

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

Grand Rapids, March 21, 2019

Members Present:

Scott Grimes, Grand Haven
Pete Ryan, Saginaw
Vic Michaels, Detroit
Kris Isom, Adrian
Chris Miller, Gobles

Staff Members Present:

Tom Rashid
Mark Uyl (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 MHSAA is a private, nonprofit corporation, made up of voluntary membership; it is neither a state agency nor a court of law, and is not bound by any particular legal standard of review or burden of proof when applying its Regulations or while administering an internal appeal. The *MHSAA Handbook* may identify which party bears the burden of proof, depending on the particular situation or if a particular Regulation is at issue. The MHSAA staff, its Executive Committee, or its Representative Council, where appropriate, shall determine whether the circumstances in each situation, as presented to the MHSAA, warrant application or waiver of a particular Regulation or Interpretation. To make that determination, the MHSAA considers what a reasonable person given the same information would decide.

The Executive Committee was reminded that it was the responsibility of each member school involved to provide sufficient information about the specific request for the Executive Committee to reach a decision without further investigation. If information is incomplete, contradictory or otherwise unclear or has been received too late to be studied completely, the Executive Committee may deny the request for waiver or delay action. Such requests may be resubmitted to the Executive Committee with additional information at a subsequent meeting or appealed to the full Representative Council.

It is possible that some of the information presented as facts to the Executive Committee by school personnel and others may be inaccurate. However, to avoid constant repetition in this report of phrases such as “it was alleged” or “it was reported,” no attempt is made in the introduction of each waiver request to distinguish between truth, allegation, hearsay, opinion, summary or conclusion. If any information provided to the Executive Committee is inaccurate, any decision of the Executive Committee to grant waiver of a regulation shall be vacated.

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 agreement 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 postseason 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.

Gaylord-St. Mary Cathedral, Alba and Mancelona-North Central Academy High Schools (Regulation I, Section 1[E]) – The Executive Committee approved an 8-player football cooperative program (varsity only) between these three schools which were part of an 11-player cooperative program that included Boyne Falls. The program is dissolving and these three schools converting to an 8-player program. This program is downsizing to fall under the Class D enrollment cap. The 2019-20 enrollment of the new 8-player program among these three schools will be 162 students. Gaylord-St. Mary will be the primary school. Boyne Falls approved this arrangement and will form a subvarsity 8-player football cooperative program with these three schools. The schools requested that the two-year waiting period for forming new programs not be applied. Support from four future opponents was submitted.

Gaylord-St. Mary Cathedral, Alba, Mancelona-North Central Academy and Boyne Falls High Schools (Regulation I, Section 1[E-1]) – The Executive Committee approved a subvarsity only 8-player football cooperative program between these four schools which were part of an 11-player cooperative program that is converting to an 8-player program and downsizing to fall under the Class D enrollment cap. This involves Boyne Falls being removed from a first-year 11-player program that included St. Mary, Alba and North Central Academy. The combined 2019-20 enrollment of the subvarsity program will be 206 students. Gaylord-St. Mary will be the primary school. Support from four future opponents was submitted.

St. Joseph-Lake Michigan Catholic and Benton Harbor-Countryside Academy High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of boys soccer (varsity only) to a cooperative agreement which exists between these schools in four other sports. The combined 2018-19 enrollment of 261 students will continue placement of a team in the Division 4 tournament. Lake Michigan Catholic sponsored boys soccer previously and will be the primary school. Support from the BSC Conference was submitted.

Chelsea High School (Regulation I, Section 7) – A request to waive the previous academic credit record regulation was made on behalf of a 12th-grade student who has suffered for several years with a medical condition. The student was advised by his physician to withdraw from all four second trimester classes to focus on his recovery, which was conducted during the school day. The student withdrew from his courses in January 2019, is on a 504 plan and has since enrolled full time to start the third trimester. The student has good grades and is on track to graduate this spring.

The Executive Committee approved the request for waiver.

Northville High School (Regulation I, Section 7) – A request to waive the previous academic credit record regulation was made on behalf of an 11th-grade student who is three credits short of 66 percent of full credit load potential for a full-time student. The student has three health diagnoses and is currently on medication. The student is the subject of an IEP and is enrolled in a full course load for the current semester. The student seeks to participate in JV girls lacrosse this spring.

The Executive Committee approved the request for waiver.

Saline High School (Regulation I, Section 7) – A request to waive the previous academic credit record regulation was made on behalf of a 10th-grade student who missed 37 days of school this winter due to her hospitalization and treatment at a variety of healthcare and long-term care programs. The student was enrolled in and passed two classes during the second trimester. The student is signed up for a full course load of classes (five) in the third trimester and sought to participate in JV girls lacrosse.

The Executive Committee approved the request for waiver.

Menominee High School (Regulation I, Sections 7 & 9) – A request to waive the previous academic credit record and transfer regulations was made on behalf of a 10th-grade student who was experiencing bullying by other students, doing poorly academically, withdrew from Menominee on Oct. 3, 2018, and entered a virtual school. When the student withdrew, he was three credits short of 66 percent of full credit load potential for a full-time student. The student and his father had moved from Nashville in April.

The Executive Committee did not approve the request for waiver.

Ada-Forest Hills Eastern High School (Regulation I, Section 9) – A request to waive the transfer regulation and Interpretation 62 (public school of residence) was made on behalf of a 10th-grade student who was the victim of social challenges while a student at Grand Rapids-Catholic Central. The student experienced health issues that resulted in hospitalization. The student participated in softball and volleyball at her former school and enrolled at Forest Hills Eastern upon her release from the hospital. The family resides in the Grand Rapids-Ottawa Hills School District and has secured a realtor and plans to relocate into the Forest Hills Eastern attendance area this spring or summer.

The Executive Committee did not approve the request for waiver.

Ada-Forest Hills Eastern High School (Regulation I, Section 9) – A request was made on behalf of a 9th-grade student to waive the sport-specific transfer regulation to permit participation in girls golf and basketball in the 2019-20 school year. The student attended Forest Hills Eastern Elementary and Middle Schools through the 7th grade when the family moved into the Forest Hills Northern attendance area. The student attended the 8th grade and first semester of the 9th grade at Forest Hills Northern before reenrolling at Forest Hills Eastern on Jan. 22, 2019. The student played the full JV girls golf season and in one 9th-grade girls basketball scrimmage and one game. The student had been struggling to make new friends at Forest Hills Northern. When the student was made aware of the rule, and knowing the intention to change schools, the student discontinued playing in basketball games.

The Executive Committee approved the request for waiver in all sports except girls golf for the 2019-20 school year. In addition, the student is to be withheld from the first girls basketball game (any level) in 2019-20.

Allegan High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation to allow eligibility on the 91st school day of enrollment was made on behalf of a 12th-grade student from an Approved International Student Program. The student is a resident of Allegan but began the school year at Fennville where the mother of the host family is a teacher. The student participated in three cross country meets at Fennville while ineligible. Contests have been forfeited to opponents. The student enrolled at Allegan on Oct. 1, 2018, and is interested in playing tennis.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Allegan High School, beginning Oct. 1, 2018.

Bloomfield Hills High School (Regulation I, Section 9) – A request to waive the sport-specific transfer regulation to permit eligibility in volleyball in the fall of 2019-20 was made on behalf of a current 9th-grade student. The student began the 9th grade at Bloomfield Hills, participated in volleyball, and enrolled on Nov. 2, 2018 in an online school, Connections Academy, which does not have an athletic program. The student will attend this online school through the end of the current school year, intends to return to Bloomfield Hills to begin the 2019-20 school year and wishes to play volleyball.

The Executive Committee approved the request for waiver.

Boyne City 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 Mesick High School and enrolled at Boyne City on Oct. 4, 2018.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Boyne City High School, beginning Oct. 4, 2018.

Commerce Township-Walled Lake Northern High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose mother experienced serious health issues which caused a strain on the family. The student previously attended Novi-Detroit Catholic Central, played football in 2018-19 and enrolled at Walled Lake Northern on Jan. 22, 2019. If the request for immediate eligibility was not approved, the school requested eligibility for football in the fall of his 11th grade in 2019-20 (91st school day).

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Walled Lake Northern High School, beginning Jan. 22, 2019.

Commerce Township-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 was the subject of bullying and physical threats from classmates at U of D Jesuit. The student enrolled at Walled Lake Northern on March 6, 2019. The student did not participate in lacrosse in the 10th grade or any athletics during the 2018-19 school year. The student seeks to participate in lacrosse this spring.

The Executive Committee did not approve the request for waiver.

Frankenmuth High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (public school of residence) was made on behalf of a 9th-grade student who was placed in the home of a foster parent (Exception 3) who resides in the Vassar School District. The student was home schooled and also attended Traverse City West prior to the new placement. The foster parent is an employee of the school district and is mother to five foster children. Four of the five children enrolled at Frankenmuth in late November 2018; the current student enrolled on Jan. 29, 2019.

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 an 11th-grade student who had health issues while a student at De La Salle Collegiate and was diagnosed with a medical condition. There were no discipline issues from the former school. The student has been a Fraser resident and participated in subvarsity baseball during the 9th and 10th grades at the former school. The student enrolled at Fraser on Jan. 7, 2019. If varsity eligibility was not approved, the school requested eligibility at the subvarsity level only.

The Executive Committee did not approve the request for waiver.

Fremont High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who changed schools because of a dispute with a staff member at the student's former school, Hesperia. Eventually the student's record was cleared and it was determined that school policy had not been followed. The student enrolled at Fremont on Jan. 14, 2019. The student participated in cross country and wrestling during the 2018-19 school year. The school requested eligibility in these sports during 2019-20. The former school superintendent supports the student's transfer and eligibility.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Fremont High School, beginning Jan. 14, 2019.

Grand Blanc High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Grand Blanc Schools through the 5th grade before enrolling at Goodrich where she attended until Feb. 5, 2019, when the student returned to Grand Blanc. The student had experienced bullying and was not being challenged academically at her former school.

The Executive Committee did not approve the request for waiver.

Holland Christian High School (Regulation I, Section 9) – A request was made on behalf of a current 9th-grade student to waive the sport-specific transfer regulation to permit eligibility on the 91st school day of enrollment and allow participation in volleyball during the 2019-20 school year. The student previously attended Holland-Calvary and played volleyball before enrolling at Holland Christian on Jan. 7, 2019. The student did not play basketball at either school and will remain ineligible under the current rules for the spring of 2018-19. The school stated that the student's ineligibility in her sports for three consecutive seasons is a double penalty.

The Executive Committee did not approve the request for waiver.

Holland Christian High School (Regulation I, Section 9) – A request was made on behalf of a current 9th-grade student to waive the sport-specific transfer regulation to permit eligibility on the 91st school day of enrollment and allow participation in soccer during the 2019-20 school year. The student previously attended Holland-Black River and played soccer before enrolling at Holland Christian on Jan. 7, 2019. The student did not play basketball at either school and will remain ineligible under the current rules for the spring of 2018-19. The school stated that the student's ineligibility in two sports is a double penalty.

The Executive Committee did not approve the request for waiver.

Hopkins High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who left her mother's home and four siblings and her former school, Martin, because of the negative and violent behavior of an older brother. The student was stigmatized at her former school due to the brother's reputation and actions. The father is currently in prison and the mother has allowed the student to live with her grandparents in the Hopkins School District. The student ran cross country this fall and would like to participate in track & field this spring and cross country next fall. The student enrolled at Hopkins on Nov. 5, 2018.

The Executive Committee approved the request for waiver.

Jackson-Lumen Christi High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of 9th- and 11th-grade brothers who previously attended Jackson Preparatory and Early College Academy. On Dec. 4, 2018, the 9th-grade brother had difficulties with a staff member, who was later dismissed. On Dec. 5, 2018, the family sought to change schools. The students enrolled at Lumen Christi on Jan. 7, 2019. The 9th-grade brother has no history of athletic participation and sought eligibility for the fall of 2019 but is eligible by rule, as he has no history of participation. The school sought eligibility for the 11th-grade brother this spring and next fall in cross country, which the student ran this school year at his former school.

The Executive Committee approved the request for waiver.

Jenison High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (public school of residence) was made on behalf of a 9th-grade student who was placed in foster care (Exception 3) with a family that resides in the Hudsonville School District. The host family has two adopted children who have attended Jenison Schools for several years. The student previously attended Sturgis and enrolled at Jenison on Feb. 22, 2019.

The Executive Committee approved the request for waiver.

Lake Orion High School (Regulation I, Section 9) – A request to waive the transfer regulation to permit eligibility at the subvarsity level only was made on behalf of a 9th-grade student who previously attended Oakland Christian until Jan. 28, 2019, when the student enrolled at Lake Orion because his father lost his job and could no longer afford tuition. The student participated in football at Oakland Christian. The school contended the student is being penalized twice as he is ineligible for JV baseball this spring and JV football next fall under the new sport-specific transfer regulation.

The Executive Committee did not approve the request for waiver.

Mancelona High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who has changed schools several times between 1st and 9th grades. The student's parents separated in November 2018, causing the student to move with his mother from Mancelona, where he played JV football, into Charlevoix where the student enrolled and participated in basketball. In January 2019, the student again changed schools and enrolled in Charlevoix Montessori. In March 2019, the student moved in with his stepfather who resides in Mancelona and reenrolled on March 11, 2019.

The Executive Committee did not approve the request for waiver.

Michigan Center High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who experienced health problems stemming from bullying while a student at Jackson-Lumen Christi High School. The student participated in JV volleyball during the 2018-19 school year and played softball in the 2017-18 school year. The family resides in the Jackson Public School District. The student enrolled at Michigan Center on Jan. 22, 2019.

The Executive Committee did not approve the request for waiver.

Monroe High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose mid-year transfer was approved by both schools based on the student's medical diagnoses. The student previously attended Monroe-Jefferson, participated in track & field and cross country, and enrolled at Monroe on Feb. 2, 2019. The student is on medication for the condition.

The Executive Committee did not approve the request for waiver.

Novi High School (Regulation I, Section 9) – A request was made on behalf of a 10th-grade student to waive the sport-specific transfer regulation to permit participation in boys basketball during the 2019-20 season. The student attended Novi Schools through the 8th grade and received support from reading specialists. The student is eligible for a Section 504 plan, which the student's former school, Novi-Detroit Catholic Central, could not meet. The student participated in nine games of basketball during the 2018-19 school year before enrolling at Novi on Jan. 14, 2019.

The Executive Committee did not approve the request for waiver.

Olivet High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (public school of residence) was made on behalf of an 11th-grade student who attended Olivet Schools for grades 8-10 through the 2017-18 school year while living in Eaton Rapids. To begin the 2018-19 school year, the student enrolled at Eaton Rapids and did not participate in athletics. In February 2019, the family made a full and complete residential change into Charlotte. Because Olivet is closer to the new home, the student reenrolled at Olivet on Feb. 11, 2019.

The Executive Committee approved the request for waiver.

Richland-Gull Lake High School (Regulation I, Section 9) – A request to waive the sport-specific transfer regulation to permit participation in boys soccer in the fall of 2019 was made on behalf of an 11th-grade student who transferred due to emotional and mental stress from Portage Central where classmates ostracized the student. The student is diagnosed with a medical condition and is undergoing therapy. The student's only previous participation is in boys soccer. The student enrolled at Gull Lake on Jan. 25, 2019.

The Executive Committee approved the request for waiver beginning with fall sports in the 2019-20 school year.

Sterling Heights 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 Warren-Cousino, a school of the same district, before enrolling at Sterling Heights on Jan. 22, 2019. The student was diagnosed with a medical condition in 2016 and changed schools in mid-year because of emotional stress imposed by other students. The student participated in cross country, swimming & diving and JV basketball at her former school and is interested in playing girls soccer this spring.

The Executive Committee did not approve the request for waiver.

Waterford Kettering High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (public school of residence) was made on behalf of a 10th-grade student who moved from his mother in Mason to his father's home in the Waterford Mott attendance area. The student now resides with two stepsiblings who have been attending Waterford Kettering for several years. The parents never married, but an otherwise completed Educational Transfer Form was submitted.

The Executive Committee approved the request for waiver.

Wayland Union High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who has a history of medical issues and experienced bullying from students and one staff member while a student at Martin. The student participated in volleyball during the 2018-19 season before enrolling at Wayland Union on Nov. 27, 2018. The student is a Martin resident who had attended Wayland through middle school before enrolling at Martin to begin the 9th grade.

The Executive Committee did not approve the request for waiver.

Subvarsity Waiver Requests Meeting All Conditions of Section 9(B) – The Executive Committee approved immediate eligibility at the subvarsity level for the following transferring 9th- or 10th-grade students (after entering 9th grade, before completing 10th grade) **who have not previously participated in an interscholastic scrimmage or contest in any MHSAA sport at the high school level** (whether MHSAA member schools or not) and who do not qualify for one of the 15 stated exceptions to the transfer regulation and have transferred for reasons having nothing to do with athletics, discipline or family finances and would not require Executive Committee evaluation or comparison of school demographics or curriculum:

Requesting High School	Grade	Former High School	Date of Enrollment	Length of Subvarsity Eligibility Status
Belleville	9	Canton Prep	Feb. 28, 2019	Remainder of 18-19 school year
Big Rapids	9	Remus-Chippewa Hills	Dec. 5, 2018	Remainder of 18-19 school year
Burton-Genesee Christian	9	Goodrich	Jan. 2019	Remainder of 18-19 school year

Requesting High School	Grade	Former High School	Date of Enrollment	Length of Subvarsity Eligibility Status
Hartland	9	California	Jan. 22, 2019	Remainder of 18-19 school year
Lincoln-Alcona	10	Mt. Pleasant	Nov. 14, 2018	Remainder of 18-19 school year
Novi-Detroit Catholic Central	9	Orchard Lake-St. Mary's	Jan. 7, 2019	Remainder of 18-19 school year
Orchard Lake-St. Mary's (2 students)	9	Farmington	Jan. 7, 2019	Remainder of 18-19 school year
Ortonville-Brandon	10	Oxford Virtual	Jan. 22, 2019	Remainder of 18-19 school year
Roseville	9	Macomb-Dakota	Jan. 29, 2019	Remainder of 18-19 school year
St. Clair Shores-Lake Shore	9	St. Clair Shores-Lakeview	Oct. 5, 2018	91 st school day of enrollment
Warren-De La Salle Collegiate	10	Detroit-Western International	Jan. 7, 2019	Remainder of 18-19 school year
Webberville	10	Perry	Jan. 21, 2019	Remainder of 18-19 school year
Webberville	10	VLAC-Williamston	Dec. 27, 2018	Remainder of 18-19 school year

Menominee High School (Regulation II, Section 15[B]) – A request was made to waive the four-contest minimum for participation in the MHSAA 11-Player Football Tournament in 2020-21. Menominee has been accepted as part of the North Eastern Conference in the Wisconsin Interscholastic Athletic Association that involves games 1-8 being against Wisconsin schools and the ninth date against an MHSAA school. The 2020-21 proposed schedule in the Great Northern Conference among MHSAA schools involves four open dates. Time away from teacher instruction, travel and high costs were cited for the request. Other teams in Michigan will not play Menominee.

The Executive Committee did not approve the request for waiver. The committee directed staff to actively engage all Upper Peninsula football schools to seek scheduling solutions for the 2020 season.

MKO Middle School Athletic Conference (Regulation IV, Section 10) – A request was made to allow this league to begin middle school football practice five days earlier than allowed by the regulation, on Wednesday, Aug. 21, 2019. Practice is permitted on the 14th Monday before Thanksgiving (Aug. 26, 2019). The early start date would allow schools the option to have three additional days of practice so they may scrimmage on the Wednesday or Thursday of the last week of August prior to Labor Day in order to have nine practice days prior to the scrimmage. It would also permit schools to not practice on the Friday or Monday of Labor Day. The MKO Conference offers four seasons of participation with winter sports beginning on Monday, Oct. 21, 2019, and this would permit some time off between fall and winter seasons. The Executive Committee approved this request previously.

The Executive Committee approved the request for waiver. The middle schools of this conference may begin practice on Wednesday, Aug. 21, 2019.

Next Meetings – The next meetings of the Executive Committee are scheduled for Tuesday, April 23, 2019, at 8:30 a.m. in East Lansing (Audit and Finance Committee meeting follows); Sunday, May 5, 2019, at 10:30 a.m. in Gaylord (Representative Council meets at 1 p.m.); and Wednesday, June 12, 2019, at 9 a.m. in East Lansing.