

**MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.**

**EXECUTIVE COMMITTEE MEETING**

East Lansing, October 31, 2018

Members Present:

Scott Grimes, Grand Haven  
Pete Ryan, Saginaw  
Vic Michaels, Detroit  
Kris Isom, Adrian  
John Thompson, Brighton

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.

Burton-Bentley and Burton-Faithway Christian Academy High Schools (Regulation I, Section 1[E])

– The Executive Committee approved a cooperative program in several sports between these two schools whose 2018-19 combined enrollment is 334 students. Effective with the spring of the 2018-19 school year in baseball (varsity and JV), girls softball (varsity and JV) and boys and girls track & field (varsity); and effective with the 2019-20 school year in 11-player football (varsity and JV), boys and girls cross country (varsity), boys and girls bowling (varsity), wrestling (varsity) and girls competitive cheer (varsity and JV). Based on 2018-19 classifications, baseball, softball, cross country and wrestling will compete in the Division 3 tournaments. Bowling, competitive cheer and track & field may compete in Division 4. Both schools will sponsor stand-alone girls volleyball and boys and girls basketball teams. Bentley sponsored most sports previously and will be the primary school. Support from the Genesee Area Conference was submitted.

Farmington and Farmington Hills-Harrison High Schools (Regulation I, Section 1[E]-2)

– The Executive Committee approved a cooperative program in girls softball (varsity and JV) between these two schools of the same district in excess of the 1,000-student enrollment cap based on a demonstrated history of low participation. The combined enrollment of 1,960 students will remove one team from Division 2 and leave one team remaining in Division 1. Both schools sponsored softball previously; Farmington will be the primary school. Agreements formed under this section are subject to Representative Council approval to operate beyond the 2018-19 school year; however, Harrison is scheduled to close at the end of this school year. Support from the Oakland Activities Association was submitted.

Grandville, Byron Center and Grand Rapids-West Catholic High Schools (Regulation I, Section 1[F]-1)

– The Executive Committee approved the addition of West Catholic to a cooperative program in girls lacrosse (varsity and JV) between the other two schools. The combined enrollment of 3,313 students will continue placement of a team in the Division 1 tournament. Grandville will continue as the primary school. Support from the OK Conference was submitted.

Lansing Catholic, Lansing Christian and Lansing-New Covenant Christian High Schools (Regulation I, Section 1[E])

– The Executive Committee approved a cooperative program in girls softball (varsity and JV) between these three schools whose combined enrollment of 710 students will continue placement of a team in the Division 2 tournament. Lansing Catholic sponsored softball previously and will be the primary school. Support from the Capital Area Activities and Greater Lansing Activities Conferences was submitted.

Lansing Christian and Lansing-New Covenant Christian High Schools (Regulation I, Section 1[E])

– The Executive Committee approved a cooperative program in baseball (varsity) between these two schools whose combined enrollment of 195 students will continue placement of a team in the Division 4 tournament. Both schools were in a JV baseball cooperative program in the 2017-18 school year, which will continue. Lansing Christian will be the primary school. Support from the Greater Lansing Activities Conference was submitted.

Litchfield and Coldwater-Pansophia Academy High Schools (Regulation I, Section 1[E])

– The Executive Committee approved the addition of boys and girls track & field (varsity only) to a recently approved 2019-20 cooperative program in 8-player football between these two schools whose 2018-19 combined enrollment is 174 students. The track & field program will begin this spring, 2019. Litchfield sponsored track & field previously and will be the primary school. Support from the Southern Central Athletic Association was submitted.

Manistique and Cooks-Big Bay de Noc High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of boys and girls cross country (varsity only) in 2019-20 to a cooperative program between these two schools which currently exists in football, girls softball and girls competitive cheer. The combined 2018-19 enrollment of 320 students will remove one team from the Division 3 Upper Peninsula tournament and continue placement of a team in Division 2. Manistique will be the primary school. Support from the Mid-Peninsula Conference was submitted.

Ovid-Elsie and St. Johns High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved a cooperative program in boys and girls lacrosse (varsity only) between these two schools whose combined enrollment of 1,408 students will continue placement of a team in the Division 2 Boys Lacrosse Tournament. Neither school sponsored girls lacrosse previously, resulting in a new team in Division 2 of the Girls Lacrosse Tournament. Ovid-Elsie sponsored boys lacrosse previously and will be the primary school for both boys and girls. Support from the Capital Area Activities Conference 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 baseball and girls softball (varsity only) to a cooperative program that exists in football and girls soccer between these two schools whose combined enrollment of 261 students will continue placement of a team in the Division 4 tournaments. Support from the BCS Conference was submitted.

Walled Lake Western and Commerce Township-Walled Lake Northern High Schools (Regulation I, Section 1[E-1]) – A late request was made to permit students from these two schools of the same district to practice ice hockey together pending the application and approval of a subvarsity cooperative program in ice hockey. Subvarsity agreements have no deadline but must meet all other criteria. This request was based on inadequate participation numbers on both high schools' varsity teams to field a team this winter. The subvarsity application is in process and must be submitted to the Executive Committee for approval on Nov. 29, 2018. Regulations do not prohibit a JV team from playing varsity teams in ice hockey.

The Executive Committee approved the request that this program may conduct tryouts and practice together as allowed by rule without it counting as a scrimmage. No games or scrimmages against other schools may take place until the subvarsity program is approved by the Executive Committee. There will be no participation by either high school in the 2019 MHSAA Ice Hockey Tournament. The Executive Committee also authorized the staff to extend this allowance to one other named varsity ice hockey program that was in a similar situation and may consider this option for the 2018-19 season.

St. Johns High School (Regulation I, Section 5) – A request to waive the maximum competition regulation and specifically Interpretation 32 (participation in two seasons in a school year) was made on behalf of an 11<sup>th</sup>-grade student who participated in girls swimming from Aug. 8 – Sept. 5, 2018, when a knee injury resulting in surgery ended her season. The student participated in 29 practices over 16 dates and in two meets on Aug. 22 and 25, 2018. The school requested that the student be permitted to participate with the boys swim team this season. The student intends to return to the girls swim team in 2019-20 for the 12<sup>th</sup> grade.

The Executive Committee did not approve the request for waiver.

Battle Creek-Lakeview High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation was made on behalf of a 9<sup>th</sup>-grade student who attended the Battle Creek Area Math and Science Center (BCAMSC), which serves students from several schools including Battle Creek-Central and Lakeview. He was admitted to the BCAMSC as a Central student taking three classes at Central and three at BCAMSC. The student had applied and been accepted at Lakeview this summer, but would only have been able to attend BCAMSC as a Central student. The student participated in 14 dates of subvarsity soccer this fall at Central before Lakeview had a BCAMSC opening. The student

began his three classes at Lakeview on Oct. 11, 2018, while continuing three classes at BCAMSC. The student's transfer is related to threats while the student was an 8<sup>th</sup>-grader made in February 2018 toward the student and his mother who was an employee of the school district. The student's younger brother enrolled at Lakeview Middle School to begin the 2018-19 school year. The school requested a waiver on the 91<sup>st</sup> school day for 2018-19 and subvarsity eligibility for the fall of 2019 under the new sport-specific transfer regulation because the change of schools is safety related and the delay in starting the 9<sup>th</sup> grade at Lakeview is academic related.

The Executive Committee approved the request for waiver on the student's 91<sup>st</sup> school day of enrollment at Lakeview High School, beginning Oct. 11, 2018. The Executive Committee did not approve eligibility for soccer in the 2019-20 school year.

Caledonia High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9<sup>th</sup>-grade student who received a long-term suspension while an 8<sup>th</sup>-grader at Lowell Middle School. The student completed the requirements for return to Lowell and attended Lowell High School for seven school days in August 2018 and participated in one 9<sup>th</sup>-grade football game. At the request of the Lowell administration, the student enrolled at Caledonia on Sept. 5, 2018. The Lowell administration requested Caledonia take this student into its school because he was having social difficulties and some families were angry the student was allowed to return.

The Executive Committee approved the request for immediate eligibility in the 2018-19 school year. The Executive Committee did not approve eligibility for football in the 2019-20 school year.

Hillsdale High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation to permit eligibility on the 91<sup>st</sup> school day of enrollment was made on behalf of a 9<sup>th</sup>-grade student who attended Hillsdale-Will Carleton Academy before enrolling at Hillsdale on Oct. 1, 2018.

The Executive Committee approved the request for waiver on the student's 91<sup>st</sup> school day of enrollment at Hillsdale High School, beginning Oct. 1, 2018.

Hudsonville-Unity Christian High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation to permit eligibility on the 91<sup>st</sup> school day of enrollment was made on behalf of a 10<sup>th</sup>-grade student who attended Grandville-Calvin Christian before enrolling at Unity Christian on Oct. 8, 2018.

The Executive Committee approved the request for waiver on the student's 91<sup>st</sup> school day of enrollment at Unity Christian High school, beginning Oct. 8, 2018.

Lansing-Everett High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11<sup>th</sup>-grade student who began school in August 2018 at Everett High School after moving in with an aunt in the Lansing-Eastern attendance area. The student previously attended Jackson-Northwest and T. A. Wilson Academy, residing with his parents. The father is incarcerated and the mother is in and out of rehabilitation programs, which caused the student to move in with his aunt. The aunt was erroneously informed that the student could enroll and attend any of the three Lansing high schools and retain eligibility. The school sought immediate eligibility for wrestling.

The Executive Committee did not approve the request for waiver.

Lawton High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12<sup>th</sup>-grade student who attended Lawton Schools through the 11<sup>th</sup> grade and was raised by her grandfather who died suddenly in September 2017. The student then moved to the home of an older sister in Grandville and participated briefly in softball during the 11<sup>th</sup> grade. In May 2018, the student moved to another sister's home in Kalamazoo and the student commuted to Grandville until she reenrolled at Lawton on Sept. 18, 2018. Support for eligibility was submitted by the former school.

The Executive Committee approved the request for waiver.

Merrill High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11<sup>th</sup>-grade student whose family sold their home in Hemlock and have a purchase agreement on a home in Merrill. The current occupants continue living in the home as their next home's construction is delayed. The student's family has all their belongings in a barn in Merrill and are living with a grandparent in St. Charles. The student and a younger brother enrolled to begin the 2018-19 school year at Merrill. The family anticipates moving into the new home in Merrill in January 2019.

The Executive Committee approved the request for waiver.

Negaunee High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation to permit eligibility on the 91<sup>st</sup> school day of enrollment was made on behalf of a 9<sup>th</sup>-grade student who attended Ishpeming-Westwood before enrolling at Negaunee on Oct. 2, 2018.

The Executive Committee approved the request for waiver on the student's 91<sup>st</sup> school day of enrollment at Negaunee High School, beginning Oct. 2, 2018.

New Haven High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12<sup>th</sup>-grade student whose parents have lived apart for over ten years and is seeking eligibility under Exception 8 by completing an Educational Transfer Form, which was submitted. The parents are not divorced but have lived in separate countries for so many years that the school requested the student become eligible as if the parents were divorced. The student has lived with his mother only for ten years in Windsor, Ontario, Canada and attended Windsor-Herman. The father has resided in Harrison Township and recently moved to the New Haven School District to be closer to his work in Romeo. The student has moved into the home of his father and enrolled on Sept. 11, 2018.

The Executive Committee did not approve the request for waiver.

Portage Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade student who attended Parchment Schools her entire career before enrolling at Portage Central over health concerns related to high levels of PFAS in the water. The student's older brother, who played sports at the former school, was diagnosed with cancer. The mother, who is a teacher at the former school, has thyroid disease. The student is also enrolled shared-time at Kalamazoo Area Math and Science Center, which serves several schools in the county. The student was unable to match other academic classes at Parchment due to its trimester structure and curriculum. The student enrolled at Portage Central to begin the 2018-19 school year.

The Executive Committee did not approve the request for waiver.

St. Louis High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9<sup>th</sup>-grade student who has been raised by his grandmother for the past three years as his parents have been in and out of jail. The student attended Greenville before enrolling at St. Louis on Oct. 18, 2018. The grandmother can no longer care for the student due to her husband's Alzheimer's disease and has sought a place for the student to live. The student and his brother have been placed at the Baptist Children's Home which is a state-licensed child care facility located in the St. Louis School District. The student is not yet officially a Ward of the Court as under Exception 3.

The Executive Committee approved the request for waiver.

Traverse City Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12<sup>th</sup>-grade student who was removed from his mother's care in the 9<sup>th</sup> grade at Kingsley High School in the spring of the 2015-16 school year and placed with his grandmother in Bellaire. While in the 9<sup>th</sup> grade, the student was charged with a crime against another minor. A Child Protective Services case was opened against the mother. The student briefly enrolled at Bellaire before being notified he was no longer permitted to attend there. The student was then placed by the courts at Kalamazoo-Lakeside Academy, an in-patient residential facility, until February 2018 when the student returned to his grandmother's home in Bellaire. The student sought to reenroll at Bellaire and was denied admission. The student was also not accepted at two other schools in the region before the alternative school of the Traverse City Area Public Schools accepted the student in April 2018. The student completed the second semester of the 2017-18 school year there and was allowed to enroll at Traverse City Central to begin the 2018-19 school year. The student has no history of participation in athletics and practiced with the track team last spring. Support for eligibility was submitted by the student's probation officer.

The Executive Committee approved the request for waiver.

Walled Lake Western High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12<sup>th</sup>-grade student whose sister has a mental illness and who has moved from her parents' home in Jackson to the home of an older sister in Walled Lake because of the stress of living in her former residence. The student enrolled at Walled Lake Western on Aug. 28, 2018.

The Executive Committee did not approve the request for waiver.

Westland-Lutheran High School Westland (Regulation I, Section 9[C]) – A request to waive the transfer regulation was made on behalf of an 11<sup>th</sup>-grade student who enrolled at Lutheran Westland on Oct. 22, 2018, and participated in the football cooperative program with Plymouth Christian where the student was previously enrolled. Support for eligibility was submitted from the former school.

The Executive Committee approved the request for waiver. The student is ineligible for the remainder of the 2018-19 school year in all sports but eligible in 2019-20 in all sports, including football.

Wyoming-Kelloggsville High School (Regulation I, Section 9) – A request to waive the transfer regulation and the elements of a full and complete residential change was made on behalf of an 11<sup>th</sup>-grade student who has lived with his grandmother for the past 13 years. The student attended East Kentwood Schools for the past four years. Over the summer, the grandmother lost her mobile home and the student and his grandmother moved in with relatives in an apartment in the Kelloggsville School District. The student enrolled to begin the 2018-19 school year. In mid-September, the student and grandmother were forced to leave the apartment and are now residing in a hotel very near Kelloggsville High School. The grandmother has been unable to change her license or provide utility bills as she has no permanent address, but has lived in the district for several weeks. Support for eligibility was submitted by the former school.

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 9<sup>th</sup>- or 10<sup>th</sup>-grade students (after entering 9<sup>th</sup> grade, before completing 10<sup>th</sup> 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
Akron-Fairgrove	10	Caro	Aug. 15, 2018	Jan. 21, 2019
Akron-Fairgrove	9	Caro	Sept. 17, 2018	Jan. 21, 2019
AuGres-Sims	9	Tawas City-Tawas Area	Oct. 29, 2018	Remainder of 18-19 school year
Genesee	9	Success Virtual Center	Sept. 5, 2018	Jan. 21, 2019
Jackson-East Jackson	9	Michigan Center	Oct. 30, 2018	Remainder of 18-19 school year
North Branch	9	Imlay City	Oct. 23, 2018	Remainder of 18-19 school year
North Branch	9	Imlay City	Oct. 23, 2018	Remainder of 18-19 school year
Rochester Hills-Lutheran Northwest	10	Utica-Eppler Jr. High	Aug. 27, 2018	Jan. 21, 2019
Scottville-Mason Co. Central	10	Gateway to Success	Sept. 28, 2018	Jan. 21, 2019

Approved International Student Programs (AISP) – Exception 4 of Regulation I, Section 9(A) allows immediate eligibility for one academic year for an otherwise eligible international student on either a J-1 or F-1 visa who is placed in a residence in a public high school district or school service area through an MHSAA Approved International Student Program. Pannonia Christian Exchange submitted a late application to become an MHSAA Approved International Student Program because it places so few students that CSIET costs are prohibitive. This program places one to three F-1 visa students from Hungary into Grand Rapids area Christian high schools per year. Two were placed in 2017-18 and two students were placed in 2018-19. One is an 11<sup>th</sup>-grader at Grandville-Calvin Christian and the other a 12<sup>th</sup>-grader at Grand Rapids-South Christian. Both students enrolled in August and will be returning home at the end of this school year. Prior to the AISP regulations being enacted in 2014-15, Pannonia Christian Exchange was given student-specific waivers by the Executive Committee several times since the 1999-2000 school year.

The Executive Committee approved Pannonia Christian Exchange program for the 2018-19 school year and it will be listed as an Approved International Student Program with a limit of five students being placed in MHSAA member schools in any one school year. AISP status and eligibility is effective with winter sports of the 2018-19 school year.

Owosso Middle School (Regulation IV, Section 10) – A request was made to waive the middle school limitation of competition that no more than three volleyball games be played in a week and no more than two games be on a day or night before a school day. Owosso is having difficulty scheduling with Lapeer Middle School and sought to schedule games on Monday, Dec. 3, Wednesday, Dec. 5 and Thursday, Dec. 6, 2018. In addition to facility and activity conflicts, extending the season longer than planned conflicts with the start of the next middle school season, which begins after winter break.

The Executive Committee approved the request for waiver.

Indian River-Inland Lakes and Mackinaw City Middle Schools Regulation III, Section 1[D1] – The Executive Committee approved a cooperative program between these two member middle schools in boys and girls track & field (6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades combined). Inland Lakes sponsored track & field previously and will be the primary school.

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:

**Albion-Starr Albion Prep Charter High School** is chartered by Central Michigan University and managed by Sequel Youth Services and is governed by the same board which manages Kalamazoo-Lakeside Academy Charter School, another recent MHSAA member high school. The school opened on July 10, 2018 and has an enrollment of 152 students in grades 9-12. Its predecessor institution, Star Albion, has been around for several years but has not sought MHSAA membership. This school serves students who are court-referred and troubled youth dealing with either the juvenile justice programs, substance abuse issues or sexually abusive situations. Typically, students entering this residential facility would be eligible under the transfer rule at Exception 3 as Wards of the Court.

The school intends to sponsor girls volleyball, boys and girls basketball, girls soccer and boys and girls track & field. It is considering cooperative agreements with Lakeside Academy in the near future. The school has very good athletic facilities, including a newly resurfaced eight-lane track and a gymnasium with minimum seating. The school principal at both Starr Albion and Lakeside is the same person who served as a former public school athletic director. Both schools also have a common athletic director who has attended an MHSAA New Athletic Director Orientation. A Code of Good Sportsmanship has been presented. A signed 2018-19 Membership Resolution and Preliminary Classification Form were received on Sept. 10, 2018. If a 2019-20 Membership Resolution is received prior to Sept. 27, 2019, and all other regulations are followed, the school will be eligible for MHSAA tournaments for the 2019-20 school year.

MHSAA Committees – The Executive Committee approved membership of MHSAA committees that meet after January 2018.

Representative Council – The Executive Committee reviewed a draft agenda for the Nov. 30, 2018 meeting.

Next Meeting – The next meeting of the Executive Committee is scheduled for Thursday, Nov. 29, 2018, at 1:30 p.m. in East Lansing (all onsite) (Representative Council meets the next day).