

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING MINUTES

Virtual, January 10, 2024

1:00 p.m.

Committee Members:

Scott Grimes, Grand Haven
John Thompson, Brighton
Vic Michaels, Detroit
Anna Rigby, Harbor Springs
Jason Malloy, Westland

Staff Members:

Cody Inglis
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 was 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.

Ironwood High School (Regulation I, Section 1) – A request to waive the enrollment regulation was made to permit Ironwood High School to form a cooperative agreement with Ashland, Wisconsin High School to participate in the Wisconsin Interscholastic Athletic Association (WIAA) ice hockey tournament. This request is allowed by WIAA regulation if approved by the MHSAA. Rationale, history, and the challenges associated with maintaining MHSAA cooperative agreements in hockey were stated.

The Executive Committee approved the request for waiver for 2024-25, only. This request must be annual and will be evaluated after the 2024-25 school year.

Evert High School (Regulation I, Sections 4 & 5) – A request to waive the maximum enrollment and maximum competition rules of the eligibility regulation was made on behalf of a 12th-grade student at Evert High School. The student was in a severe car accident in November of this school year. The accident left the student fighting for his life with life-altering, severe injuries, multiple surgeries, and in a coma. The student has withdrawn from school to focus on his physical and mental recovery. The school requested an additional year of athletics in basketball and track if the student can recover for the 2024-25 school year. The student's athletic participation and medical confirmation of his recovery and the accident were detailed.

The Executive Committee approved the request for waiver as it fits the criteria under Regulation I, Sections 4 & 5.

Northville High School (Regulation I, Section 4) – A request to interpret Section 4 (Maximum Enrollment) to allow a student who transferred to Northville High School from Canada to start the 2022-23 school year and would like to participate in athletics this spring. The student participated in soccer and track at Northville last school year and desires to do the same this year. The student's first year of high school in Canada, during the 2019-20 school year, was her 9th-grade year, but she was not awarded high school credit. The request was to interpret the Canadian 9th-grade credit as JH/MS credit. MHSAA staff has previously determined this student to have completed four first and four second semesters of high school enrollment. Based on her transcript, the student does not have athletic eligibility during the 2023-24 school year.

The Executive Committee did not approve the request for waiver.

Ann Arbor-Father Gabriel Richard High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an incoming 11th-grade student who transferred to Gabriel Richard High School for the start of the second semester of the 2023-24 school year after attending University of Detroit Jesuit High School as a 9th and 10th grader and then South Lyon High School for the first semester of the 2023-24 school year. The student's family moved to a new residence in South Lyon, which was the reason he attended the first semester. The student did not compete in athletics at South Lyon but competed in basketball at U of D Jesuit in 2022-23. The student transferred to Gabriel Richard to continue the Catholic faith and schooling important to his family. Father Gabriel Richard is the closest non-public school to their new residence in South Lyon.

The Executive Committee did not approve the request for waiver.

Belleville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who transferred to Belleville High School from Plymouth High School at the start of the 2023-24 school year. The student attended Plymouth and participated on the 9th-grade basketball team for the 2022-23 school year. The family moved from their Plymouth-Canton Community School District address before the student's 9th grade year thinking the new address, also a Canton address, would allow the student to stay at Plymouth. PCCSD notified the family that the new address was not in their attendance area and the student could not attend Plymouth after her 9th-grade year. The student enrolled at Belleville for the 2023-24 school year. Belleville requested for immediate subvarsity eligibility in basketball. The former school supported the request.

The Executive Committee approved the request for waiver.

Bloomfield Hills-Cranbrook-Kingswood High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for a 10th-grade student who competed in baseball the previous school year. The student transferred from University Liggett High School for a fresh start after experiencing challenges. This poor environment for the student resulted from many issues with the connection that made transferring the only choice for the family despite strong connections to ULS. The request was for immediate eligibility in baseball at Cranbrook, given the extenuating circumstances of the transfer.

The Executive Committee approved the request for waiver.

Bloomfield Hills-Cranbrook-Kingswood High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for a 10th-grade student who competed in hockey and lacrosse the previous school year. The student transferred from Orchard Lake-St. Mary's Prep High School for a fresh start after experiencing a lack of academic rigor while there. The request was for immediate eligibility in hockey and lacrosse, given the impact not participating will have on the student's mental health and the school's contention that the rule does not work as intended in this specific case.

The Executive Committee did not approve the request for waiver.

Dollar Bay High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for a 12th-grade student who competed in basketball the previous school year. The student transferred from Lake Linden-Hubbell High School for a fresh start for his mental health and emotional well-being in December of 2023. After the basketball season started the family felt leaving Lake Linden was the only option for the student. The request is for immediate eligibility in basketball at Dollar Bay High School, given the extenuating circumstances of the transfer.

The Executive Committee did not approve the request for waiver.

Grand Rapids-West Catholic High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who competed for the previous school year in baseball at Allendale High School. The student transferred from Allendale at the start of the 2023-24 school year, needing a new start because of incidents at school, which included bullying from a teammate via social media. The family made the decision to go to West Catholic High School as the student previously attended there and has a 12th grade sister that attends there. The former school did not provide documentation of the incident as it was not reported to them. There are several emails and social media posts documenting that incidents did occur. The request is for immediate eligibility in baseball at West Catholic.

The Executive Committee did not approve the request for waiver.

Grand Rapids-West Catholic High School (Regulation I, Section 9) – A request was made to waive Regulation I, Section 9, for a 9th-grade student who transferred from Kenowa Hills High School to West Catholic High School to start the second semester of the 2023-24 school year. The student has participated in the gymnastics cooperative program that exists between the two schools from the start of the gymnastics season on October 30th while the student was enrolled at Kenowa Hills. Kenowa Hills provided documentation showing written support for this student's eligibility to continue in gymnastics at West Catholic.

The Executive Committee approved the request for waiver.

Jenison High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for a 12th-grade student who competed for the previous school year in baseball at Byron Center-Zion Christian High School. The student transferred from Zion Christian for the start of the second semester of the 2023-24 school year, needing a fresh start to complete his high school education. This included issues that the student went through at the former school with the administration, making continuing difficult. The family made the decision to go to Jenison High School as the student can continue his education via Jenison's online program and graduate this spring as planned. The request was for immediate eligibility in baseball at Jenison.

The Executive Committee did not approve the request for waiver.

Kalamazoo-Loy Norrix High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for an incoming 10th-grade student who attended Vicksburg High School in the 2023-24 school year and competed in basketball and track. The student transferred to Loy Norrix High School to start the 2023-24 school year after experiencing racial issues at Vicksburg which resulted in health issues and academic challenges. The request was for immediate eligibility in basketball and track at Loy Norrix.

The Executive Committee approved the request for waiver.

Kingston High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for a 10th-grade student who competed in wrestling the previous school year at Cass City High School. The student transferred from Cass City for a fresh start, after attending his entire educational career, but experienced challenges, including his parent's divorce, the loss of a friend and needed a fresh start. The request was for immediate eligibility in wrestling at Kingston High School.

The Executive Committee did not approve the request for waiver.

Lansing-Sexton High School (Regulation I, Section 9) – A second request to waive the transfer regulation was made on behalf of a 12th-grade student who has transferred from Lansing-Eastern High School for the 2023-24 school year. The student was living with his grandfather in the Sexton High School attendance area, but because of economic issues, including the roof caving in and no reliable transportation, the student was forced to live with his aunt in the Sexton attendance area. The move also was made because the student was academically ineligible and needed a positive home force to turn things around. The student has rebounded academically since the move to his aunt's and since starting to attend Sexton. The student played basketball at Eastern during his 9th through 11th-grade years and the school request was for immediate eligibility in basketball at Sexton. New evidence submitted on the student's behalf was from the District Athletic Director, indicating that both schools believe this move is for his positive well-being.

The Executive Committee approved the request for waiver.

Madison Heights-Bishop Foley Catholic High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who recently enrolled at Bishop Foley High School. The student transferred from Detroit Country Day High School to start the 2023-24 school year. The student participated in three JV baseball games at Detroit Country Day during the 2022-23 school year. The student transferred to Bishop Foley for a new start in a different school environment. The request was for eligibility at Bishop Foley after three baseball games this season.

The Executive Committee approved the request for waiver after three baseball days of competition.

North Branch High School (Regulation I, Section 9) – A request to waive the transfer regulation, specifically Interpretation 62 (public school of residence), was made on behalf of an incoming 10th-grade student who moved from his father's home in the Lapeer School District to his mother's home also in the Lapeer High School attendance area. The student is moving to the mother and step-father's home, which will be much more stable for the student. The student attended Lapeer as a 9th grader and competed in basketball. The new residence with his mother is a residence that is on the border of the Lapeer and North Branch school districts. The new blended family has students (step-siblings) and other siblings (3) in the new household who have attended and will attend North Branch Public Schools. The new school requested immediate eligibility at North Branch.

The Executive Committee approved the request for waiver, on a one-time only basis.

Northville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who recently enrolled at Northville High School. The student transferred from Detroit Catholic Central High School in October of the 2023-24 school year. The student participated in one JV football game at Catholic Central during the 2023-24 school year. The student tore his ACL for the second time this fall. The request was for eligibility in football at Northville after one game next season. Support from the former school was also received.

The Executive Committee approved the request for waiver after one football game.

Novi High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for an incoming 10th-grade student recently enrolled at Novi High School. The student transferred from Mason High School in Ohio to start the 2023-24 school year. The student participated in basketball and track at Mason during the 2022-23 school year. The student transferred to Novi and is living with his aunt to get a fresh start. The move to Novi to live with his aunt was to provide stability. The request was for immediate eligibility in basketball and track at Novi.

The Executive Committee approved the request for waiver.

Novi-Detroit Catholic Central High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (closest nonpublic school) was made on behalf of an incoming 11th-grade student who made a full and complete residential change to Wixom from Warren, where he attended Warren-De La Salle High School. The student's brother has been accepted at Detroit Catholic Central as a 9th grader. Wixom Christian High School is the closest non-public school to their new residence, but the family desires to continue with Catholic faith-based education at an all-boys Catholic high school. The school asked for immediate athletic eligibility in football and basketball on behalf of the student. The student was previously granted a waiver in the June 2023 EC meeting at De La Salle.

The Executive Committee approved the request for waiver providing that it is confirmed that Catholic Central is the closest Catholic high school to the new residence.

Novi-Detroit Catholic Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for a 10th-grade student who competed in football, basketball, and baseball at Orchard Lake St. Mary's Prep High School. The student was enrolled at St. Mary's for his 9th grade year and the first semester of his 10th grade year before transferring. The student transferred to Detroit Catholic Central High School for safety reasons. The student and his family determined that a new start with a strong Catholic faith component was necessary for the student and chose Detroit Catholic Central. The request was for immediate eligibility in all sports.

The Executive Committee did not approve the request for waiver.

Otisville-Lakeville Memorial High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who enrolled at Lakeville Memorial High School. The student transferred from Lapeer High School at the start of the 2023-24 school year. He participated in six competition dates in wrestling at Lapeer during the 2022-23 school year. The student transferred to Lakeville with his mother and siblings after leaving Lapeer, where he lived with his stepfather and family. The request was for immediate eligibility as the student has already missed eight wrestling meets at Lakeville.

The Executive Committee approved the request for waiver.

Royal Oak High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for an 11th-grade student who competed in 9th-grade basketball at Royal Oak High School during the 2021-22 school year where he lived with his aunt. The student then transferred from Royal Oak to University High School in Florida to live with his mother for the 2022-23 school year and played JV basketball in Florida. The student has transferred back to Royal Oak and is again living with his aunt in the Royal Oak District. The family indicates that living with his aunt is necessary because his parents can't care for him nor provide housing, financial support, or mental stability. The request was for immediate eligibility in basketball at Royal Oak.

The Executive Committee approved the request for waiver, on a one-time only basis.

Saginaw High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for an 11th-grade student who transferred to Saginaw High School from Bridgeport High School at the start of the 2023-24 school year. The student's mother lost her job and had to leave the state to find equivalent employment. The student did not want to be uprooted, so he moved to live with his grandmother, in the Saginaw HS attendance area, who now has guardianship. The grandmother has no way to get the student to Bridgeport daily, so the student is now attending Saginaw. While at Bridgeport, the student competed in basketball and baseball. Saginaw requested eligibility in both sports for the 2023-24 school year. The Executive Committee initially approved this request at the November 30, 2023 EC meeting without full information that the mother had moved back into the Saginaw area before the request was made. The new request from Saginaw was that the student be immediately eligible at Saginaw, given the student has now missed eight games since the request was overturned because of incomplete information, and the situation still exists for the student.

The Executive Committee did not approve the request for waiver.

Saline High School (Regulation I, Section 9) – A second request to appeal the eligibility status under Regulation 1, Section 9 was made on behalf of an 11th-grade student who came to Saline High School on an F-1 Visa to start the 2023-24 school year from Mongolia under the Educatius International Student program. The student lives with an AAU basketball teammate's family who has legal guardianship in the Saline attendance area. The student's journey from his native Mongolia has been marked with hardships and bouncing from city to city to gain a better life through basketball. Until the family in Saline stepped in to help, the student had no clear path to stay in the USA. The student was directly placed to the family through Educatius, a violation of MHSAA international student rules and regulations, and also violated the athletic link rule, having played with the family's son in AAU. The family is pursuing legal adoption of the student, which will take up to 6 months, and Saline requested immediate athletic eligibility in basketball for the student during this time. Documentation included adoption and guardianship paperwork and the student's journey to Saline.

The new information provided by Saline indicated that the family has hired an immigration attorney who suggested that if adoption is formalized the student will remain an F-1 student, which will require him to change schools (to a non-public school) for 2024-25. If he decides to stay at Saline, he could be deported under the requirements of his F-1 Visa. The school also shared that the student's journey to the USA was not because of basketball but because of getting a better life opportunity. The placement into the family's home was a family decision to provide the student a better life in the United States that occurred before AAU basketball participation with their son. Saline indicates this new request for immediate eligibility in basketball comes with an understanding that the student would not be eligible in athletics at Saline even if adoption would occur, and this "hardship" to the student is a unique circumstance not likely to be replicated by others.

The Executive Committee did not approve the request for waiver.

Warren-Michigan Collegiate High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for a 10th-grade student who recently enrolled at Michigan Collegiate High School. The student transferred from Michigan Collegiate to start the 2023-24 school year. The student participated in one girls basketball game at University Prep Science & Math High School during the 2022-23 school year. The student transferred to Michigan Collegiate, as it is closer to her home and for a change in academics. The request was for eligibility in basketball at Michigan Collegiate after sitting out the first game of this season. The student will have missed the season's first nine games because of the timing of the request.

The Executive Committee approved the request for waiver.

Next Meetings – Wednesday, February 7 at 9 a.m. – Virtual (Audit & Finance Committee follows); Thursday, March 21 at 9 a.m. – Virtual (Representative Council meets the next day); Wednesday, April 17 at 9 a.m. – Virtual; Friday, May 3 at 9 a.m. – Virtual; Thursday, June 13 at 9 a.m. – Virtual; Monday, August 5 at 9 a.m. – Virtual; Wednesday, August 21 at 9 a.m. – Virtual; Thursday, September 5 at 9 a.m. – Virtual; Thursday, October 3 at 9 a.m. – Virtual; Wednesday, November 6 at 9 a.m. – Virtual; Thursday, December 5 at 3 p.m. in East Lansing (Representative Council meets the next day).