

# MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

## EXECUTIVE COMMITTEE MEETING

Glen Arbor, May 3, 2015

### Members Present:

Scott Grimes, Grand Haven  
Fred Smith, Buchanan  
Vic Michaels, Detroit  
Kris Isom, Adrian  
John Thompson, Brighton

### 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 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 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.

Detroit-Western International and Detroit School of Arts High Schools (Regulation I, Section 1[F]) – A request to waive the April 15 deadline for submission of a fall sports cooperative program application was made on behalf of these two schools of the same district for a cooperative program in boys and girls swimming & diving. When programs in six sports between School for the Arts and Westside Academy were approved by the Executive Committee on March 26, 2015 to provide athletics for DSA students, it was thought that the enrollment limit was 1,000 students, and consequently swimming & diving was not considered. Learning of the 3,500-student enrollment cap for swimming & diving, a partially completed application was received April 29, 2015. Western International sponsored swimming & diving previously and would be the primary school. The combined enrollment of 2,128 students would place a new team in the Division 1 tournament. Support from the Detroit Public School League was submitted.

The Executive Committee approved the request to waive the application deadline in this case and, pending submission of the completed application, approved this application.

Kalamazoo-Loy Norrix, Kalamazoo Central and Kalamazoo-Hackett Catholic Central High Schools (Regulation I, Section 1[F]) – A request to waive the 3,500-student enrollment cap for an ice hockey cooperative program was made to permit this three-team program to continue in excess of the enrollment cap. The request was not to change the enrollment figure but to consider the agreement acceptable because the two Kalamazoo high schools counted in their base enrollments an estimated 125 shared-time students from several surrounding schools who attended one class per day at Loy Norrix or Kalamazoo Central as part of programs sponsored by the Kalamazoo RESA: The Employment for Education Program or the Education for the Arts classes. The combined enrollment submitted in February 2015 was 3,543 students. It was reported that enrollment projections will not create an enrollment among the three cooperating schools in excess of 3,500 students. The current enrollment of Kalamazoo Central, Loy Norrix and Hackett stands at 3,493 students including the RESA program students.

Noting that the current combined enrollment, including the RESA students, and projected combined enrollment for 2016-17 are both under the 3,500-student cap, the Executive Committee approved the request for waiver for the 2015-16 school year, after which the program must comply with the 3,500-student enrollment cap.

Madison Heights-Lamphere and Clawson High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of boys swimming & diving to a cooperative program which exists in girls swimming & diving between these two schools whose combined 2015-16 enrollment of 1,346 students will place a new team in the Division 2 tournament. Lamphere sponsored swimming & diving previously and will be the primary school. Support from the Macomb Area Conference was submitted.

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

- a. 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 1000 students. These agreements were formed before these sports reached over 250 schools sponsoring. The Executive Committee approved the continuation of the following programs:
  - Beverly Hills-Groves and Birmingham-Seaholm in Boys and Girls Bowling

- b. 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 reviewed and approved the continuation of the following cooperative program:
- Rockford and Sparta in Girls Gymnastics
- c. Grand Rapids-Forest Hills Central, Ada-Forest Hills Eastern and Grand Rapids-Forest Hills Northern High Schools in Competitive Cheer – In April 2013 during the renewal process, the Executive Committee informed these three schools of the same district that because of the participation numbers and success rate, the program would likely not be allowed to continue beyond the 2014-15 season. Correspondence was received requesting a two-year continuation of the three-team agreement with an enrollment of 3,256 students **or** an allowance for Forest Hills Central and Forest Hills Eastern to form one team with an enrollment of 2,132 students while Forest Hills Northern would have a stand-alone team. Renewal forms from 2011, 2013 and 2015 were provided with the schools' request.

The Executive Committee approved the continuation of a cooperative agreement between Forest Hills Central and Forest Hills Eastern High Schools (to be approved again in two years), and a stand-alone program for Forest Hills Northern High School.

Atlanta High School (Regulation I, Section 9) – A request to waive the transfer regulation is made on behalf of a 9<sup>th</sup>-grade student who attended Atlanta Schools through the 8<sup>th</sup> grade while living with his grandparents in Atlanta. To begin the 9<sup>th</sup> grade, the student moved in with an aunt and uncle and enrolled at Dearborn Heights-Annapolis. In January 2015, the student returned to his grandparents in Atlanta, reenrolling at Atlanta High School on Jan. 19, 2015. The student's parents have not been in his life since birth. He has no history of high school athletic participation. The request was for immediate eligibility under Exception 2 as the grandparents are more the parents than his birth parents.

The Executive Committee approved the request for waiver.

Regulation III, Section 1(C) – Pursuant to *Handbook* Interpretation 265, the Executive Committee approved waiver of the enrollment regulation for the following junior high/middle schools to permit 6<sup>th</sup>-grade students to participate with and against 7<sup>th</sup>- and/or 8<sup>th</sup>-graders for the sports listed in the 2014-15 school year only.

<b>Junior High/ Middle School</b>	<b>Sport(s)</b>	<b>High School Enrollment</b>	<b>Middle School Enrollment</b>
Bear Lake	boys & girls basketball, girls volleyball	98	27 7 <sup>th</sup> -graders 31 8 <sup>th</sup> -graders
Rapid River	boys & girls basketball, boys & girls track & field	111	36 7 <sup>th</sup> -graders 27 8 <sup>th</sup> -graders

New Member Schools – Pursuant to the MHSAA Constitution adopted by member schools and according to procedures for MHSAA membership adopted by the Representative Council on March 27, 1997, the Executive Committee approved membership for the following school:

**Brimley-Ojibwe Charter School** is located on the Bay Mills Indian Reservation and has served several Upper Peninsula communities for 13 years as a K-12 school. The school's charter is from Bay Mills Community College and is managed by Michigan Educational Personnel Services (MEPS). The school has a 9-12 grade enrollment of 29 students and also seeks middle school membership (17 7<sup>th</sup>- and 8<sup>th</sup>-grade students). It is interested in sponsoring girls volleyball, boys soccer, boys and girls cross country, boys and girls basketball and boys and girls track & field. The school has limited athletic facilities but uses gym space at the Boys and Girls Club located next to the school. The current athletic director is the son of a veteran MHSAA athletic director (Allen Park-Cabrini and Gaylord-St. Mary) and brother of the former athletic director at St. Mary's and is familiar with MHSAA policies. A 2014-15 Membership Resolution and Preliminary Classification Form were received in December 2014. The Athletic Department Code of Conduct was submitted and the school was visited by MHSAA staff on April 16, 2015. If a 2015-16 Membership Resolution is received prior to Oct. 2, 2015, a 2016-17 resolution is received prior to Sept. 30, 2016 and all other regulations are followed, the school will be eligible for MHSAA tournaments for the 2016-17 school year. The school may enter into cooperative agreements subject to Executive Committee approval for 2015-16.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, June 10, 2015, at 9 a.m. in East Lansing; Wednesday, Aug. 5, 2015, at 9 a.m. in East Lansing; Wednesday, Aug. 26, 2015, at 9 a.m. in East Lansing; Wednesday, Sept. 9, 2015, at 8:30 a.m. in East Lansing; Wednesday, Sept. 30, 2015, 15 8:30 a.m. in East Lansing; Wednesday, Nov. 4, 2015, at 8:30 a.m. in East Lansing; and Thursday, Dec. 3, 2015, at 1 p.m. in East Lansing