

# MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

## EXECUTIVE COMMITTEE MEETING MINUTES

Virtual, February 7, 2024

9:00 a.m.

### Committee Members:

Scott Grimes, Grand Haven  
John Thompson, Brighton  
Vic Michaels, Detroit  
Sean Jacques, Calumet  
Fred Smith, Bangor

### 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.

Marcellus-Howardsville Christian and Watervliet-Grace Christian High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in baseball (varsity only) between these schools. The combined enrollment of 81 students will place the team in Division 4. Because of the late request, both schools acknowledge they would not participate in postseason events until 2024-25. Howardsville Christian will be the primary school. Support from the BCS League was submitted.

Middleton-Fulton and Ashley High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in softball (varsity only) between these schools. The combined enrollment of 221 students will place the team in Division 3, removing two teams from Division 4. Middleton-Fulton will be the primary school. Support from the Mid State Activities Conference was submitted.

St Joseph-Our Lady of the Lake Catholic and Watervliet-Grace Christian High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in girls soccer (varsity only) between these schools. The combined enrollment of 80 students will place the team in Division 4. Our Lady of the Lake will be the primary school. Support from the several potential opponents was submitted.

Muskegon-Mona Shores High School (Regulation I, Section 2[B]) – A request to waive the age rule was made on behalf of a 12<sup>th</sup>-grade student (D.O.B. December 6, 2003). The student was diagnosed with a cognitive impairment and Down Syndrome. The student has participated in bowling and track at Mona Shores High School and has been the team manager in both sports, participating in exhibition games and heats. He does not appear to present a significant risk of injury to himself, teammates, or opponents or create a competitive advantage in comparison to teammates and opponents. The school submitted supporting documentation for an age waiver, including medical documentation, IEP reports, academic transcripts, and athletic participation history.

The Executive Committee approved the request for waiver.

Muskegon-Mona Shores High School (Regulation I, Section 2[B]) – A request to waive the age rule was made on behalf of a 12<sup>th</sup>-grade student (D.O.B. July 28, 2004). The student was diagnosed with a cognitive impairment and Down Syndrome. The student has participated in bowling and track at Mona Shores High School and has been the team manager in both sports, participating in exhibition games and heats. She does not appear to present a significant risk of injury to herself, teammates, or opponents or create a competitive advantage in comparison to teammates and opponents. The school submitted supporting documentation for an age waiver, including medical documentation, IEP reports, academic transcripts, and athletic participation history.

The Executive Committee approved the request for waiver.

Belding High School (Regulation I, Sections 4 & 5) – A request to waive the eligibility regulation's maximum enrollment and competition portions was made on behalf of a 12<sup>th</sup> grade student at Belding High School. The student transferred to Belding from Wyoming High School, where he attended for four school years but did not have sufficient credits to graduate, to start the 2023-24 school year. The student has battled health issues, attendance issues, and academic challenges throughout his high school career, which resulted in medical treatment. While at Wyoming, the student competed in baseball for two of his four years. The school requested a waiver of the maximum enrollment rule to allow the student full athletic eligibility through the spring of the 2023-24 school year, so the student could compete in baseball at Belding. This will be the fifth year of high school athletics for the student. Supporting documentation included medical records.

The Executive Committee did not approve the request for waiver.

Northville High School (Regulation I, Section 4) – A second 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 to participate in athletics this spring. The student participated in soccer and track at Northville last school year and desired to do the same this year. The student's first year of high school in Canada, during the 2019-20 school year, was her 9<sup>th</sup>-grade year, but she was not awarded high school credit because of the Canadian education system. The request was to interpret the Canadian 9<sup>th</sup>-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. New information included a letter from the counseling department at Springbank Community High School indicating that the student did not receive high school credits until 10<sup>th</sup> grade.

The Executive Committee did not approve the request for waiver.

Belding High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for a 12<sup>th</sup>-grade student who competed in girls soccer the previous school year at Lowell High School. The student transferred from Lowell in January of 2024 during her senior year to get a fresh start. The student has struggled with medical issues and has seen a counselor to deal with those challenges. The request was for immediate eligibility in girls soccer.

The Executive Committee did not approve the request for waiver.

Essexville-Garber High School (Regulation I, Section 9[C]) – A request to waive the transfer regulation for an 11<sup>th</sup>-grade student who transferred from Bay City-John Glenn High School to Essexville-Garber High School for the start of the second semester of the 2023-24 school year. The student participated in hockey during the 2022-23 school year. Garber and John Glenn have a cooperative agreement in hockey, so 9(C) applies by rule as a request. John Glenn provided written documentation supporting this student's continued eligibility in the Bay City Thunder hockey cooperative program.

The Executive Committee approved the request for waiver.

Grand Rapids-West Michigan Aviation Academy 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 has transferred to West Michigan Aviation Academy from Byron Center High School. The student competed as a 9<sup>th</sup> grader at Byron Center in girls soccer. While the student attended Byron Center, she desired to attend WMAA, where admission is by random lottery. The student was not selected before her 9<sup>th</sup>-grade year (2022-23) but just before the start of the 2023-24 school year she was notified and admitted to WMAA where she chose to attend immediately. The school asked for immediate eligibility in girls soccer given that WMAA was her original school of choice as a 9<sup>th</sup> grader.

The Executive Committee approved the request for waiver.

Grand Rapids-West Michigan Aviation Academy 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 has transferred to West Michigan Aviation Academy from Grand Rapids-Wellspring Prep after attending in the 2022-23 school year. The student competed as a 9<sup>th</sup> grader at Wellspring Prep in track and field. While the student attended Wellspring Prep, she desired to attend WMAA, where admission is by random lottery. The student was not selected before her 9<sup>th</sup>-grade year and at semester. Just before school started in August 2023, she was notified and admitted to WMAA. She chose to attend WMAA just before school started in late August of 2023. The school asked for immediate eligibility in track and field for the student, given that WMAA was her original school of choice as a 9<sup>th</sup> grader.

The Executive Committee approved the request for waiver.

Highland-Milford 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 participated in softball for the past three seasons while at Detroit Country Day High School. The student experienced health challenges while at Country Day in addition to a significant loss of income with her family. She has attended Milford High School since the start of the school year, has adapted well, and wished to continue participating in softball for her senior season.

The Executive Committee did not approve the request for waiver.

Imlay City 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 attended Capac High School until June of 2023. At that time, she and her three siblings transferred to Imlay City High School. The student competed in basketball while at Capac. The request was for immediate eligibility in girls basketball for the remainder of the girls basketball season, at the subvarsity level. The student has missed 15 games at Imlay City. The student transferred to Imlay City because of safety concerns, academic challenges at the former school, a significant medical issue for the student and the family desiring a new start for the student's wellbeing. Medical documentation was provided.

The Executive Committee did not approve the request for waiver.

Laingsburg High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for a 10<sup>th</sup>-grade student who competed in volleyball, basketball, and softball at Corunna High School. The student transferred from Corunna to get a fresh start after experiencing a list of challenges, including repeated bullying and harassment from classmates both in-person and via social media. This poor environment for the student continued even after multiple visits to counselors and administration. The family made the decision to go to Laingsburg High School for a fresh start during the second semester of the 2023-24 school year. The request was for immediate eligibility in athletics. The former school supplied evidence of the issues and support of the transfer.

The Executive Committee did not approve the request for waiver.

Lowell 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 previously attended NorthPointe Christian High School since his 9<sup>th</sup>-grade year in 2022-23 and participated in football, basketball, and baseball. The student experienced challenges at NorthPointe Christian regarding his lack of Christian education up to that point. The student has also worked with the NorthPointe counselor regarding these issues. The family desired a new school to help the student remove himself from the negative school environment. Multiple letters of support and documentation from the former school supported the allegations and eligibility at the new school in all sports.

The Executive Committee did not approve the request for waiver.

Northville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for a 10<sup>th</sup>-grade student who competed in softball at Orchard Lake St. Mary's Prep. Before transferring, the student was enrolled at St. Mary's for her 9<sup>th</sup>-grade year and the first semester of her 10<sup>th</sup>-grade year. The student transferred to Northville High School for her emotional and mental well-being. The student and her family determined that a new start was necessary for the student and chose Northville, the base public high school district. The request is for immediate eligibility in softball.

The Executive Committee approved the request for waiver.

Novi-Detroit Catholic Central High School (Regulation I, Section 9) – A second request to waive the transfer regulation was made for a 10<sup>th</sup>-grade student who competed in football, basketball, and baseball at Orchard Lake St Mary's Prep High School. Before transferring, the student was enrolled at St Mary's for his 9<sup>th</sup>-grade year and the first semester of his 10<sup>th</sup>-grade year. The student transferred to Detroit Catholic Central High School for mental health and well-being reasons. The student and his family were determined to remain in a Catholic school and chose Detroit Catholic Central. The request was for immediate eligibility in all sports. New information included the former school indicating that they support the transfer and a letter from the student's therapist indicating the challenges the student has faced with his mental health while at OLSM.

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 11<sup>th</sup>-grade student at Petoskey High School. The student changed residences from Illinois, where the student attended Hinckley-Big Rock High School and participated in softball. The family moved to the Petoskey area with every intention of living in the Petoskey attendance area after the father changed jobs as a golf course Superintendent. The family, despite numerous attempts to find a house or rental in the Petoskey area, could not find a suitable residence and went to the Harbor Springs area to find housing. The family's desire to come to Petoskey was in no way related to athletics. The request was for immediate eligibility in softball this spring at Petoskey given the challenging housing market and unique transfer situation.

The Executive Committee did not approve the request for waiver.

Romeo High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for a 10<sup>th</sup>-grade student who competed for the previous school year in softball at Macomb-Lutheran North High School. The student transferred from Lutheran North for the start of the 2023-24 school year, after her father and stepmother separated. In addition, the student's biological mother passed at this time and the student needed a fresh start. The father and daughter now live with family friends in the Romeo High School attendance area. The request was for immediate subvarsity eligibility in softball at Romeo.

The Executive Committee approved the request for waiver at the subvarsity level.

Saginaw High School (Regulation I, Section 9) – A second request to waive the transfer regulation was made for an 11<sup>th</sup>-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, temporarily left the state, and then returned to find another 3<sup>rd</sup> shift job that displaced the student to live with his grandmother in Saginaw, who now has guardianship. The grandmother's residence is close to Saginaw HS. The Executive Committee initially approved this request at the November 30, 2023, EC meeting without full information. The request from Saginaw also came to the Executive Committee on January 10, 2024, and was denied. This request was for immediately eligible at Saginaw, given the student has now missed 15 basketball games since the request was overturned because of incomplete information, and the situation still exists for the student's hardship.

The Executive Committee did not approve the request for waiver.

Traverse City West 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 competed for the previous school year in softball at Lake Leelanau-St. Mary High School. The student transferred from St. Mary at the start of the school year, needing a new start because of the challenges associated with her 504 health plan being serviced by St. Mary. The family made the decision to go to Traverse City West High School for a fresh academic start and support, where the student was welcomed and thrived. The request was for immediate eligibility in softball in the Spring of 2024.

The Executive Committee did not approve the request for waiver.

White Lake-Lakeland 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 competed the previous school year in baseball at Milford High School. The student transferred from Milford at the start of the second semester of the 23-24 school year needing a new start due to challenges associated with his experiences at Milford. This poor environment was a result of issues of bullying, and ultimately the release of his father from an assistant coaching position in the baseball program at Milford. The family made the decision to transfer in district to Lakeland High School for a fresh start. The request was for immediate eligibility in baseball.

The Executive Committee did not approve the request for waiver.

Zeeland East High School (Regulation I, Section 9[C]) – A request was made to waive the transfer regulation for an 11<sup>th</sup>-grade student who transferred from Zeeland West High School to Zeeland East High School for the start of the 2023-24 school year. The student participated in boys lacrosse during the 2022-23 school year. Zeeland East and Zeeland West have a cooperative agreement in boys lacrosse, so 9(C) applies by rule as a request. Zeeland West provided documentation showing written support for this student's eligibility in the Zeeland boys lacrosse cooperative program as a student at Zeeland East during the 2023-24 school year.

The Executive Committee approved the request for waiver.

Flint-Michigan School for the Deaf (Regulation II, Section 6) – A request was made to waive the travel limitation to permit the school's track team to participate in the Berg/Seeger Track & Field Classic in Austin, TX on April 13, 2024, 1,363 miles from MSD. The Berg/Seeger Track Invite is the largest high school track event in the nation for deaf and hard-of-hearing student-athletes and is sanctioned by the NFHS. The list of competing schools was provided.

The Executive Committee approved the request for waiver.

Alpine Skiing (Regulation II, Section 15) – The Executive Committee was provided an update on Alpine Ski tournaments in light of the warm winter weather and current challenges in making, and keeping, snow. Staff shared that a waiver process does exist for schools and individuals that do not achieve the four (4) regular season competition requirement. While consideration was given to an alternative approach, there was strong consensus to simply move forward over the next three weeks using the current waiver process.

Hillsdale-Will Carleton Academy High School (Regulation II, Section 15[B]) – A request to waive Regulation II, Section 15(B) which requires MHSAA member schools to have four regular season contests on their schedule in order to enter the MHSAA tournament. For the 2023-24 school year, Will Carleton Academy added boys bowling at the varsity and JV levels but could not secure four matches in the regular season. The school supplied information indicating that they worked in good faith to add matches with no luck. The school requests to allow them entry into the MHSAA Bowling Regional tournament for 2024.

The Executive Committee approved the request for waiver for the 2023-24 bowling tournament.

Traverse City Christian, Traverse City-Grand Traverse Academy and Traverse City-Woodland Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved adding Woodland Middle School to an already existing cooperative program between Traverse City Christian and Grand Traverse Academy Middle Schools in baseball (6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades combined). Traverse City Christian would remain the primary school.

Next Meetings –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).