

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, January 11, 2012

Committee Members:

Jim Derocher, Negaunee
Scott Grimes, Grand Haven
Vic Michaels, Detroit
Ken Dietz, Watervliet
Al Unger, Kingsford

Staff Members:

Tom Rashid
Jack Roberts (Recorder)

Executive Committee Authority and Responsibility – The Executive Committee reviewed its authority under Article VII of the MHSAA Constitution and specifically its responsibility to consider each application for waiver of an eligibility requirement on its individual merits, determining if the regulation serves the purpose for which it was intended in each case or if the regulation works an undue hardship on any student who is the subject of a request for waiver. (These underlying criteria may not be restated for every subject of these minutes.)

The Executive Committee was reminded that it was the responsibility of each member school involved to provide sufficient factual information about the specific request for the Executive Committee to reach a decision without further investigation. If information is incomplete, contradictory or otherwise unclear or has been received too late to be studied completely, the Executive Committee may deny the request for waiver or delay action. Such requests may be resubmitted to the Executive Committee with additional information at a subsequent meeting or appealed to the full Representative Council.

It is possible that some of the information presented as facts to the Executive Committee by school personnel and others may be inaccurate. However, to avoid constant repetition in this report of phrases such as “it was alleged” or “it was reported,” no attempt is made in the introduction of each waiver request to distinguish between truth, allegation, hearsay, opinion, summary or conclusion. If any information provided to the Executive Committee is inaccurate, any decision of the Executive Committee to grant waiver of a regulation shall be null and void.

The Executive Committee is not authorized to approve waiver based on alleged or actual differences between schools based on “environment,” demographics, curriculum or extracurricular offerings. A determination of undue hardship is a matter addressed to the discretion of the Executive Committee within the educational philosophy and secondary role of voluntary extracurricular competitive athletics in the academic environment. The Executive Committee will avoid making exceptions that would create precedent that effectively changes a rule without Representative Council action or local board of education adoption, which would exceed Executive Committee authority. The contract the MHSAA has with member schools obligates the MHSAA to not change rules during the school year.

Students for whom waiver of a particular regulation is approved must be eligible in all other respects under all sections and interpretations of the regulations prior to their participation.

Adoption of these regulations, as well as policies, procedures and schedules of MHSAA tournaments, is a choice schools make locally when they consider their option of MHSAA membership. Consistent with rulings of the Attorney General and Michigan Supreme Court, schools are not bound by the decisions of the Executive Committee, but the association may limit participation in the post-season tournaments it sponsors to those schools which choose to apply rules and penalties as promulgated by the MHSAA and adopted by each member school’s board of education. The MHSAA exercises no independent authority over schools or students.

Algonac High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who intends to enroll in the International Baccalaureate Program at Algonac High School at the semester on Jan. 23, 2012. The student has not participated in high school athletics previously.

The Executive Committee did not approve the request for full eligibility immediately, but approved eligibility at the subvarsity level.

Auburn Hills Christian High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who previously attended Pontiac High School before enrolling at Auburn Hills Christian on Nov. 7, 2011, preferring a new school environment.

The Executive Committee did not approve the request for waiver.

Beverly Hills-Detroit Country Day High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 61 (closest nonpublic school) was made on behalf of an 18 year old 12th-grade student who previously attended a public school in Lithuania, moved to Berkley to live with an aunt and uncle and enrolled at Country Day to begin the 2011-12 school year. On Nov. 12, 2011, the student moved with his aunt and uncle to a new residence in Bloomfield Hills. An Educational Transfer Form (Exception 12) was submitted on Dec. 6, 2011. Country Day is not the closest nonpublic school to either the Berkley or Bloomfield Hills address.

The Executive Committee did not approve the request for waiver.

Coldwater High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose mother served in the military in Germany until she was discharged in March 2011 when the student moved to Texas with his mother and stepfather. The student participated in basketball in Germany and Texas, and moved to the residence of an aunt in Bronson to be closer to his birth father and other family members in Michigan. The student began the 9th grade in Germany in the 2009-10 school year and has not attended school in Michigan previously. The student is attending Coldwater High School because the cousin he resides with recently moved from Coldwater and has attended Coldwater Schools most of his life.

The Executive Committee did not approve the request for waiver.

Colon High School (Regulation I, Section 9) – On Dec. 1, 2011, the Executive Committee did not approve a request to waive the transfer regulation on behalf of an 11th-grade student who has lived with three relatives since junior high school and has been enrolled in four schools since starting the 9th grade. The student's parents are not in his life. He lived with his grandmother in junior high, but the grandmother allowed her guardianship to expire. The student most recently lived with a cousin and attended Battle Creek-Pennfield High School. The student moved back to Colon in mid November and is residing with his former girlfriend and her mother. He enrolled at Colon High School on Nov. 23, 2011. On Dec. 20, 2011, the girlfriend's mother took full guardianship of the student and has started the adoption process.

The Executive Committee did not approve the request for waiver.

Farwell High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose family was split apart when the mother and older brother were killed in an auto accident in 1996. The student lived with his father for ten years while his siblings lived elsewhere. In 2006, after repeated conflicts with the father and time in a mental institution, the student took up residence with his grandmother in Farwell until the summer of 2011 when the student moved to Texas to be with his biological older brother. After six weeks of attempting to reunite with his family, the student returned to his grandmother's residence in Farwell and reenrolled on Oct. 8, 2011.

The Executive Committee approved the request for waiver.

Grand Rapids Christian High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 61 (closest nonpublic school) was made on behalf of a 10th-grade student who previously attended Saginaw-Valley Lutheran High School and made a full and complete residential change to Grand Rapids. The student enrolled at Grand Rapids Christian, not the closest nonpublic school, because his mother is a graduate.

The Executive Committee approved the request for waiver.

Lake Orion High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who was on two occasions the victim of assault by other students at Oxford High School which resulted in the student becoming the focus of ridicule and threats. The student enrolled at Lake Orion High School on Dec. 13, 2011 because her father is an employee of the school district.

The Executive Committee did not approve the request for waiver.

Monroe-St. Mary Catholic Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who previously attended school in Illinois before moving with his family to New Boston in April 2011 and enrolling at New Boston-Huron High School for the final month of the 2010-11 school year. To begin the 2011-12 school year the student enrolled at St. Mary Catholic Central. The student has had no prior participation in athletics.

The Executive Committee did not approve the request for waiver.

North Adams-Jerome High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who moved between divorced parents in August 2011 but continued to attend Pittsford High School until enrolling at North Adams-Jerome on Nov. 7, 2011. The student lived with his mother in Pittsford and now resides with his father in the North Adams-Jerome School District. A completed Educational Transfer Form has been submitted.

The Executive Committee approved the request for waiver.

Okemos High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose father's job was transferred to Wales and who took up residence with an uncle in Okemos, enrolling to begin the 2011-12 school year. Wishing to continue his education in the United States, the student had few options for residency and enrollment as the older brothers are in the military and facing deployment. The mother, father and youngest sibling moved to Wales over the summer. The student will have sat out seven games prior to Jan. 11, 2012.

The Executive Committee approved the request for waiver.

Petoskey High School (Regulation I, Section 9) – On Dec. 1, 2011, the Executive Committee did not approve a request to waive the transfer regulation on behalf of a 12th-grade student who attended school in Wyoming while living with his parents. When the mother took a new job, the student and mother changed residences to Petoskey in the summer of 2011. The student enrolled at Petoskey High School to begin the 2011-12 school year. The father stayed in Wyoming to retain his employment and maintain their residence. The mother moved to Petoskey three years ago for employment in February 2011; the father remained in Wyoming to maintain his job. The student was living with his father when they had a disagreement in the spring of 2011 and the student moved in with friends.

The Executive Committee did not approve the request for waiver.

Sturgis 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 an 11th-grade student who previously attended Three Rivers High School before enrolling at Sturgis High School on Oct. 14, 2011.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Sturgis High School.

Waterford Mott High School (Regulation I, Section 9[C]) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who participated as a 9th grader attending Waterford Kettering in the cooperative swimming & diving program between these two schools of the same district. The student enrolled at Waterford Mott on Nov. 11, 2011 because of threats he received at his former school. The district athletic director submitted the request indicating approval of the former school.

The Executive Committee approved the request for waiver for swimming & diving only until Aug. 1, 2012.

Williamston High School (Regulation I, Section 9) – A request to waive the transfer regulation and Interpretation 61 (public school of residence) was made on behalf of an 11th-grade student who lived with her mother in Illinois until the mother was killed in an auto accident in December 2011. The student has moved to the residence of her divorced father in Perry. The student enrolled at Williamston on Jan. 8, 2012, because a step-sibling has been enrolled in Williamston Middle School since the start of the 2010-11 school year.

The Executive Committee approved the request for waiver.

Wolverine High School (Regulation I, Section 9[C]) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who intends to transfer from Vanderbilt High School to Wolverine on Jan. 23, 2012. The two schools are in the first year of a cooperative agreement in girls basketball (2011-12). The student participated on the basketball team last year for Vanderbilt High School before the agreement was established and has played this season on the cooperative team. Support from Vanderbilt High School has been submitted.

The Executive Committee approved the request for waiver for girls basketball only until Aug. 1, 2012.

Subvarsity Waiver Requests Meeting All Conditions of Section 9(B) – The Executive Committee approved immediate eligibility at the subvarsity level for the following transferring 9th- or 10th-grade students (after entering 9th grade, before completing 10th grade) **who have not previously participated in an interscholastic scrimmage or contest in any MHSAA sport at the high school level** (whether MHSAA member schools or not) and who do not qualify for one of the 15 stated exceptions to the transfer regulation and have transferred for reasons having nothing to do with athletics, discipline or family finances and would not require Executive Committee evaluation or comparison of school demographics or curriculum:

Requesting High School	Grade	Former High School	Date of Enrollment	Length of Subvarsity Eligibility Status
Addison	9	Ida	Nov. 11, 2011	Remainder of 11-12 school year
Adrian	9	Monroe	Jan. 3, 2012	Remainder of 11-12 school year
Big Rapids	9	Big Rapids-Cross-roads Charter Acad.	Nov. 28, 2011	Remainder of 11-12 school year

Requesting High School	Grade	Former High School	Date of Enrollment	Length of Subvarsity Eligibility Status
Byron	9	Linden	Dec. 8, 2011	Remainder of 11-12 school year
Grand Rapids Christian	9	Grand Rapids City High	January 2012	Remainder of 11-12 school year
Monroe-St. Mary Catholic Central	9	Monroe	Nov. 14, 2011	Remainder of 11-12 school year
Montague	9	Shelby	Oct. 4, 2011	91 st school day of enrollment
St. Ignace-LaSalle	10	Indian River-Inland Lakes	Dec. 5, 2011	Remainder of 11-12 school year

Bessemer-A. D. Johnston, Ironwood-L. L. Wright, and Wakefield-Marenisco High Schools (Indianhead Conference) (Regulation II, Sections 8 & 10) – Input was sought regarding playing and eligibility rules concerning three schools which are members of a league with schools from the Wisconsin Interscholastic Athletic Association.

The Executive Committee affirmed that MHSAA member schools must at all times observe all MHSAA rules of eligibility and limitations of competition with respect to their own students no matter the location of the competition. MHSAA member schools must also adhere to the contest playing rules adopted by the MHSAA, regardless of the competition. However, in this case, the Executive Committee approved one exception: that the point differential rule for basketball need not be observed when these three schools compete against the WIAA member schools of this league. At all other times, the point differential rule applies.

Commerce-Walled Lake Northern High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 236, a request to waive the three-/four-player rule for the 2011-12 school year was made on behalf of the girls swimming & diving coach who is employed full time by the Lakes Area Tridents Swim Club. The Trident Swim Program will have approximately 80 participants ages 6-18 with participants from seven schools or districts including Walled Lake: Huron Valley, Novi-Detroit Catholic Central, Farmington Hills-Mercy, Livonia-Ladywood and three Catholic grade schools. Twelve of the participants are enrolled at Walled Lake Northern High School. A similar request was granted for this coach and program in March 2011.

The Executive Committee approved the request for waiver for this swimming & diving coach.

Manistee, Manistee Catholic Central and Manistee-Trinity Lutheran Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved the addition of boys and girls swimming & diving to a cooperative program existing between these three member middle schools in other sports. Manistee Middle School sponsored swimming & diving previously and will be the primary school.

Regulation I, Sections 1 and 8 – The Executive Committee discussed the permissive application of current eligibility rules when students take courses in advance of high school for credit on their high school transcripts and the difficulty caused when colleges will not grant college credit for those same courses. Ideas for rules changes were raised for presentation to the Representative Council to deal with such situations.

Litigation – Discussion protected by attorney-client privilege occurred with Counsel Scott Eldridge.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, Feb. 22, 2012, at 8:30 a.m. in East Lansing (Audit and Finance Committee meeting follows); Thursday, March 22, 2012, at 9 a.m. in East Lansing (Representative Council meeting on Friday, March 23); Wednesday, April 25, 2012, at 8:30 a.m. in East Lansing (Audit and Finance Committee meeting follows); Sunday, May 6, 2012, time TBD, in Gaylord (Representative Council meeting follows); Wednesday, June 13, 2012, at 9 a.m. in East Lansing; Wednesday, Aug. 8, 2012, at 9 a.m. in East Lansing; Tuesday, Aug. 28, 2012, at 9 a.m. in East Lansing; Tuesday, Sept. 11, 2012, at 8:30 a.m. in East Lansing; Monday, Oct. 1, 2012, at 8:30 a.m. in East Lansing; and Wednesday, Nov. 7, 2012, at 8:30 a.m. in East Lansing.