

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, October 5, 2009

8:30 am

Members Present:

Jim Derocher, Negaunee
Scott Grimes, Grand Haven
Vic Michaels, Detroit
Karen Leinaar, Benzonia
Chip Hansen, East Jordan

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.

Chassell and Painesdale-Jeffers High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in boys and girls track & field between these two schools whose combined enrolment of 235 students will place a new team in the Division 2 Upper Peninsula tournament. Both schools sponsored track & field previously, and Chassell will be the primary school. Support from four schools of the Copper Country Conference was received.

Kalamazoo-Heritage Christian and Marcellus-Howardsville Christian High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in girls soccer between these two schools whose combined enrollment of 151 students will place a new team in the Division 4 tournament. Neither school sponsored girls soccer previously; Heritage Christian will be the primary school. Support from the Cornerstone Athletic Conference was submitted.

Madison Heights-Bishop Foley and Sterling Heights-Parkway Christian High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in ice hockey between these two schools whose combined enrollment of 557 students will continue placement of a team in the Division 3 tournament. Bishop Foley sponsored hockey previously and will be the primary school. Support from the Catholic League was submitted.

Saginaw-Heritage and Hemlock High Schools (Regulation I, Section 1[E]) – The Executive approved a cooperative program in boys and girls skiing between these two schools whose combined enrollment of 2,235 students will continue placement of a team in the Division 1 tournament. Heritage sponsored skiing previously and will be the primary school. Support from three future opponents was submitted.

Troy-Athens and Auburn Hills-Avondale High Schools (Regulation I, Section 1[F]) – The Executive Committee approved a cooperative program in girls gymnastics between these two schools which sponsored the sport previously and whose combined enrollment is 3,051 students. Athens will be the primary school. Support from the Oakland Activities Conference was submitted.

Marquette High School (Regulation I, Sections 4 & 5) – A request to waive the maximum enrollment and competition portions of the eligibility regulation was made on behalf of a 12th-grade student who is enrolled in his ninth semester since first enrolling in the 9th grade in the 2005-06 school year. The student earned two credits in 2007-08 and withdrew from school on Dec. 10, 2008. The student has enrolled in the Marquette Alternative Education program on Jan. 27, 2009.

The Executive Committee did not approve the request for waiver.

Paw Paw High School (Regulation I, Sections 7 & 9) – A request to waive the previous academic credit record and transfer regulations was made on behalf of an 11th-grade student who previously attended school in Arizona and whose mother is receiving medical treatment in Ann Arbor. A grade report from Blue Print Education was submitted indicating the student passed six of six classes. The student's former school in Arizona and Paw Paw High School have not accepted these credits, and it is unclear if the relocation of the family to Paw Paw is a full and complete residential change.

The Executive Committee did not approve the request for waiver.

Allegan 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 Plainwell High School and enrolled at Allegan to begin the 2009-10 school year due to repercussions regarding interscholastic wrestling issues at Plainwell High School.

The Executive Committee did not approve the request for waiver.

Allegan High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who previously attended Plainwell High School and enrolled at Allegan High School to begin the 2009-10 school year due to tension which occurred in the wrestling program at Plainwell High School which led to the dismissal of coaches.

The Executive Committee did not approve the request for waiver.

Armada High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically interpretation 59 (public school of residence) was made on behalf of an 11th-grade student whose parents are divorced and who submitted a partially completed Educational Transfer Form. The student relocated from his mother's residence in Ohio to the father's residence in the Yale School District. The student enrolled at Armada High School to begin the 2009-10 school year because 1st- and 3rd-grade siblings have been attending Armada Schools since Kindergarten.

The Executive Committee approved 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 is a type one diabetic who previously attended Colon High School. The student resides in the Burr Oak School District and has changed schools because of concerns for the monitoring of her condition. The student has not participated in athletics previously.

The Executive Committee did not approve the request for waiver.

Canton-Plymouth High School (Regulation I, Section 9) – A late request to waive the transfer regulation was made on behalf of a 10th-grade student who previously lived with his mother and attended school in Saginaw. The student has moved to the residence of an aunt and uncle and enrolled at Plymouth High School in September 2009 because the mother is unable to care for the student on a consistent basis.

Because of the lack of sufficient information on which to base a decision, the Executive Committee did not approve the request for waiver.

Caro High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Caro Schools since Kindergarten except for two school days on Sept. 8-9, 2009 when the student enrolled at Reese High School. The student reenrolled at Caro on Sept. 11, 2009. The student did not participate in athletics at Reese High School.

The Executive Committee approved the request for waiver.

Clarkston 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 Lake Orion High School before enrolling at Clarkston to begin the 2009-10 school year. In the fall of 2008, the student's girlfriend was hospitalized and thereafter continued to contact the student.

The Executive Committee did not approve the request for waiver.

Coldwater 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 Bronson High School. In February 2009, the student was involved in a situation with a Bronson student off school property which resulted in this student being taken to the hospital. The student visited the counselor frequently, expressing frustration with the incident and follow-up. The student enrolled at Coldwater High School to begin the 2009-10 school year.

The Executive Committee did not approve the request for waiver.

Escanaba High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Escanaba Schools for the 8th grade and changed residence to the Powers-North Central School District, enrolling there for the 9th grade. The father works in Escanaba and the mother in Iron Mountain which was closer to North Central. The student has reenrolled at Escanaba to begin the 10th grade and wishes to participate in hockey.

The Executive Committee did not approve the request for waiver.

Escanaba High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who lives in Gladstone and previously attended Gladstone High School for the 9th and 10th grades. The student has enrolled at Escanaba High School which has a cooperative agreement with Gladstone in ice hockey. The student was not a member of the team previously because 10th graders were not allowed to participate on the team.

The Executive Committee did not approve the request for waiver.

Fruitport High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 59 (public school of residence) was made on behalf of an 11th-grade student who is a ward of the court placed with foster parents who live in the Muskegon School District (Exception 3) but whose elementary age son attends Fruitport Schools. Several family members also live in the Fruitport School District.

The Executive Committee approved the request for waiver.

Grand Ledge 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 Lansing Catholic High School and participated in ice hockey. The student has changed schools to explore vocational electives.

The Executive Committee did not approve the request for waiver.

Grand Rapids-Union High School (Regulation I, Section 9) – A late request to waive the transfer regulation was made on behalf of three brothers in grades 9, 11 and 12 who recently moved from New York to Grand Rapids and began the 2009-10 school year at their school of residence, Grand Rapids-Creston High School. After starting the school year and participating in athletics at Creston, it was discovered that the students had language barriers which should have placed them at Union High School which is the language center for the Grand Rapids Public Schools. The students enrolled at Union on Sept. 21, 2009.

The Executive Committee did not approve the request for waiver.

Grosse Pointe North 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-De La Salle Collegiate High School and participated in athletics. His family decided to change schools due to a combination of academic, social and financial concerns.

The Executive Committee did not approve the request for waiver.

Harbor Springs High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 59 (public school of residence) was made on behalf of a 12th-grade student whose parents are divorced and who moved from his mother's residence in the Macomb-Dakota School District to the father's residence in Pellston. The student enrolled at Harbor Springs High School on Sept. 21, 2009 because the father has two children currently enrolled in the Harbor Springs Schools: a 1st grader who began Kindergarten one year ago, and a Pre-K child starting this school year. An otherwise completed Educational Transfer Form was submitted.

The Executive Committee approved the request for waiver.

Ishpeming High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 59 (public school of residence) was made on behalf of 10th- and 12th-grade foreign exchange students whose host family resides in Negaunee. The father is the pastor of a Methodist church in Ishpeming whose parsonage is in the Negaunee School District. Two older sons graduated from Ishpeming High School; an elementary age daughter was home schooled until she entered the 4th grade at Negaunee where she is now a 6th grader.

The Executive Committee did not approve the request for waiver.

Lake Orion High School (Regulation I, Section 9) – A request to interpret or waive the transfer regulation was made on behalf of an 11th-grade student who lived in Ohio and whose parents have been separated since December 2000 and lived apart since 2002. In April 2003, a shared parenting plan was agreed to wherein the student lived with the father two days, the mother two days and alternating weekends. Recently, the father's job was transferred to Michigan and it was determined that the student will reside with the father in Lake Orion.

The Executive Committee approved the request for waiver for this one time only.

Lakeview High School (Regulation I, Section 9) – A request was made on behalf of a 12th-grade student to waive the transfer regulation and specifically Interpretation 75 (home schooled for at least 270 days). The student attended Lakeview Schools her entire academic career until she withdrew and was home schooled from Feb. 11, 2009 until the end of the second semester of 2008-09. The school accepted the credit and the student reenrolled at Lakeview High School to begin the 2009-10 school year.

The Executive Committee approved the request for waiver.

Muskegon-Orchard View High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 18 year old 12th-grade student whose parents have separated and who has moved with his mother into the residence of an aunt in the Orchard View School District. The student previously attended Muskegon High School; the father continues to reside in the Muskegon School District.

The Executive Committee did not approve the request for waiver.

North Branch High School (Regulation I, Section 9) – On Sept. 9, 2009, the Executive Committee did not approve a request to waive the transfer regulation made on behalf of a 9th-grade student who practiced football and played in the preseason scrimmage for Oxford High School before it was determined that the student would leave his mother and reside with the grandmother in North Branch. More details were submitted of the student's life that led to his removal and placement with the grandmother.

The Executive Committee approved the request for waiver.

Petoskey High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who began the 9th grade in Arizona and moved with his mother to the Petoskey School District for the 2008-09 school year. Over the summer the student moved to the Boyne Falls School District where the student attended school four days before reenrolling at Petoskey. The student did not participate in athletics while at Boyne City.

The Executive Committee approved the request for waiver.

Pontiac High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Pontiac Central High School while residing with his mother for the 9th grade. The student moved to the residence of an aunt over the summer and enrolled at Pontiac Academy for Excellence for four school days to begin the 2009-10 school year and did not participate in athletics. The student then moved to the residence of his mother and reenrolled at Pontiac High School on Sept. 18, 2009. Pontiac Northern and Pontiac Central have merged to form Pontiac High School starting with this school year. The student moved from the attendance area of the former Pontiac Northern to the attendance area of the former Pontiac Central School District, but not from one school district to another school district as is the language of Exception 2.

The Executive Committee approved the request for waiver.

Pontiac High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th grade student who attended Orchard Lake-St. Mary Preparatory High School before moving with his mother from the west side of Pontiac to the east side of the district, enrolling at Pontiac High School to begin the 2009-10 school year. The student's mother was unable to pay tuition and transportation costs.

The Executive Committee did not approve the request for waiver.

Pontiac 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 Mott High School while living with his mother in Warren. The student's mother died on March 8, 2009, and the student moved in with an older brother who lives in Pontiac. The student participated in athletics previously. The student's father has not been in the student's life for years.

The Executive Committee approved the request for waiver.

Rockford High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Comstock Park High School and participated in athletics. The student enrolled at Rockford High School on Sept. 23, 2009, due to an incident that occurred on Aug. 25, 2009 between the student and a coach.

The Executive Committee did not approve the request for waiver.

Saginaw-Heritage High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who enrolled in the 9th grade at Carrollton High School. The student's mother died Dec. 10, 2008. The student lived with her father and sister, and she subsequently moved to the residence her sister who had previously relocated because of issues with her father. The student enrolled at Heritage High School on Sept. 28, 2009.

The Executive Committee did not approve the request for waiver.

Saginaw-Valley Lutheran 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 Bay City-John Glenn High School before enrolling at Valley Lutheran for academic reasons.

The Executive Committee did not approve the request for waiver.

Sturgis High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 59 (public school of residence) was made on behalf of a 10th-grade student who previously attended Battle Creek-Harper Creek High School and participated in swimming. The student has experienced many traumatic events. In the late spring of 2009 the student moved in with her mother in Centreville and enrolled at Sturgis High School, which is not the school of residence. An otherwise completed Educational Transfer Form was submitted.

The Executive Committee did not approve the request for waiver.

Troy-Athens High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who attended high school in Guam and portions of his elementary and middle school years in Puerto Rico. The student's mother is a teacher at the American Military School in Guam who wished to return to the area with her son but has remained in Guam due to the employment market. The mother's family is in Troy and the student has developed a bond with his grandparents.

The Executive Committee did not approve the request for waiver.

Wyoming—Tri-unity Christian High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 59 (closest nonpublic school) was made on behalf of a 10th-grade student whose family moved to Ohio where the student participated in 9th-grade athletics and has returned to the Grand Rapids area. The student lives closer to Byron Center-Zion Christian High School than to Tri-unity Christian. The student attended Tri-unity Schools previously and has two older brothers who graduated from Tri-unity Christian.

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
Livonia-Clarenceville	10	Detroit-Mumford	Sept. 14, 2009	Jan. 18, 2010
Pontiac	10	Auburn Hills-Avondale	Sept. 2009	Jan. 18, 2010
River Rouge	10	Detroit-Academy of Arts & Sciences	Sept. 2009	Jan. 18, 2010

East Grand Rapids High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 224, a request to waive the three/four player rule for the 2009-10 school year was made on behalf of an assistant girls swimming & diving coach who is also the head coach of the East Grand Rapids Wave with 200 participants ages 6-18 from seven school districts, including East Grand Rapids and one nonpublic school. There are 50 students from East Grand Rapids grades 7-12 involved in the program.

In addition, a request was made for the head boys and girls swimming & diving coach at East Grand Rapids High School to continue to serve as an assistant coach in the Wave program. The Executive Committee granted approval for this coach in February 2009 when the Wave had a departure of coaches.

The Executive Committee approved the request for waiver for the assistant girls swimming & diving coach for the 2009-10 school year, but did not approve the additional request for the head boys and girls coach.

Grosse Pointe South High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 224, a request to waive the three/four player rule for the 2009-10 school year was made on behalf of an assistant boys and girls swimming & diving coach who is also the head coach of the Grosse Pointe Gators Swim Club with 210 participants ages 6-18 from five high schools including Grosse Pointe South and North and five middle schools. There are 20 students who attend Grosse Pointe South High School and 140 students below the 8th grade involved. A waiver of the three/four player rule was approved for the same coach and program in previous years.

The Executive Committee approved the request for waiver for this coach for the 2009-10 school year.

Regulation III, Section 1(C) – Pursuant to Interpretation 249, the Executive Committee approved the following junior high/middle school 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 2009-10 school year only:

Junior High/ Middle School	Sport(s)	High School Enrollment	Middle School Enrollment
Lake Leelanau- St. Mary	boys basketball	89	16 7 th graders 15 8 th graders
Novi-Franklin Road Christian	all 7 th grade sports	90	20 7 th graders 27 8 th graders

New Member School – 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:

Detroit-Michael J. McGivney Academy is operated by Holy Cross Children's Services and recently chartered by Wayne County Regional Education Services Agency. Currently there are 63 students attending grades 9-12 (9 girls and 54 boys) with a maximum of 100 students. The school enrollment would be doubled for classification purposes. The population is primarily students who are juveniles or are victims of abuse and neglect and who are wards of the court. Some students reside onsite in a residential program, others are placed with a family in foster care, and some are day treatment students who return to their parents each night. It is anticipated that a waiver may be submitted as some students, eligible under Exception 3, may not be attending the closest charter school to their residence. The school is located in the building formerly occupied by Detroit-Charlotte Forten Academy and Detroit-St. Andrews. A good sized gymnasium is on the campus. In 2009-10 the school intends to sponsor a limited schedule of junior varsity boys basketball. The signed 2009-10 Membership Resolution was received July 20, 2009. The Athletic Department Code of Conduct and Preliminary Enrollment Declaration were also received. If a 2010-11 Membership Resolution is received prior to Oct. 2, 2010 and the school is otherwise in good standing, the school will be eligible for MHSAA tournaments for the 2010-11 school year.

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