

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, October 3, 2011

Members Present:

Jim Derocher, Negaunee
Scott Grimes, Grand Haven
Vic Michaels, Detroit
Fred Smith, Buchanan
Mark Woodson, Romulus

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.

Algonac High School (Regulation I, Sections 4 & 5) – A request to waive eligibility portions of the maximum enrollment and competition regulations was made on behalf of a 12th-grade student whose grandfather, father and mother's male companion all died in close proximity earlier in the student's life, resulting in poor attendance and academic performance in the 2007-08 school year at Madison Heights-Madison High School in the 9th grade. The student moved to Algonac and repeated the 9th grade and is presently in his ninth semester overall and fifth first semester since beginning the 9th grade.

The Executive Committee did not approve the request for waiver.

Eastpointe-East Detroit High School (Regulation I, Section 5 & Regulation II, Section 11) – A request was made to interpret the maximum competition and out-of-season coaching limitation to allow four female swimmers who practiced swimming this fall before girls swimming was discontinued at East Detroit High School to swim competitively with the boys swim team in the winter. The students did not participate in a scrimmage or meet but were practicing for over one month. Interpretation 32 states: Students who represent their school on a boys team (game, meet or scrimmage) shall not be eligible to compete on a girls team during the same school year in the same sport if that sport is conducted in separate seasons. Likewise, those who participate on the girls team may not compete on the boys team in the same school year in the same sport if that sport is conducted in separate seasons.

The Executive Committee approved the request for waiver.

Dexter 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 was in a boating accident in August of 2009 which caused health and learning problems. The student began the 9th grade at Ann Arbor-Gabriel Richard, was home schooled and then enrolled at Dexter High School in mid trimester, January 2011. She had an academic performance below 66 percent of full credit load potential in every trimester of 2010-11.

The Executive Committee did not approve the request for waiver.

Marquette 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 has had multiple medical issues which resulted in the student passing two of seven classes in the second semester of the 2010-11 school year.

The Executive Committee did not approve the request for waiver.

Beverly Hills-Groves High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who is transferring between schools of the same district because of the adverse atmosphere, concerns for safety and lack of the student's ability to thrive at the former school. The student enrolled at Groves to begin the 2011-12 school year.

The Executive Committee did not approve the request for waiver.

Cass City High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Cass City Schools from Kindergarten through 10th grade except for four days (Sept. 6-9, 2011) when the student attended Caro High School and did not participate in athletics. The student reenrolled at Cass City on Sept. 12, 2011.

The Executive Committee approved the request for waiver.

Flint—Carman-Ainsworth High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose mother's substance abuse caused the student to move out and reside with an aunt in Huntington Woods for the 2010-11 school year. Due to family circumstances, that aunt requested that another aunt take the student in. The student has now moved to the residence of another aunt in the Carman-Ainsworth School District, enrolling there to begin the 2011-12 school year. There is a court order that does not allow the father to have any contact with the student. The student had attended Ortonville-Brandon while living with her mother and Berkley while living in Huntington Woods with her aunt.

The Executive Committee approved the request for waiver.

Flint Northern High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended two classes on Thursday, Sept. 8, 2011 at Flint-Beecher High School before leaving and reenrolling at Flint Northern on Sept. 13, 2011. The student attended Flint Northern previously for the 9th and 10th grades and was not in attendance at any school on Sept. 6, 7, 9 and 12, 2011. The student did not participate in athletics at Beecher.

The Executive Committee approved the request for waiver.

Hale High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose mother is due to be incarcerated and whose father is deceased. In addition, the ex-boyfriend (with a history of abuse and endangerment of the student and his brother) has returned to the mother's home in Almont. The student and his brother have moved to the grandmother's home in Hale, enrolling at Hale High School on Sept. 14, 2011.

The Executive Committee approved the request for waiver.

Holland Christian High School (Regulation I, Section 9[C]) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who participated as a 9th grader at Holland-West Ottawa in an ice hockey cooperative agreement between West Ottawa and Holland Christian. The student has enrolled at Holland Christian to begin the 2011-12 school year. Support from the former school was submitted.

The Executive Committee approved the request for waiver for ice hockey only until Jan. 16, 2012. Thereafter, the student is eligible for all sports insofar as the transfer regulation is concerned.

Hudsonville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose father is working in Germany for two years. The student currently attends Hudsonville High School and will be joining the father in Germany with her mother for the final two trimesters of the 2011-12 school year. The family will return to the same home and school in the summer of 2012 but the father will be returning to Germany to continue his assignment. The mother will remain in Hudsonville. The request was for eligibility upon return for the 2012-13 school year to the same home and school. Because the father will be returning to Germany, it would not be considered a full and complete residential change.

The Executive Committee approved the request for waiver provided the student returns to the same residence and school with her mother as planned.

Ishpeming High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who lived with both parents in Florida before the father lost his job and moved with the student to the grandparents' home in Republic in pursuit of employment. The student's mother remained in Florida with a younger sibling because she is employed with health insurance. She is expected to arrive in Michigan in January. The student had played on two volleyball dates while ineligible, which the school has forfeited. The student and father have since found a residence in Ishpeming. The student has not participated since mid September.

The Executive Committee approved the request for waiver.

Marquette High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose difficulties resulted in the student moving from his parents' home for two weeks and enrolling at North Star Academy from March 29, 2011 through the end of the 2010-11 school year. The student returned to his parents' home after two weeks and re-enrolled at Marquette High School to begin the 2011-12 school year.

The Executive Committee did not approve the request for waiver.

Morley Stanwood High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student whose mother died four years ago and whose father has recently been incarcerated. The student previously attended Reed City High School and participated in football. The student has moved in with his only living family member, an aunt who resides in the Morley Stanwood School District. The student enrolled at Morley Stanwood High School on Sept. 26, 2011.

The Executive Committee approved the request for waiver.

Muskegon Catholic Central 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 foreign exchange student from a CSIET-listed program (EF Foundation for Foreign Study) whose host families are parents of children already in attendance at Muskegon Catholic Central High School. Muskegon Catholic Central is not the closest nonpublic school.

The Executive Committee approved the request for waiver.

Reed City High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who was alleged to be the subject of racial discrimination and harassment. During the week of Aug. 22, 2011, the student reported another athlete in violation of the Big Rapids High School athletic code. An allegation of discrimination from November 2010 and January 2011 was also included. The student resides in Baldwin and attended Big Rapids since the 9th grade before enrolling at Reed City to begin the 2011-12 school year.

The Executive Committee did not approve the request for waiver.

Romulus 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-Cass Technical High School before enrolling at Romulus on March 4, 2011.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Romulus High School starting March 4, 2011.

Stockbridge High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who attended Dansville High School his entire career until being expelled. He enrolled at Stockbridge on March 9, 2011. The student participated while ineligible in three football games, one of which was a victory. The request was based on the student's life-long residency in Stockbridge and the absence of language that expressly denies immediate eligibility to returning school of choice transfer students.

The Executive Committee did not approve the request for waiver.

Webberville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose former school closed at the end of the 2010-11 school year (Exception 6) and who attended Fowlerville High School for two days before enrolling at Webberville on Sept. 8, 2011. The student was home schooled through the 8th grade before attending Fowlerville Christian Academy and did not practice or play in a contest at Fowlerville this summer or fall.

The Executive Committee approved the request for waiver.

Wyoming-Rogers High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student placed in foster care and secure facilities on and off since 2009. In April 2011, the student was placed with foster parents in the Grand Rapids-Union attendance area. Upon completing the 2010-11 school year at Union High School, it was determined by Bethany Christian Services that the student and others who resided in the same house were to be transferred to Wyoming-Rogers High School because of misdirected threats of violence from other Bethany Foster children against these students.

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
Holland-Calvary Christian	10	Hamilton	Sept. 2011	Jan. 16, 2012
Holly	10	Pontiac Academy of Excellence	Sept. 2011	Jan. 16, 2012
St. Clair Shores-Lakeview	10	Warren-De La Salle Collegiate	Sept. 2011	Jan. 16, 2012
Wyoming-Rogers	10	Grand Rapids-Union	Sept. 2011	Jan. 16, 2012

Berkley High School (Regulation I, Section 12) – A request to waive the limited team membership regulation was made on behalf of a 9th-grade student to permit participation in the Pan American Maccabi Games in Brazil Dec. 24, 2011-Jan. 4, 2012. The best Jewish players within designated age groups are selected to participate in a tournament which includes teams from North, Central and South America. The student will miss school on Jan. 3 and 4, 2012.

The Executive Committee did not approve the request for waiver.

Capac High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 236, a request to waive the three- (or four-) player rule for the 2011-12 school year was made on behalf of the head boys and girls bowling coach who is also employed part-time by the Bowling Center of Holly Meadows in Capac as a youth bowling instructor and league coordinator for students from several communities in the area, grades 1-12 (Brown City, Yale, St. Clair, Imlay City and Capac). The coach is employed full-time in an automobile-related industry.

The Executive Committee did not approve the request for waiver.

Flint-Kearsley High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 236, a request to waive the three- (or four-) player rule for the 2011-12 school year was made on behalf of the head girls bowling coach who has coordinated a youth bowling program for the past nine years on Saturday mornings for ages 5-20 at Richfield Lanes. The coach is employed full-time in the automobile industry. In addition, a request is made to waive the three- (or four-) player rule for the assistant girls bowling coach who has recently become an employee of Richfield Lanes (30 hours per week).

The Executive Committee did not approve the request for waiver for the head coach but approved the request for the assistant coach for the 2011-12 school year.

Manistee Catholic Central Middle School (Regulation III, Section 7) – A request to waive the previous academic credit record regulation was made on behalf of an 8th-grade student who is one class short of a satisfactory previous academic credit record while at Manistee Middle School (50 percent of full credit load potential 3 of 8). The student is repeating the 8th grade at Manistee Catholic Central Middle School. He was tested late in the 2010-11 school year. The student has a learning disability, was the victim of an assault earlier in his life, is receiving counseling and has been improving educationally and socially this school year. It was discovered that the student played in two football games while ineligible, which the school has forfeited. He has not participated in a game since that discovery.

The Executive Committee approved the request for waiver.

Mt. Pleasant Sacred Heart Middle School (Regulation IV, Section 8) – A late request was made on behalf of a 7th-grade student to waive the limitation that a 7th- or 8th-grade student may not be a member of an interscholastic team in more than one sport at the same time. The student currently runs cross country and wants to join 7th grade volleyball. There are 16 girls in the 7th grade; six play volleyball and eight run cross country.

The Executive Committee did not approve the request for waiver.

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:

Ypsilanti-Arbor Preparatory High School opened for the first time with 9th and 10th grades on Sept. 6, 2011. Arbor Prep is a charter school with a current enrollment of approximately 150 students chartered through Bay Mills College and operated by Prep Net of Grand Rapids. The school intends to add a grade yearly with an anticipated maximum future enrollment of 750 students. The school intends to sponsor boys and girls basketball, boys and girls soccer, boys and girls cross country, boys golf and girls volleyball. A new gymnasium with a 700-seat capacity has been built and is well equipped for a small school with adequate grounds for outdoor sports. The athletic director attended an MHSAA Orientation on Sept. 20, 2011. The Preliminary Enrollment Declaration and 2011-12 Membership Resolution were received on Sept. 12, 2011. An athletic code of conduct and sportsmanship were also submitted. If a 2012-13 Membership Resolution is received prior to Sept. 28, 2012, and provided all other rules are complied with, the school will be eligible for MHSAA tournaments for the 2012-13 school year.

Ypsilanti-Arbor Preparatory High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who moved with his family from Georgia to the Ypsilanti-Ann Arbor area in July 2011 and began the 10th grade at Ann Arbor-Huron High School. After attendance there for five school days (Sept. 6-12, 2011), the student enrolled at Arbor Preparatory High School on Sept. 14, 2011. The student participated in three football games at Huron but was not involved in sports in Georgia. Arbor Preparatory is not the closest charter school to the student's new home. Exception 15 would allow a student to be eligible at a new school is in attendance there on its first day but Arbor Prep opened for the first time on Sept. 6, 2011.

The Executive Committee did not approve the request for waiver.

Designated Funds – Four years ago the Executive Committee suspended the several years' practice of placing a set amount into each of two designated funds maintained by the MHSAA. Based on the past three years of operations, the Executive Committee reauthorized the practice for 2011-12 and until the Executive Committee or Representative Council would again suspend the practice.

Flexible Benefit Plan – The Executive Committee approved the First Amendment to the MHSAA Flexible Benefit Plan effective Jan. 1, 2011, and authorized the MHSAA executive director to execute that amendment and any related documents on behalf of the association.

Representative Council – The Executive Committee reviewed the draft agenda for the Dec. 2, 2011 Council meeting and also reviewed suggestions for an appointment to replace Arnetta Thompson whose second two-year term expires in December.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, Nov. 2, 2011, at 8:30 am in East Lansing; and Thursday, Dec. 1, 2011, at 1:30 pm in East Lansing.