 8 th graders
Hillman	boys & girls basketball, boys & girls track & field	151	45 7 th graders 35 8 th graders
Holland-Calvary Christian	boys & girls basketball, boys & girls soccer, girls volleyball	70	18 7 th graders 19 8 th graders
Jackson Christian	boys & girls basketball, boys & girls cross country, boys & girls track & field, girls volleyball	132	24 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	NA	30 7 th graders 24 8 th graders

Junior High/ Middle School	Sport(s)	High School Enrollment	Middle School Enrollment
Tekonsha	boys & girls basketball, boys & girls cross country, boys & girls track & field, girls volleyball	100	21 7 th graders 15 8 th graders
Traverse City Christian	boys & girls basketball, boys & girls cross country, boys & girls track & field, boys & girls soccer, girls volleyball	98	12 7 th graders 19 8 th graders
Wakefield- Marenisco	boys & girls basketball, boys & girls track & field	73	32 7 th graders 18 8 th graders
Zeeland-Borculo Christian	boys & girls basketball, boys & girls soccer, girls volleyball, girls softball, baseball	N/A	18 7 th graders 8 8 th graders

The Executive Committee asked staff to notify the administration at Climax-Scotts and Hillman that, due to the number of students enrolled in grades 7 and 8, their situations will be given special scrutiny prior to the 2011-12 school year should they again seek waiver.

Flint-Center Academy Middle School (Regulation III, Section 1[C]) – A request was made by this school to waive the enrollment regulation to permit 6th-grade students to participate with and against 7th and/or 8th graders in the sports of boys and girls basketball, boys and girls cross country, boys and girls track & field, boys soccer and girls volleyball.

Noting the number of 7th- and 8th-grade students enrolled, the Executive Committee did not approve the request for waiver.

Concord and Homer High Schools (Regulation V, Section 3[C]) –On June 5, 2010, a Baseball District final game ended in the third inning when a fight erupted, both benches emptied and all players were ejected. Because no team would advance to the Regional, the staff determination was that no additional game suspensions be required in 2010-11 as under Section 3(D).

The Executive Committee reviewed the situation and determined that nothing beyond actions taken to date was required of either school under Section 3(C).

Howell and Walled Lake Central High Schools (Regulation V, Section 3[C]) – On May 3, 2010, a boys lacrosse game between these two schools was ended prematurely by the officials with 3.5 minutes remaining in the third quarter due to a breakdown in sportsmanship. The Officials Report, email correspondence and the responses from both schools were submitted.

The Executive Committee accepted the schools' actions without need for an appearance before the Executive Committee of school administrators and coaches.

Fraser High School (Regulation V, Section 4) – A request was made to waive the requirement of forfeiture based on the participation of an ineligible varsity girls soccer player in 12 games from March 30 - May 12, 2010. The student previously attended St. Clair Shores-Lakeview High School before enrolling at Fraser High School on Oct. 12, 2009, in anticipation of a family move to Fraser due to their home's foreclosure. The student was ineligible under the transfer regulation as the residential change was not with all the people she lived with previously but was to the home of her sister in Fraser while the parents remained in St. Clair Shores. The residency information was obtained through questionable means by a St. Clair Shores coach who is also a postal carrier. The student turned 18 on Jan. 1, 2010, and submitted an Educational Transfer Form on May 25, 2010. In accordance with 2009-10 *Handbook* Interpretation 280, the executive director permitted participation after the forfeitures were reported and the student was withheld from six contests.

The Executive Committee did not approve the request for waiver.

Concussion Protocols – The Executive Committee approved the consequences for failure to comply with MHSAA policies and procedures for enforcement of National Federation rules regarding players who exhibit concussion-like symptoms. These will be a part of all MHSAA rules meetings during 2010-11.

National Anthem Protocols – The Executive Committee approved the procedures and penalties related to the playing of the National Anthem at MHSAA Football Playoff games. These will be a part of MHSAA Football Rules Meetings in 2010.

Personnel – The Executive Committee approved the Executive Director's 2010-11 Standards of Performance and contract extension through July 31, 2013.

Next Meetings – The next meetings of the Executive Committee are scheduled for Tuesday, Aug. 10, 2010, at 9 a.m. in East Lansing; Thursday, Sept. 9, 2010, at 8:30 a.m. in East Lansing; Monday, Oct. 4, 2010, at 8:30 a.m. in East Lansing; Wednesday, Nov. 3, 2010, at 8:30 a.m. in East Lansing; and Wednesday, Dec. 8, 2010, at 1:30 p.m. in East Lansing (with Representative Council meeting Dec. 9).