

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, December 1, 2016

Members Present:

Scott Grimes, Grand Haven
Fred Smith, Benton Harbor
Vic Michaels, Detroit
Kris Isom, Adrian
Don Gustafson, St. Ignace

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 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 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.

Ann Arbor-Huron and Ann Arbor-Pioneer High Schools (Regulation I, Section 1[E-2]) – The Executive Committee waived the Aug. 15 deadline and approved a cooperative program in boys and girls bowling between these two schools of the same district due to a demonstrated history of inadequate numbers of participants. The combined enrollment is 3,644 students. Huron sponsored varsity bowling previously. Huron will be the primary school. Support from the Southeastern Conference was received. This program is permitted for three school years and is subject to Representative Council action to continue beyond the 2018-19 school year.

Bay City-All Saints and Saginaw-Nouvel Catholic Central High Schools (Regulation I, Section 1[F]) – The Executive Committee waived the Oct. 15 deadline for spring sports cooperative agreements and approved the addition of girls softball to a cooperative program which already exists in boys tennis between these two schools governed by the same board. The combined enrollment of 352 students will place a new team in the Division 3 tournament. Support from four future opponents was received.

Flint Southwestern Classical Academy and Flint Northwestern High School (Regulation I, Section 1[E-2]) – The Executive Committee waived the Oct. 15 deadline for spring sports cooperative agreements and approved a cooperative program in excess of 1,000 students between these two schools of the same district in the sports of wrestling, boys and girls swimming & diving and baseball. The combined enrollment is 1,299 students. In 2016-17, this agreement will place one new team in the Division 1 Wrestling and Baseball tournaments and one new team in Division 2 boys swimming & diving. Girls swimming & diving will be determined in the spring of 2017. It is possible that in February 2017, the combined enrollment will fall below 1,000 students as Northwestern is phasing out its attendance and merging into Southwestern. Southwestern Classical Academy will be the primary school. Support from the Saginaw Valley High School Association and documentation regarding the history of participation were submitted. This program is permitted for three school years if the combined enrollment is in excess of 1,000 students and would be subject to Representative Council action to continue beyond the 2018-19 school year.

Kalamazoo Loy Norrix and Kalamazoo Central High Schools (Regulation I, Section 1[F]) – The Executive Committee waived the Aug. 15 deadline for winter sports cooperative agreements and approved the addition of girls alpine skiing to a cooperative program which already exists in boys skiing between these two schools of the same district. The combined enrollment of 3,124 students will place a new team in the Division 1 tournament. Support from the Southwest Michigan Ski League was received.

Onkama, Baldwin, Bear Lake, Brethren, Manistee and Manistee Catholic Central High Schools (Regulation I, Section 1[E]) – The Executive Committee waived the Aug. 15 deadline for winter sports cooperative agreements and approved the addition of Baldwin to a boys and girls alpine skiing cooperative program which exists between the other five schools. The combined enrollment of 1,085 students will continue placement in the Division 2 tournament. Onkama will continue as the primary school. Support from the Lake Michigan Ski Conference was submitted.

Wakefield-Marenisco and Bessemer-AD Johnston High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of baseball and girls softball to a cooperative program which exists between these two schools in football and boys and girls cross country and whose combined enrollment of 214 students will place new teams in Division 4 tournaments of both sports. Neither school sponsored the sports previously; Wakefield-Marenisco will be the primary school. Support from three future opponents was submitted.

Ann Arbor-Central Academy (Regulation I, Section 1[D]) – A request was made to waive the regulation to allow a school with an enrollment of more than 100 students to include 8th-graders on its high school girls basketball team. Central Academy submitted an enrollment of 145 students on its Enrollment Declaration Form in February 2016. Because of the ethnic makeup of the school population, participation is a challenge due to the culture and evening practice and game times. The school was able to complete a fall middle school season but needs two 8th-grade students in order to have a high school program this winter.

The Executive Committee did not approve the request for waiver.

Elk Rapids High School (Regulation I, Sections 1 & 7) – A request to waive the enrollment and previous academic credit record regulations was made on behalf of an 11th-grade student who suffered a severe concussion in September 2016 resulting in many health issues, extensive rehabilitation, and much loss of school time. The student's medical and educational team recommends that the student attend a shortened day (four hours, three courses) for the remainder of the first semester of 2016-17. The student would be one course short of full credit load potential for a full-time student at Elk Rapids during the first semester of 2016-17. It is hoped the student can take an increased course load in the second semester of 2016-17.

The Executive Committee approved the request for waiver and confirmed that the first semester of the 2016-17 school year counts toward the maximum allowable terms under Sections 4 and 5.

Mio-Au Sable High School (Regulation I, Sections 4 & 5) – A request to waive the maximum enrollment and participation regulations was made on behalf of a 12th-grade student who began the 9th grade in the 2012-13 school year and has missed a significant amount of school due to health issues. The student played high school baseball in three of his four years of high school. The current first semester of 2016-17 is the student's fifth first semester and ninth semester overall since beginning the 9th grade in 2012-13. Attendance records and a complete transcript were submitted.

The Executive Committee tabled the request.

Addison High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose parents are divorced. The student previously attended North Adams-Jerome where he was bullied. The student's 6th-grade brother enrolled at Addison to begin the school year and the student enrolled Oct. 18, 2016. The student has not moved between parents. He participated in athletics previously.

The Executive Committee did not approve the request for waiver.

Adrian High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who has moved between relatives within the Adrian School District. The student's father is not in the student's life. The student's mother has been incarcerated multiple times. The mother now resides with the student, his sisters and her boyfriend. The student began high school at Adrian-Madison and enrolled at Adrian High School on Oct. 4, 2016.

The Executive Committee did not approve the request for waiver.

Allendale High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who was the recipient of repeated and ongoing harassment both in and outside the basketball team at his former school that prompted one student to discontinue basketball and this student to transfer. The student who perpetrated the bullying was suspended from athletics by the former school. The student's family recently moved from Spring Lake into Grand Haven where the student began the 8th grade. The student and a sibling both enrolled at Allendale to begin the 2016-17 school year. The former school confirmed the harassment and disciplinary actions it has taken.

The Executive Committee approved the request for waiver.

Benton Harbor High School (Regulation I, Section 9[B & D]) – A request to waive the transfer regulation was made to permit eligibility at the subvarsity level on behalf of a 10th-grade student who attended Benton Harbor for the 9th grade, played three sports, and began the 10th grade on Sept. 6, 2016 at Benton Harbor-Countryside Academy. On Oct. 10, 2016, the student reenrolled at Benton Harbor.

The Executive Committee approved the request for waiver at the subvarsity level only effective with the student's 91st school day of enrollment at Benton Harbor High School starting Oct. 10, 2016.

Birmingham-Seaholm High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who moved with his mother into the Seaholm attendance area due to an employment opportunity for the mother but whose sister remained in Kentucky to graduate with her classmates. The student enrolled at Seaholm to begin the second trimester of 2016-17 while the sister will rejoin the family after graduation this spring.

The Executive Committee approved the request for waiver.

Brooklyn-Columbia Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who relocated with his father to Sault Ste. Marie due to a job change in the summer of 2016 and enrolled at Sault Ste. Marie Area High School to begin the 2016-17 school year. The mother remained in Brooklyn to sell the family home and await transfer of her job up north. The home in Brooklyn has been sold. The student has returned to live with his mother in the home of the grandparents and reenrolled at Columbia Central on Oct. 17, 2016. The father continues to live and work in the Soo. The student intends to graduate from Columbia Central and is interested in bowling and track & field. The student participated in boys soccer with Sault Area High School this fall.

The Executive Committee approved the request for waiver.

Dearborn-Divine Child High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Divine Child for the 9th grade and first weeks of the 10th grade to begin the 2016-17 school year before attending Dearborn High School for 12 school days from Sept. 6-21, 2016. The student reenrolled at Divine Child on Sept. 22, 2016.

The Executive Committee approved the request for waiver.

Farmington Hills-North Farmington High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation to permit eligibility on the 91st school day of enrollment was made on behalf of a 10th-grade student who began the 9th grade at North Farmington and played basketball, and enrolled at Nexus Academy to begin the 10th-grade. The student reenrolled at North Farmington on Oct. 4, 2016.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at North Farmington High School starting Oct. 4, 2016.

Grand Rapids-Kenowa Hills High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of 11th-grade twin brothers who currently reside on their own in an apartment in the Kenowa Hills School District independently with no parental guidance. The students have no contact with their mother and the school has been unable to connect with her. Child Protective Services has been contacted by the current and former school (Godwin Heights). The students began living in the apartment on Aug. 6, 2016, and enrolled to begin the school year at Kenowa Hills. One of the students participated in JV basketball in 2015-16. They are being fed and cared for by Kenowa Hills personnel.

The Executive Committee approved the request for waiver.

Hudsonville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who has lived with his grandparents since birth except for a few months this summer when the student attempted to reunite with his father. The student moved in with his father, stepmother and three stepsiblings and enrolled at Sparta for the first trimester of 2016-17. When the new living arrangement did not work out, the student returned to the home of his grandparents. The student will be reenrolling at Hudsonville on Dec. 5, 2016. The former high school has written to support eligibility.

The Executive Committee approved the request for waiver.

Kalamazoo-Loy Norrix High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who has moved between separated but not divorced parents from the Kalamazoo Central attendance area to the Loy Norrix attendance area due to violence in the neighborhood where he lived in the former school's attendance area. The student has no transportation options to Loy Norrix from his former residence or to Kalamazoo Central from his current residence. The student enrolled at Loy Norrix to begin the 2016-17 school year and plays basketball.

The Executive Committee did not approve the request for waiver.

Kalkaska High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who has returned to live with his mother in Kalkaska after living with family friends and attending Westland-Huron Valley Lutheran from September to November 2016. The student attended Kalkaska Middle School and enrolled at Kalkaska High School on Nov. 8, 2016. The student has returned to the same home and parent as previously but it was the middle school and not the high school to which he was returning. The father has been in prison for 13 years and the parents are not divorced.

The Executive Committee approved the request for waiver.

Lake Linden-Hubbell High School (Regulation I, Section 9[C]) – A request was made on behalf of a 10th-grade student to waive the transfer regulation to permit participation in the bowling cooperative program between Calumet and Lake Linden-Hubbell. The student has not participated in any sport in high school including the two schools' bowling cooperative program in which the student wishes to participate, as is stipulated in the regulation. Support for eligibility was submitted by Calumet.

The Executive Committee did not approve the request for waiver for varsity participation but approved the request for waiver at the subvarsity level until Jan. 16, 2017.

Lawrence High School (Regulation I, Section 9) – A request was made to waive the transfer regulation on behalf of a 9th-grade student who was not living with either parent and attended Hartford to begin the 2016-17 school year. The student has moved into the residence of his mother in Lawrence (Exception 2) and enrolled at Lawrence on Oct. 4, 2016. The parents have never married and the father has not been in the student's life for some time. The request was to waive the language of Exception 2 that the student moves into the residence of the "parents, the single parent if divorced, or only living parent," who already reside in the district.

The Executive Committee approved the request for waiver.

Marion High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose parents are divorced and live in Traverse City where the student divided time between parents and missed a great deal of school. The student has moved into the home of her grandfather in Marion and enrolled at Marion High School on Nov. 7, 2016. The student previously attended Grand Traverse Academy.

The Executive Committee did not approve the request for waiver.

Marshall Academy (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of two 10th-grade students who did not participate in any level of athletics at their former schools (Battle Creek-Harper Creek and Marshall). Marshall Academy (enrollment 51 students) would need these students in order to field a team in varsity girls basketball. The students enrolled at Marshall Academy to begin the 2016-17 school year.

The Executive Committee did not approve the request for waiver for varsity participation but approved the request to participate at the subvarsity level until Jan. 16, 2017.

Midland-Dow High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who transferred between schools of the same district, from Dow to Midland High School, because of bullying that began in 2015-16 and continued in both the school and among members of the competitive cheer team. School administration was aware of the issues, suspended a student from the team due to the harassment, and supported eligibility for this student at the new school. The student participated previously in girls competitive cheer at Midland and enrolled at Dow on Oct. 31, 2016.

The Executive Committee approved the request for waiver.

New Lothrop High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (public school of residence) was made on behalf of a 12th-grade student from an Approved International Student Program present in the US on a J-1 visa. The student's host family resides in the St. Charles School District and has a 12th-grade daughter in attendance at New Lothrop and two other children who are graduates.

The Executive Committee approved the request for waiver.

New Lothrop High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (public school of residence) was made on behalf of a 12th-grade student from an Approved International Student Program present in the US on a J-1 visa. The student's host family resides in the Flushing School District. Flushing would not accept the student because she did not meet the school's English language proficiency requirement. The foreign exchange agency sought another school for placement while the student continued to reside with the original host family in Flushing.

The Executive Committee approved the request for waiver. MHSAA staff will send a letter of concern to the Council on Standards for International Educational Travel regarding the handling of this matter by the exchange program involved.

Shelby High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who experienced repetitive harassment throughout his school years at Montague which were brought to the attention of counselors and administrators. Anticipating a fresh start and a schedule that would separate the student from those harassing him, the student enrolled to begin high school at Montague. Due to personnel changes and class scheduling problems, the student encountered additional bullying from students who were placed in the same class. The student attended for two half-days and ran in one cross country meet before school began in August 2016. The student enrolled at Shelby on Sept. 8, 2016.

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 12th-grade student who intends to enroll at Traverse City Central due to safety concerns in his current environment. The student attends East Kentwood High School, resides with his family, and will move to the home of his grandparents who live in the Traverse City Central attendance area.

The Executive Committee did not approve the request for waiver.

Waterford Kettering High School (Regulation I, Section 9) – On Sept. 7, 2016, the Executive Committee did not approve a request to waive the transfer regulation made on behalf of a 10th-grade student who returned to Waterford Schools from Clarkston Junior High after experiencing situations that led to social anxieties. The student attended Waterford Schools for grades K-7 before the family changed residence to Clarkston. The student participated in subvarsity athletics at Clarkston in the 9th grade before deciding to return to Waterford Schools due to the harassment she had received at her new school. Two siblings remain enrolled at Clarkston Schools. Additional information was submitted regarding the harassment, which was continued through texts, social media and in person when the student attended Clarkson events and occurred after the student enrolled at Waterford Kettering to begin the 2016-17 school year. The harassment has been reported to the Clarkston superintendent and Oakland County Sherriff. The student is interested in participating in subvarsity basketball.

The Executive Committee approved the request for waiver.

Subvarsity Waiver Requests Meeting All Conditions of Section 9(B) – The Executive Committee is 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
Adrian-Madison	9	Adrian-Veritas Academy	Nov. 23, 2016	Remainder of 16-17 school year
Ann Arbor-Father Gabriel Richard	10	Canton Preparatory	Aug. 23, 2016	Jan. 16, 2017

Requesting High School	Grade	Former High School	Date of Enrollment	Length of Subvarsity Eligibility Status
Belleville	9	Canton Preparatory	Nov. 7, 2016	Remainder of 16-17 school year
Brighton-Charyl Stockwell Acad	9	Livingston Classical Academy	Oct. 11, 2016	90 th school day of enrollment
Erie-Mason	9	Sylvania, OH	Oct. 31, 2016	Remainder of 16-17 school year
Ferndale	10	Oak Park	Sept. 6, 2016	Jan. 16, 2017
Flint-Kearsley	10	Flint SW Classical Academy	Sept. 6, 2016	Jan. 16, 2017
Gibraltar-Carlson	9	Trenton	Nov. 7, 2016	Remainder of 16-17 school year
Holland	10	Grand Haven	Sept. 6, 2016	Jan. 16, 2017
Kentwood-Grand River Prep	9	Lansing-Eastern	Sept. 6, 2016	Jan. 16, 2017
Monroe	9	Cadillac	Mar. 14, 2016	90 th school day of enrollment
Port Huron	9	Port Huron Northern	Oct. 3, 2016	90 th school day of enrollment
St. Johns	10	Lansing-Everett	Sept. 6, 2016	Jan. 16, 2017
Trenton	10	Riverview	Oct. 10, 2016	90 th school day of enrollment
Union City	10	Battle Creek- Harper Creek	Sept. 6, 2016	Jan. 16, 2017
Warren-Cousino	9	Dearborn-Edsel Ford	Oct. 10, 2016	90 th school day of enrollment
Zeeland West	9	Grand Rapids-West Mich Aviation Acad	Jan. 24, 2017	Remainder of 16-17 school year

Flint-Michigan School for the Deaf (Regulation II, Section 6) – A request to waive the 600-mile round-trip travel limitation was made to permit the varsity girls and boys basketball teams to play games at the Missouri School for the Deaf on Jan. 20-21, 2017. The teams would also play the Illinois School for the Deaf which is approximately 130 miles from the event site. The Central States School for the Deaf Association is no longer operating. This is the only deaf school game scheduled this season for Michigan School for the Deaf.

The Executive Committee approved the request for waiver.

Hartland Consolidated Schools (Regulation II, Section 11[H]) – Pursuant to Interpretation 241, a request to waive the four-player rule for the 2016-17 school year was made on behalf of the middle school boys and girls swimming coach whose only employment is as a coach of the Hurricane Swim Club and also a year-round water safety instructor and lesson coordinator for Hartland Community Education. The Hurricane Swim program is open to students ages 7-18 and anticipates 100-150 participants from six school districts including Hartland (Brighton, Linden, Milford, Howell and Fenton). It is estimated that 20-30 of the participants are Hartland students in grades 7-12.

The Executive Committee approved the request for waiver for this coach for the 2016-17 school year.

Kingsley High School (Regulation II, Section 11[B]) – A request was made on behalf of a 12th-grade student to waive the regulation limiting a team or individual to four scrimmages in wrestling. The Kingsley team has but four students wrestling this season. The request was to allow the student to scrimmage at other surrounding schools to practice with and against similar sized athletes to prepare him for the individual tournament. The student could exceed the 100 career win mark this season.

The Executive Committee did not approve the request for waiver.

Midland-Dow High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 241, a request to waive the four-player rule for the 2016-17 school year was made on behalf of a retired teacher who is the boys head coach and girls assistant swimming & diving coach and also the girls head coach of the Kronos Aquatics Club. The Kronos Aquatics Club is open to the general public ages 15-21. For 2016-17, there are 16 registered swimmers, the majority of which are from Midland and Dow High Schools. It is anticipated that the program will double in size and will be open to 8th-grade students from area middle schools. Students from Auburn, Bay City, Freeland and Saginaw are also anticipated. A similar request has been approved for the boys head coach from Dow for this same club program each year since 2014-15.

The Executive Committee approved the request for waiver for this coach for the 2016-17 school year.

Grosse Pointe-Pierce and Brownell Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in wrestling between these two member schools of the same district. A cooperative program previously existed between Brownell and Parcels Middle Schools which has dissolved as Parcels will sponsor its own team. Pierce will be the primary school.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, Jan. 11, 2017, at 1 pm in East Lansing (Classification Committee at 9:30 am); Wednesday, Feb. 22, 2017, at 9 am in East Lansing (Audit & Finance meeting follows); Thursday, March 23, 2017, at 9 am in East Lansing (Rep Council next day); Wednesday, April 26, 2017, at 9 am in East Lansing (Audit & Finance meeting follows); Sunday, May 7, 2017, at 10:30 am in Glen Arbor (Rep Council meets that afternoon); and Wednesday, June 14, 2017, at 9:30 am in East Lansing.