

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, November 4, 2020

Members Present:

Scott Grimes, Grand Haven
Steve Newkirk, Clare
Vic Michaels, Detroit
Kris Isom, Adrian
Nicole Carter, Novi

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.

Alba and Mancelona-North Central Academy High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of girls softball (varsity only) to a cooperative program that currently exists between these two schools in boys and girls basketball and JV volleyball. The combined enrollment of 74 students will continue placement of a team in the Division 4 tournament. Alba sponsored softball previously and will be the primary school. Support from the Northern Lights Conference was submitted.

Ann Arbor-Greenhills and Ann Arbor-Father Gabriel Richard High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in girls softball (varsity only) between these two schools whose combined enrollment of 793 students will move two teams from Division 3 and place one team in Division 2. Greenhills was in a softball cooperative program with Ann Arbor-Rudolf Steiner which has dissolved. Both schools sponsored softball previously; Greenhills will be the primary school. Support from the Catholic High School League was submitted.

Bay City-John Glenn and Saginaw-Nouvel Catholic Central High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved a cooperative program in boys lacrosse (varsity only) between these two schools whose combined enrollment of 977 students will continue placement of a team in the Division 2 tournament. John Glenn sponsored lacrosse previously and will be the primary school. Support from the Tri Valley Conference was submitted.

Bloomfield Hills-Academy of the Sacred Heart, Royal Oak-Shrine Catholic, Orchard Lake-St. Mary Preparatory and Wixom-St. Catherine of Siena Academy High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved the addition of St. Mary's to a girls skiing cooperative agreement (varsity only) which exists among the other three schools. Bishop Foley was previously in the agreement and has withdrawn. St. Mary's is enrolling 48 female students for the first time this fall. The combined enrollment of 1,486 students includes an enrollment of 515 St. Mary's students (48 girls and 467 boys – the enrollment is not doubled for girls sports) and will continue placement of a team in the Division 2 tournament. Academy of the Sacred Heart will continue as the primary school. Support from the Catholic High School League was submitted.

Grand Rapids-Northview, Grand Rapids-NorthPointe Christian, Comstock Park, Muskegon-Oakridge and Sparta High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved the addition of NorthPointe Christian to a cooperative agreement in ice hockey (varsity only) that exists between the other four schools whose combined enrollment of 3,275 students will continue placement of the team in the Division 1 tournament. Northview will continue as the primary school. Support from the OK Conference was submitted.

Lansing Christian and Lansing-New Covenant Christian High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of girls soccer (JV and varsity) to a cooperative program which exists between these two schools in girls basketball and whose combined enrollment of 172 students will continue placement of a team in the Division 4 tournament. Lansing Christian sponsored girls soccer previously and will be the primary school. Support from the Greater Lansing Activities Conference was submitted.

Madison Heights-Bishop Foley, Clarkston-Everest Collegiate, Macomb-Lutheran North, Marine City-Cardinal Mooney and Royal Oak-Shrine High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved the addition of Cardinal Mooney Catholic to a cooperative agreement in ice hockey (varsity only) that exists between the other four schools whose combined enrollment of 1,412 students will continue placement of a team in the Division 3 tournament. Bishop Foley will continue as the primary school. Support from the Catholic High School League was submitted.

Mattawan and Paw Paw High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved a cooperative program in boys and girls skiing (varsity and JV) between these two schools whose combined enrollment of 1,853 students will place a new team in the Division 1 tournaments. Mattawan sponsored skiing previously and will be the primary school. Support from the Southwestern Michigan Athletic Conference was submitted.

McBain and McBain-Northern Michigan Christian High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of girls softball (JV and varsity) to a cooperative program that exists between these two schools in baseball. The combined enrollment of 362 students will continue placement of a team in the Division 3 tournament. McBain sponsored softball previously and will be the primary school. Support from the Highland Conference was submitted.

Mt. Pleasant-Sacred Heart Academy and Shepherd-FlexTech High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in girls soccer (varsity and JV) between these two schools whose combined enrollment of 150 students will place a new team in the Division 4 tournament. Sacred Heart will be the primary school. FlexTech is in its first year of MHSAA membership and, under the regulations, is allowed to participate in cooperative programs during the probationary year. Support from four future opponents was submitted.

Petoskey, Boyne City, Harbor Springs and Petoskey-St. Michael Academy High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved the addition of Harbor Springs to a cooperative agreement in boys lacrosse (varsity and JV) that exists among the other three schools. The combined enrollment of 1,690 students will move the team into the Division 1 tournament. Petoskey will continue as the primary school. Support from two future opponents was submitted.

Saginaw-Heritage and Saginaw-Swan Valley High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved a cooperative program in boys lacrosse (varsity and JV) between these two schools whose combined enrollment of 2,030 students will continue placement of a team in the Division 1 tournament. Heritage sponsored lacrosse previously and will be the primary school. Support from the Saginaw Valley League and Tri Valley Conference was submitted.

St. Clair Shores-Lake Shore and St. Clair Shores-Lakeview High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved a cooperative program in boys lacrosse (JV and varsity) between these two schools whose combined enrollment of 2,542 students will place a new team in the Division 1 tournament. Lake Shore sponsored lacrosse previously and will be the primary school. Support from the Macomb Area Conference was submitted.

St. Ignace-LaSalle and Mackinac Island High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in girls softball (varsity only) between these two schools whose combined enrollment of 229 students will continue placement of a team in the Division 4 tournament. St. Ignace sponsored softball previously and will be the primary school. Support from four future opponents was submitted.

Sterling Heights and Warren Mott High Schools (Regulation I, Section 1[E-2]) – The Executive Committee approved a cooperative program in boys and girls bowling (varsity only) between these two schools of the same district under the provision allowing a multi-school district to form cooperative programs in excess of 1,000 students for up to four school years, through the end of the 2023-24 season. The combined enrollment of 2,983 students will continue placement of one team in the Division 1 tournament. Both schools sponsored boys and girls bowling previously. Sterling Heights will be the primary school. Support from the Macomb Area Conference was submitted.

Utica and Sterling Heights-Utica Stevenson High Schools (Regulation I, Section 1[E-2]) – The Executive Committee approved a cooperative program in wrestling (JV and varsity) between these two schools of the same district due to a demonstrated history of inadequate participation numbers. The combined enrollment of 4,461 students will place one less team in the Division 1 tournament. Both schools sponsored wrestling previously. Utica Stevenson has had interest from only four students in wrestling for the past two seasons. The allowance for this agreement will be for four school years only and must dissolve no later than the end of the 2023-24 school year. Utica will be the primary school. Support from the Macomb Area Conference was submitted.

Walled Lake Western and Walled Lake Central High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved the addition of boys swimming & diving (varsity and JV) to a cooperative program which already exists in gymnastics and girls lacrosse between these two schools of the same district. The combined enrollment of 2,695 students will move two teams from Division 2 and place one team in the Division 1 tournament. Both schools sponsored the sport previously. Walled Lake Western will be the primary school. Support from the Lakes Valley Conference was submitted.

Beverly Hills-Groves High School (Regulation I, Section 9) – A confidential request to waive the transfer regulation was made on behalf of a 10th-grade student who experienced bullying and harassment while a student at Birmingham-Seaholm who participated in girls basketball during the 2019-20 school year. The student's parents are not in her life and the student resides in the Seaholm attendance area with an aunt. The student has experienced many traumas early in her life and has been in counseling the past four months. The former school principal signed off on the transfer between these two schools of the same district.

The Executive Committee tabled the request for waiver until more information and documentation is received.

Bloomfield Hills High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Bloomfield Hills for the 9th grade and participated in ice hockey before enrolling at Brother Rice for approximately 25 school days from Aug. 19 to Sept. 25, 2020, when his former school decided to be all virtual to begin the 2020-21 school year. The student preferred in-person instruction and reenrolled at Bloomfield Hills on Sept. 28, 2020 when the in-person hybrid learning option was made. The student did not participate in fall sports at Brother Rice. Bloomfield Hills began fully online instruction on Sept. 8, resulting in the student missing 13 days at his former school. The in-person instruction began on Oct. 5, 2020.

The Executive Committee did not approve the request for waiver.

Brownstown-Woodhaven High School (Regulation I, Section 9) – A request to waive the transfer regulation to permit eligibility at the subvarsity level only was made on behalf of a 10th-grade student who attended Flat Rock and participated in basketball during the 2019-20 school year. Preferring the academic program, the student enrolled at Woodhaven to begin the 2020-21 school year. The mother is a Woodhaven staff member, aware of the COVID-19 protocols, and would be able to transport her son who can follow her schedule.

The Executive Committee did not approve the request for waiver.

Cooks-Big Bay de Noc High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Rapid River for the 9th grade during the 2019-20 school year where he participated in basketball. To begin the 2020-21 school year, the student reenrolled at the school of his residence which he had previously attended since preschool. The student was struggling academically due to COVID-19. The family felt the student would be safer in a smaller school with less chance of contracting the virus.

The Executive Committee did not approve the request for waiver.

Detroit-Frederick Douglass High School (Regulation I, Section 9[B]) – A request to waive the transfer regulation and specifically Interpretation 61(c) (multi-school district eligibility at geographic school only) was made on behalf of 10th- and 11th-grade brothers to permit eligibility in basketball on the 91st school day of enrollment. The brothers attended Dearborn Heights-Annapolis and have made a full and complete residential change into the Detroit-East English attendance area but enrolled to begin the 2020-21 school year at Frederick Douglass which is a district-wide school.

The Executive Committee did not approve the request for waiver.

Dryden High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose parents' job situation changed due to COVID-19 and they are unable to transport the student to Oxford where she attended 9th grade and played freshman basketball. The student enrolled at Dryden on Sept. 25, 2020, and also participates in girls soccer, which was not played in the spring of 2019-20.

The Executive Committee did not approve the request for waiver.

Fair Haven-Anchor Bay High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose aunt resides in Anchor Bay and was awarded limited guardianship on Jan. 31, 2020 due to lack of support from the student's birth parents. During the 2019-20 school year, the student attended Detroit-Martin Luther King and participated in JV football while living with his father. In early January 2020, the student moved into his mother's home and enrolled at Waterford Kettering where he played JV basketball but rarely attended school. The student enrolled at Anchor Bay on Feb. 4, 2020 and did not participate in football but seeks to play basketball this winter.

The Executive Committee approved the request for waiver. The student will be withheld from the same number of basketball games at Anchor Bay as he participated in while at Waterford Kettering High School during the 2019-20 season.

Flint-Hamady High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose parents have lived apart for three and a half years and who were unable to file for divorce due to court closings in Genesee County. The student lives in shared custody between both parents. During the 2019-20 school year, the student attended Flint—Carman-Ainsworth, where the father resides, and participated in football and basketball. Over the summer, the student's mother moved from Grand Blanc into the Flint-Hamady School District and the student enrolled to begin the 2020-21 school year. The student participated in one football game while ineligible, which Hamady has forfeited. The request was to permit the use of a one-time Educational Transfer Form (in process) because the parents have lived apart for over three years and the courts are unable to process the divorce.

The Executive Committee did not approve the request for waiver.

Haslett 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 Lansing Catholic High School, participated in basketball and was the subject of harassment at school which interfered with her grades, mood and self-confidence. The student has always lived in Haslett and enrolled on March 2, 2020.

The Executive Committee did not approve the request for waiver.

Novi Christian Academy (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Novi Christian Schools since 2017 except for three school days when the student attended Southfield Christian. The student reenrolled at Novi Christian Academy on Sept. 10, 2020. The family had a residential change over the summer of 2020 into Southfield. The student previously participated in basketball at Novi Christian Academy and in no athletics at Southfield Christian.

The Executive Committee approved the request for waiver.

Republic-Michigamme High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Republic-Michigamme for the 9th grade and participated in basketball before enrolling at Ishpeming for approximately 33 school days, from Aug. 31 to Oct. 16, 2020. The student reenrolled at Republic-Michigamme on Oct. 20, 2020. The request would be for subvarsity eligibility, but the school only has a varsity team.

The Executive Committee did not approve the request for waiver.

Wyoming-The Potter's House Christian High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (closest nonpublic school) was made on behalf of a 10th-grade student whose family moved from Grand Rapids to Wyoming over the summer of 2020 into a home that is closer to West Michigan Lutheran than to The Potter's House. The student and family are not Lutheran, but Christian. Potter's House is the closest Christian denomination school to the new residence. The student previously attended City High non-traditional school and participated in basketball for Ottawa Hills.

The Executive Committee approved the request for waiver.

Wyoming High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose mother has a medical condition and failing eyesight and is unable to care for the student and assist in online learning. The student and his brother have moved from his mother's home to the home of the grandmother in the Wyoming School District. The student previously attended Grand Rapids-Ottawa Hills and played basketball while residing with his mother and twin 9-year-old siblings, who continue to live in Grand Rapids. The student enrolled at Wyoming on Oct. 5, 2020.

The Executive Committee approved the request for waiver at the subvarsity level in basketball. He is eligible in all other sports at any level.

Midland-H. H. Dow 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 newly hired head girls and boys swimming & diving coach. The coach is a recent college graduate (May 2020) and a teacher in the district also employed by the Midland Dolphins Swim Club. While non-school swimming is not the coach's primary source of income, the coach relies on the income to pay down student loans and tuition for graduate courses in education. The school struggled to fill the swim coach vacancy and was fortunate to find a first-year teacher and swim coach. The club is open to the public, and for 2020-21, it is anticipated to include approximately 150 participants ages 5-20. The majority of the swimmers will be students from both Midland public schools and also involve college age students, and students from Auburn-Bay City Western and Freeland. It is estimated that 40-60 swimmers from H. H. Dow and Midland High Schools will participate. A similar request was approved for the previous coach of the Dolphins program in June 2019.

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

Spring Lake and Spring Lake-St. Mary's Catholic Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in boys and girls cross country, football, girls volleyball, boys and girls swimming & diving and boys and girls track & field (all 7th & 8th grades combined) between these two member middle schools. Both schools sponsored some of the sports previously. Spring Lake will be the primary school.

New Member School – Pursuant to the MHSAA Constitution adopted by member schools and according to procedures for MHSAA membership adopted by the Representative Council on March 27, 1997, the Executive Committee approved membership for the following school:

Highland Park-Sigma Academy for Leadership & Early Middle College is a public coed charter high school chartered by Saginaw Valley State University and self-managed. The school first opened in 2019 and occupies a location in the former St. Benedict Catholic Grade School. The current 9-12 regular onsite enrollment stands at 40 9th- and 10th-grade students and a 6th-8th grade enrollment of approximately 60 students. The school intends to contract with a local recreation center for gymnasium and athletic field space. The school intends to sponsor varsity boys and girls basketball this winter and hopes to add baseball, softball, volleyball, football and boys and girls track & field in the future. Middle school membership and an athletic program for 6th-8th graders is also included in the membership materials. An Athletic Department Code of Conduct was submitted. A signed 2020-21 Membership Resolution and Preliminary Classification Form were received on Sept. 30, 2020. If a 2021-22 Membership Resolution is received prior to Oct. 1, 2021, and all other regulations are followed, the school will be eligible for MHSAA tournaments for the for the 2021-22 school year.

MHSAA Committees – The Executive Committee approved appointments to MHSAA committees that meet after Jan. 1, 2021.

Future Meetings – The next meetings of the Executive Committee are scheduled for Thursday, Dec. 3, 2020, at 9 a.m. in East Lansing; Wednesday, Jan. 13, 2021, at 1 p.m. in East Lansing (follows Classification Committee); Wednesday, Feb. 24, 2021, at 9 a.m. in East Lansing (Audit & Finance Committee follows); Thursday, March 25, 2021, at 10 a.m. in East Lansing (Representative Council Next day); Wednesday, April 21, 2021, at 9 a.m. in East Lansing (Audit & Finance Committee follows); Sunday, May 2, 2021, at 10 a.m. in Gaylord (Representative Council follows); and Wednesday, June 16, 2021, at 9 a.m. in East Lansing.