

# MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

## EXECUTIVE COMMITTEE MEETING

East Lansing, Wednesday, June 10, 2020

### Members Present:

Scott Grimes, Grand Haven  
Steve Newkirk, Clare  
Vic Michaels, Detroit  
Kris Isom, Adrian  
Chris Miller, Gobles

### Staff Members Present:

Tom Rashid  
Mark Uyl (Recorder)

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

The MHSAA is a private, nonprofit corporation, made up of voluntary membership; it is neither a state agency nor a court of law, and is not bound by any particular legal standard of review or burden of proof when applying its Regulations or while administering an internal appeal. The *MHSAA Handbook* may identify which party bears the burden of proof, depending on the particular situation or if a particular Regulation is at issue. The MHSAA staff, its Executive Committee, or its Representative Council, where appropriate, shall determine whether the circumstances in each situation, as presented to the MHSAA, warrant application or waiver of a particular Regulation or Interpretation. To make that determination, the MHSAA considers what a reasonable person given the same information would decide.

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

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

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

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

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

Allen Park-St. Francis Cabrini and Monroe-St. Mary Catholic Central High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in boys swimming & diving (varsity only) between these two schools whose combined enrollment of 580 students will continue placement of a team in the Division 3 tournament. Cabrini sponsored boys swimming & diving previously and will be the primary school. Support from the Catholic High School League was submitted.

Bad Axe and Owendale-Gagetown High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in 11-player football (JV and varsity) between these two schools whose combined 2020-21 enrollment of 337 students will continue placement of one team in the Division 7 tournament. Bad Axe sponsored football previously and will be the primary school. Support from the Greater Thumb Conference was received.

Battle Creek-Calhoun Christian, Battle Creek-St. Philip Catholic Central and Climax-Scotts High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of Climax-Scotts to a cooperative program in boys and girls soccer (varsity only) that exists currently between Calhoun Christian and St. Philip. The combined enrollment of 301 students will continue placement of a team in the Division 4 tournament. Calhoun Christian will continue as the primary school. Support from four future opponents was submitted.

Gaylord-St. Mary Cathedral, Alba and Boyne Falls High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the return of Boyne Falls to an 8-player football cooperative program (JV and varsity) between these three schools whose combined 2020-21 enrollment of 174 students will place a new team in the Division 1 8-player tournament. Boyne Falls was in a subvarsity only cooperative agreement that previously included Mancelona-North Central Academy which was removed from the agreement at the varsity level. Support from the Ski Valley Conference was submitted.

Harbor Beach and Ubly High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in boys and girls soccer (JV and varsity) and boys golf (JV and varsity) between these two schools whose combined 2020-21 enrollment of 384 students will place teams in the Division 3 tournaments in all three sports. Harbor Beach sponsored soccer previously and will be the primary school for boys and girls soccer. Ubly will be the primary school for boys golf. Support from the Greater Thumb Conference was submitted.

Hazel Park and Warren-Fitzgerald High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved a cooperative program in boys tennis (varsity only) between these two schools whose combined enrollment of 1,567 students will move one team from the Division 4 tournament into Division 1. This program was requested under recent actions to permit tennis cooperative programs to form in excess of the 1,000-student enrollment limit due to a demonstrated lack of participation. Hazel Park sponsored boys tennis previously and will be the primary school. Support from the Macomb Area Conference was submitted.

Mancelona-North Central Academy and Gaylord-St. Mary High Schools (Regulation I, Section 1[E]) – A request was made to permit a 12<sup>th</sup>-grade student to continue in a newly forming 8-player football cooperative program between Gaylord-St. Mary, Alba and Boyne Falls. The original cooperative program request approved by all four boards of education prior to April 15, 2020 and sent to the Ski Valley Conference and MHSAA was to add Boyne Falls to this 8-player agreement which existed with Gaylord-St. Mary, Alba and North Central Academy (Boyne Falls had been in a JV only football cooperative program the year prior). The Ski Valley Conference would not approve the continuation of North Central Academy in this cooperative agreement that added Boyne Falls and removed North Central. The school requested that this one North Central Academy student who has participated in the program for four years be grandfathered in to allow him to participate in the 2020-21 cooperative agreement, after which North Central Academy would not be involved as the league appears to desire. The enrollment of North Central is 32 students and it would not change the placement of the team in the Division 1 8-player tournament. The three schools' combined enrollment is 174 students, and adding 32 North Central Academy students would not affect the placement of the team in the 8-player tournament. Support from Gaylord-St. Mary was submitted.

The Executive Committee tabled this matter, pending further information from the league.

Manistee, Bear Lake, Custer-Mason County Eastern, Hart, Ludington, Manistee Catholic Central, Scottville-Mason County Central and Shelby High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved the addition of Mason County Eastern to a cooperative program in ice hockey (varsity only) which exists among the other seven schools and whose combined enrollment of 2,511 students will continue placement of a team in the Division 2 tournament. Bear Lake was added to this program in November 2019. Support from the Northern Michigan Hockey League was submitted.

Southgate Anderson, Monroe and Flat Rock High Schools (Regulation I, Section 1[F-3]) – The Executive Committee approved the addition of Flat Rock to a cooperative program in ice hockey (varsity only) whose combined enrollment of 3,377 students will continue placement of a team in the Division 1 tournament. In September 2018, the Executive Committee approved a program in excess of the 3,500-student enrollment cap for a four-year period because Southgate Anderson dropped hockey in 2017-18. Jefferson has no students participating and is being replaced with Flat Rock, which lowers the 2020-21 combined enrollment to under 3,500 students. Support from the Downriver League was submitted.

Whitmore Lake, Brighton-Charyl Stockwell Prep Academy and Whitmore Lake-Livingston Classical Academy High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of Livingston Classical Academy to a cooperative program between the other two schools in 11-player football (JV and varsity). The combined enrollment will be 583 students and continue placement of a team in the Division 5 tournament. Whitmore Lake will continue as the primary school. Support from the Michigan Independent Athletic Conference was submitted.

Whitmore Lake and Whitmore Lake-Livingston Classical Academy High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the expansion of existing subvarsity cooperative programs with Livingston Classical Academy to JV and varsity programs in girls volleyball and boys and girls basketball. The combined enrollment of 305 students will continue placement of teams in the Division 3 tournaments. Whitmore Lake sponsored these sports at the varsity level previously and will be the primary school. Support from the Michigan Independent Athletic Conference was submitted.

Ann Arbor-Huron High School (Regulation I, Section 9) – On May 1, 2020, the Executive Committee did not approve a request to waive the transfer regulation made on behalf of an 11<sup>th</sup>-grade student whose parents' employment has been impacted by the pandemic crisis. The parents anticipate job changes that involve extensive travel and they intend to have their son reside with his grandmother who lives in the Huron School District. The student lived with his parents also in the Huron attendance area but attended Skyline and participated in football during the 2019-20 school year. The school requested reconsideration and submitted significant additional information indicating the student was receiving inpatient medical care in April 2020.

The Executive Committee did not approve the request for waiver.

Benzonia-Benzie Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade student whose family moved from the Otisville-Lakeville School District into the Benzie Central School District in October 2018. The family initially lived with a family in Traverse City from August to October 2018 and all children attended Traverse City-St. Francis Schools when the student was in the 8<sup>th</sup> grade. In January 2020, four siblings enrolled in the Benzie Schools. The student participated in JV girls volleyball at St. Francis as a 9<sup>th</sup>-grade student in 2019-20 and followed her siblings by enrolling at Benzie Central in January 2020.

The Executive Committee approved the request for waiver.

Cadillac 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 whose parents filed for divorce in early March 2020 prior to the COVID-19 restrictions on court proceedings in Osceola County. The request was to permit eligibility as the divorce would have likely been final had the courts remained operating. The former school indicated it would support eligibility and sign an Educational Transfer Form. The student enrolled at Cadillac in November 2019 as a school of choice student who planned to move into Cadillac. The student's two brothers continue to reside with the father and remain enrolled at Ewart where the father is employed. On Feb. 20, 2020, the mother and student moved out of the family home in Ewart and continue to reside in Cadillac. In 2019-20, the student played in roughly half the girls volleyball season while in the 9<sup>th</sup> grade at Ewart in 2019-20 and the last month of the JV basketball season at Cadillac. The student has been diagnosed with a medical disorder for which she was under a 504 plan at the former school.

The Executive Committee approved the request for waiver after completion of the Educational Transfer Form for this student.

Carson City-Crystal High School (Regulation I, Section 9) – On May 1, 2020, the Executive Committee did not approve a request to waive the transfer regulation on behalf of an 11<sup>th</sup>-grade student (2020-21). The student attended Grand Rapids-NorthPointe Christian for the 9<sup>th</sup> grade, played no sports, and then moved with his mother and stepfather to Florida where the student played football during the fall of 2019-20. The family returned to their home in Lowell in December 2019 where the father began a job search that resulted in his employment at Carson City-Crystal. The school submitted significant additional information. The student would like to play football and intends to enroll to begin the 2020-21 school year. The school submitted significant additional information. The student has experienced a number of issues since the death of his father in 2013, and has struggled greatly with mental health and socialization problems for a number of years.

The Executive Committee approved the request for waiver.

Clarkston-Everest Collegiate 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 previously attended Pontiac-Notre Dame Prep and ran three years of JV cross country. The student has a sister who attends Everest and also runs cross country. The student will be enrolling at Everest to begin the 2020-21 school year, seeking a smaller school environment with a different approach to academic success. The school requested that the student be allowed to run in meets against other schools but not as a designated scoring runner (subvarsity eligibility). A letter supporting eligibility was submitted by the cross country coach at the former school.

The Executive Committee did not approve the request for waiver.

Commerce-Walled Lake Northern High School (Regulation I, Section 9) – A request was made to waive the transfer regulation on behalf of a 12<sup>th</sup>-grade student who enrolled at Walled Lake Western on March 2, 2020, because the family was in the process of purchasing a home in the Western attendance area. Due to COVID-19, the March 13 closing date was cancelled and the home purchase fell through. Since the district was in a full online learning mode, it was determined that the student would continue his education at Walled Lake Western (he did not participate in athletics). The family continues to live in the Walled Lake Northern attendance area. The student will reenroll at Walled Lake Northern to begin the 2020-21 school year.

The Executive Committee approved the request for waiver.

Eaton Rapids 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 previously attended Potterville and participated in boys soccer, girls volleyball, girls basketball and track. The student will enroll at Eaton Rapids to begin the 2020-21 school year because more electives and advanced placement courses are available and the student can attend Lansing Community College Law Enforcement program. The student wishes to participate in girls basketball and girls soccer in the spring, which the former school does not offer.

The Executive Committee did not approve the request for waiver.

Quincy 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 experienced bullying and isolation as a volleyball player at Coldwater during the 2018 and 2019 seasons. The student has had medical treatment for health issues for two years and was hospitalized in the fall of 2018. The former superintendent assisted in the change of schools and the student enrolled at Quincy on Nov. 11, 2019. The student would like to participate in volleyball while a 12<sup>th</sup>-grader in 2020-21.

The Executive Committee approved the request for waiver.

St. Ignace 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 experienced bullying from a football teammate in the fall of 2019. The student played in four games (three JV and one varsity) before an injury ended his season. The student left St. Ignace and enrolled at Mackinaw City on Sept. 20, 2019. The student who had caused the bullying moved out of state, and the student reenrolled at St. Ignace on Feb. 28, 2020.

The Executive Committee approved the request for waiver. The student will be withheld from the first four football games of the 2020-21 school year.

St. Joseph-Lake Michigan Catholic 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 was enrolled at Benton Harbor-Countryside Academy for seven school days from Jan. 14-22, 2020, before the student reenrolled at Lake Michigan Catholic on Jan. 23, 2020. The student played basketball prior to transferring and did not play for the remainder of the school year.

The Executive Committee approved the request for waiver.

Southgate Anderson 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 previously attended Riverview-Gabriel Richard and participated in varsity soccer during the 2019-20 school year. The student transferred to Southgate Anderson to be able to take Construction Trades, which the former school does not offer. The family business is construction, which he plans on making his career. The student enrolled on Feb. 2, 2020. The administration of the former school is in support of eligibility.

The Executive Committee did not approve the request for waiver.

Approved International Student Programs (AISP) – Exception 4 of Regulation I, Section 9(A) allows immediate eligibility for one academic year for an otherwise eligible international student on either a J-1 or F-1 visa who is placed in a residence in a public high school district or school service area through an MHSAA Approved International Student Program. Pursuant to Interpretation 83, the Executive Committee reviewed the CSJET J-1 and F-1 inbound student programs as well as all member school-operated international student programs and determined that the following are MHSAA approved for the 2020-21 school year.

CSJET F-1 Inbound Listed Programs (See Appendix 1)

CSJET J-1 Inbound Listed Programs (See Appendix 2)

MHSAA Member School Programs (Chart also attached with details):

- Birmingham-Brother Rice High School – Maximum of **six (6)** international students (total of J-1 and F-1 visa students) allowed to participate on varsity level interscholastic teams during the **2020-21** academic year.
- Clarkston-Everest Collegiate High School (through Oak International Academies) – Maximum of **five (5)** international students (total of J-1 and F-1 visa students) allowed to participate on varsity level interscholastic teams during the **2020-21** academic year.
- Grand Rapids Christian High School – Maximum of **nine (9)** international students (total of J-1 and F-1 visa students) allowed to participate on varsity level interscholastic teams during the **2020-21** academic year.
- Grand Rapids-NorthPointe Christian High School – Maximum of **five (5)** international students (total of J-1 and F-1 visa students) allowed to participate on varsity level interscholastic teams during the **2020-21** academic year.
- Grosse Pointe Woods-University Liggett School – Maximum of **five (5)** international students (total of J-1 and F-1 visa students) allowed to participate on varsity level interscholastic teams during the **2020-21** academic year.
- Jenison High School (Jenison International Academy) – Maximum of **fifteen (15)** international students (total of J-1 and F-1 visa students) allowed to participate on varsity level interscholastic teams during the **2020-21** academic year.
- Muskegon-West Michigan Christian High School – Maximum of **five (5)** international students (total of J-1 and F-1 visa students) allowed to participate on varsity level interscholastic teams during the **2020-21** academic year.
- Pannonia Christian Educational Exchange – Maximum of **five (5)** international students (total of J-1 and F-1 visa students) allowed to participate on varsity level interscholastic teams during the **2020-21** academic year.
- St. Joseph-Michigan Lutheran High School – Maximum of **five (5)** international students (total of J-1 and F-1 visa students) allowed to participate on varsity level interscholastic teams during the **2020-21** academic year.
- Traverse City Area Public Schools – Maximum of **thirty (30)** international students (total of J-1 and F-1 visa students) allowed to participate on varsity level interscholastic teams during the **2020-21** academic year.

East Grand Rapids High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 241, a request to waive the four-player rule for the 2020-21 school year was made on behalf of the assistant boys and girls swimming & diving coach who is employed full-time by the East Grand Rapids Aquatics USA Swim Club. The program will have over 230 participants ages 6-18 of which approximately 80 are East Grand Rapids students in grades 7-12. Approximately 40 participants come from six other schools or districts (Byron Center, Caledonia, Grand Rapids-Catholic Central, Grand Rapids Christian, Forest Hills and Rockford). A similar request has been approved for this coach and program since 2012-13.

The Executive Committee approved the request for this coach for the 2020-21 school year only.

MKO Middle School Athletic Conference (Regulation IV, Section 10) – A request was made to allow this league to begin middle school football practice five days earlier than allowed by the regulation, on Wednesday, Aug. 19, 2020. Practice is permitted on the 14th Monday before Thanksgiving (Aug. 24, 2020). The early start date would allow schools the option to have three additional days of practice so they may scrimmage on the Wednesday or Thursday of the last week of August prior to Labor Day in order to have nine practice days prior to the scrimmage. It would also permit schools to not practice on the Friday or Monday of Labor Day. The MKO Conference offers four seasons of participation with winter sports beginning on Monday, Oct. 19, 2020, and this would permit some time off between fall and winter seasons. The Executive Committee approved this request previously.

The Executive Committee approved the request for waiver for this middle school conference in football for the 202-21 school year.

2020-21 MHSAA Multimedia Regulations – The Executive Committee reviewed and approved the Multimedia Regulations.

2020-21 MHSAA Officials Guidebook – The Executive Committee reviewed and approved the *Officials Guidebook*.

Representative Council Agenda- The Executive Committee approved a draft agenda for the June 15, 2020 Representative Council meeting.

Future Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, Aug. 5, 2020, at 9 a.m. in East Lansing; Tuesday, Aug. 25, 2020, at 9 a.m. in East Lansing; Thursday, Sept. 10, 2020, at 9 a.m. in East Lansing, Wednesday, Sept. 30, 2020, at 9 a.m. in East Lansing; Wednesday, Nov. 4, 2020, at 9 a.m. in East Lansing; and Thursday, Dec. 3, 2020, at 1 p.m. in East Lansing (Representative Council next day).