

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, March 24, 2011

Members Present:

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

Port Huron Northern and Port Huron High Schools (Regulation I, Section 1[F]) – The Executive Committee approved the addition of boys swimming & diving to a cooperative program which already exists between these two schools of the same district in boys lacrosse and girls swimming & diving. The combined 2011-12 enrollment of 2,850 students will place one team in the Division 1 tournament. Boys swimming was not sponsored previously in 2010-11 at either school; Port Huron Northern will be the primary school. Support from the Macomb Area Conference was submitted.

Sault Ste. Marie-Sault Area and Brimley High Schools (Regulation I, Section 1[F]) – The Executive Committee approved the addition of boys and girls swimming & diving to a cooperative program which already exists between these two schools in boys and girls cross country. The combined 2011-12 enrollment is 1,056 students. Boys swimming was sponsored by Sault Area, which will be the primary school. Support from four future opponents was received.

Wolverine and Vanderbilt High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of boys and girls basketball, boys and girls cross country and girls volleyball to a cooperative program which already exists between these two schools in baseball and softball. The combined 2011-12 enrollment of 137 students will place one team in the Class D or Division 4 tournaments. Wolverine did not sponsor cross country teams previously; both schools sponsored basketball and girls volleyball teams. Wolverine will be the primary school. Support from the Northern Lakes Conference was submitted.

Ishpeming High School (Regulation I, Section 2) – For the Dec. 9, 2010 meeting of the Representative Council, Ishpeming Public Schools requested that the Council propose to the MHSAA membership an amendment to the MHSAA Constitution to permit the Executive Committee and the Council to waive the maximum age limitation to permit students with Down Syndrome to participate one year later. The Council voted not to approve the request for the Council to prepare such an amendment for vote by the membership. Ishpeming Public Schools submitted a revised proposal, broader in application, and requested the Executive Committee's input before resubmitting it to the full Council in May.

The Executive Committee reviewed the materials from the school district; shared concerns, including the broad definition of disability and the undue burden that is required to determine whether individual factors render a student's age an unfair competitive advantage or safety risk; and recommended no change in the MHSAA Constitution or the age regulation.

Milford High School (Regulation I, Section 7) – A request to waive the previous academic credit record regulation was made on behalf of a 9th-grade student who has severe migraine headaches and passed three of six classes in the first semester of 2010-11. One course is incomplete and may be made up. The student is currently passing 66 percent of full credit load potential for a full-time student.

The Executive Committee did not approve the request for waiver.

Adrian-Madison High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who resided with his divorced mother in the Adrian-Madison School District for the 9th and 10th grades before leaving that residence in August 2010 to live with his father in Tecumseh because of circumstances at the mother's home. The student continued to attend Madison before enrolling at Tecumseh on Dec. 6, 2010. On Feb. 1, 2011, the student re-enrolled at Madison. Subsequently, the court ordered that the student remain enrolled at Madison.

The Executive Committee approved the request for waiver.

Bay City-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 two 10th-grade students who attended Central High School for the 9th grade before enrolling at Auburn-Bay City Western for the 10th grade; ineligible for the first semester of 2010-11. The students are returning to Central due to scheduled open heart surgery of one of the student's grandparents. The other student has been raised by a single mother and been part of the first student's family for 15 years. The students enrolled at the beginning of the third trimester at Central on March 14, 2011.

The Executive Committee approved the request for waiver effective with the students' 91st school day of enrollment at Bay City-Central High School beginning March 14, 2011.

Bellevue High School (Regulation I, Section 9[D]) – On Dec. 8, 2010, the Executive Committee did not approve a request to waive the transfer regulation on behalf of an 11th-grade student who previously attended Olivet High School and changed schools at the end of the first trimester because of social issues. Additional information was provided that the student was one of the victims of actions which have resulted in criminal charges against an Olivet student which are proceeding through the courts. The school requested that the Executive Committee permit eligibility on the 91st school day of enrollment due to compelling circumstances (Interpretation 95).

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Bellevue High School.

Boyne City High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who is a ward of the court and resides with his divorced parents in weekly split custody between Charlevoix and East Jordan. The student previously attended Charlevoix High School. On Feb. 10, 2011, the Seventh Probate Court ordered the student out of Charlevoix High School and placed him in the Great Lakes Academic Center which is under the direction of the Boyne City Public Schools and the Probate Court. The student has been court ordered to attend Boyne City-Great Lakes Academic Center.

The Executive Committee approved the request for waiver.

Bridgman High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation to permit eligibility on the 91st school day of enrolment due to compelling circumstances was made on behalf of a 10th-grade student whose alternative school closed in Indianapolis at the end of the 2009-10 school year, causing the student to enter a traditional high school and resulting in academic difficulties. The student has moved from the residence of his mother in Indiana to the home of an aunt in Bridgman, enrolling on Nov. 15, 2010.

The Executive Committee did not approve the request for waiver.

Burr Oak High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who attended Burr Oak Schools her entire career except for one day on Dec. 6, 2010, when the student was enrolled at Colon High School due to social issues with a student at her previous school . The student attended school on Dec. 6, 2010 at Colon and was home ill until reenrolling at Burr Oak on Dec 13, 2010.

The Executive Committee approved the request for waiver.

Byron 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 Durand High School while living with his father and grandmother in Owosso. The student's parents had recently divorced and the student has had little or no contact with his mother. When the grandmother died recently and the father moved to St. Clair Shores where he would be unable to care for the student, the student was taken in by a family in the Byron School District. The student enrolled at Byron High School on March 15, 2011 after completing the second trimester at Durand.

The Executive Committee approved the request for waiver.

Canton-Plymouth Christian 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 an 11th-grade student who previously attended Northville High School before enrolling at Plymouth Christian on Oct. 12, 2010.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Plymouth Christian High School beginning Oct. 12, 2010.

Delton Kellogg 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 who attended the 9th and 10th grades in Ohio while living with her mother and has moved to Plainwell to reside with her divorced father. The student attended Delton Kellogg for the 11th grade while living with her father. To begin the 12th grade, the student returned to her mother in Ohio. The student returned to the residence of her father in Plainwell and reenrolled at Delton Kellogg on March 3, 2011. Step-siblings have been previously enrolled at Delton Kellogg. An otherwise completed Educational Transfer Form was submitted for the first time for this student, who is returning to a former school but not her school of residence.

The Executive Committee approved the request for waiver.

Detroit-Plymouth Educational Center 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 Detroit-Old Redford Academy and enrolled at Plymouth Educational Center on March 3, 2011. The school was on winter break the fourth week of February.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Plymouth Educational Center beginning March 3, 2011.

Dundee 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 an 11th-grade student who previously attended Petersburg-Summerfield High School before enrolling at Dundee High School on Oct. 13, 2010.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Dundee High School beginning Oct. 13, 2010.

Farmington High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th grade student who began high school at Farmington, participated in the preseason football scrimmage and broke his leg in the first freshman football game of the season. As a result of the injury, his academic schedule was altered and the parents decided to enroll the student at Brother Rice High School at the end of the first trimester. At the start of the third trimester on March 21, 2011, the student reenrolled at Farmington High School. Because the student has been ineligible or not participating for almost all of the 9th grade, the school requested eligibility for fall sports in 2011 or eligibility on the 91st school day of enrollment beginning March 21, 2011.

The Executive Committee did not approve the request for waiver.

Farmington Hills-Harrison High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose father died in December 2009. The student enrolled at the school of residence, Harrison High School, on Jan. 3, 2011.

The Executive Committee did not approve the request for waiver on the basis of the information provided.

Gladwin 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 Harrison Township-L’Anse Creuse High School and has moved between divorced parents, residing with her father in the Harrison School District. The student enrolled at Gladwin High School (not the school of residence) on March 3, 2011, under school of choice option.

The Executive Committee approved the request for waiver effective with the student’s 91st school day of enrollment at Gladwin High School beginning March 3, 2011.

Haslett 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 10th-grade student who is moving between parents who never married. The student moved from the residence of her mother in Holt to the father’s residence in Bath. An otherwise completed Educational Transfer Form was submitted with a birth certificate indicating both parents (Interpretation 88). The student has enrolled at Haslett High School because the father has two other children currently in attendance at Haslett.

The Executive Committee approved the request for waiver.

Johannesburg-Lewiston High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who began the 9th grade at Gaylord High School while residing part-time with her birth mother and a family which has Power of Attorney over the student. To begin the second semester of the 2010-11 school year, the student enrolled at Johannesburg-Lewiston due to issues with other students at Gaylord High School who were suspended from school. When the students returned after suspension, the issues continued.

The Executive Committee did not approve the request for waiver.

Jonesville 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 Hillsdale High School before enrolling at Jonesville on Oct. 6, 2010.

The Executive Committee approved the request for waiver effective with the student’s 91st school day of enrollment at Jonesville High School starting Oct. 6, 2010.

Kalamazoo-Hackett Catholic Central 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 Richland-Gull Lake High School and participated in athletics. The student changed schools to Hackett Catholic Central due to emotional stress related in part to social media issues. The student enrolled at Hackett Catholic Central on Feb. 2, 2011.

The Executive Committee did not approve the request for waiver.

Ludington High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who has been in foster care most of her life. The student attended Cedartown High School in Georgia while residing in a facility there to protect the student from her mother. Due to the student’s safety, it was determined that she could no longer attend the high school. The student’s aunt was granted guardianship on March 15, 2011, and the student enrolled at Ludington on March 21, 2011. The aunt lives in the Hart School District but has a child previously in attendance at Ludington. The student has not participated in athletics.

The Executive Committee approved the request for waiver.

St. Charles 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 10th- and 11th-grade siblings who attended St. Charles Schools their entire career prior to moving to North Carolina to reside with their divorced mother in September 2010. The students and their mother have made a complete residential change into the Hemlock School District. On Feb. 28, 2011, the students re-enrolled at their former school (St. Charles) but not their school of residence.

The Executive Committee approved the request for waiver.

Three Oaks-River Valley 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 Buchanan High School and was having social difficulties with classmates. The student enrolled at River Valley High School on Jan. 24, 2011.

The Executive Committee did not approve the request for waiver.

Traverse City-St. Francis 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 Traverse City West High School and enrolled at St. Francis on March 10, 2011.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at St. Francis High School beginning March 10, 2011.

Wyoming—Tri-unity Christian High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 61 (closest nonpublic school) was made on behalf of a 12th-grade student who is a ward of the court placed with new foster parents in December 2010. Tri-unity Christian is not the closest nonpublic school to the student's new residence. The family has alumni from Tri-unity. Another foster child in the same home is enrolled at Tri-unity.

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
Dearborn	10	Dearborn-Divine Child	Nov. 22, 2010	Remainder of 10-11 school year
Orchard Lake-St. Mary's	9	White Lake-Lakeland	Jan. 26, 2011	Remainder of 10-11 school year
Orchard Lake-St. Mary	9	Farmington	Jan. 26, 2011	Remainder of 10-11 school year

Commerce-Walled Lake Northern High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 233, a request to waive the three-/four-player rule for the 2010-11 school year was made on behalf of the girls high school swimming coach who is also employed full time as an assistant coach with the Lakes Area Tridents Swim Club. The program is open to students ages 6-18 and anticipates 150 participants from seven schools or districts including Walled Lake Consolidated Schools. It is estimated that 85 of the participants are Walled Lake students in grades 7-12. This coach will only work with the older level, including approximately 30 participants with five from Walled Lake Consolidated Schools, two from the coach's high school team.

The Executive Committee approved the request for waiver for this coach for the 2010-11 school year.

Alpena High School Swimming Tournament Classification – A request was made to allow Alpena High School to consolidate its boys and girls swimming & diving teams and participate in the Upper Peninsula Swimming Tournament .

The Executive Committee noted that while the school may conduct both girls and boys swimming & diving in the winter, it may not participate in MHSAA tournaments for Upper Peninsula schools.

Regulation III, Section 1(C) – Pursuant to 2010-11 *Handbook* Interpretation 258, waiver of the enrollment regulation has been approved 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 2010-11 school year only.

Junior High/ Middle School	Sport(s)	High School Enrollment	Middle School Enrollment
Flint-Mich School for the Deaf	boys & girls track & field	41	23 7 th & 8 th graders

Representative Council Meeting – The Executive Committee reviewed a draft schedule and agenda for the Council's May meeting.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, April 20, 2011, at 8:30 a.m. in East Lansing (with Audit and Finance Committee meeting to follow); Sunday, May 1, at 8:30 a.m. in Bellaire, with Representative Council meetings to follow); and Wednesday, June 15, 2011, at 8:30 a.m. in East Lansing.