

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, October 2, 2013

Members Present:

Jim Derocher, Negaunee
Scott Grimes, Grand Haven
Vic Michaels, Detroit
Fred Smith, Buchanan
Paula Steele, Perry

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 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.

Beaver Island High School (Regulation I, Section 1[D]) – A request was made to interpret Article II, Section 1 of the MHSAA Constitution to allow Beaver Island's 7th and 8th grades to continue MHSAA membership at the junior high/middle school level with fewer than 15 students enrolled in those grades, or to waive this regulation. Because the 9-12 enrollment of the high school is 25 students, the school finds it beneficial for 7th- and 8th-grade students to participate with the high school teams pursuant to Section 1(D). The school requested that the MHSAA consider the school's 7-9 grade enrollment of more than 15 students as sufficient for middle school membership.

The Executive Committee confirmed that 9th-graders may not be counted to satisfy simultaneously the minimum enrollment for **both** junior high/middle school membership **and** high school membership.

However, because the high school (grades 9-12) remains a member of the MHSAA and the junior high/middle school (grades 7 and 8) was a member school during the 2012-13 school year, Beaver Island High School may, for one additional school year only (2013-14), allow 7th- and 8th-grade students to participate with high school teams in those sports where this is permissible for member junior high/middle schools and high schools under Regulation I, Section 1(D). Only if the enrollment of both the 7th and 8th grades combined is at least 15 students and the 9-12 grades combined is at least 15 students, and each of those schools chooses to become an MHSAA member, will 7th- and 8th-graders be allowed to participate on the 9-12 grade team in 2014-15 and thereafter.

Grand Rapids-Union, Grand Rapids-Ottawa Hills and Grand Rapids-West Michigan Aviation Academy High Schools (Regulation I, Section 1[F]) – The Executive Committee approved a cooperative program in ice hockey between these three schools. The combined enrollment of the three schools will be 3,472 students, continuing placement of a team in the Division 1 tournament. Union will be the primary school. Support from the OK Conference was submitted.

Bangor High School (Regulation I, Section 9) – On Sept. 10, 2013, the Executive Committee did not approve a request to waive the transfer regulation on behalf of an 11th-grade student who previously attended St. Joseph-Lake Michigan Catholic and believed she was bullied by a group of five girls, causing the student to be absent from school for 24 days and to enroll at Bangor to begin the 2013-14 school year. The school submitted additional documentation that provided more details and the former school's awareness.

The Executive Committee did not approve the request for waiver.

Battle Creek-Lakeview High School (Regulation I, Section 9[B]) – A request to waive the transfer regulation and specifically Interpretation 73, to permit eligibility at the subvarsity level only in football, was made on behalf of a 9th-grade student who practiced football with Battle Creek-Harper Creek for two weeks in August before school began but did not play in a scrimmage or contest. The student's application to attend Harper Creek was denied and the student enrolled at Lakeview, his school of residence, to begin the 2013-14 school year.

The Executive Committee approved the request for waiver at the subvarsity level only in football. The student is eligible at any level in other sports.

Berrien Springs High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 61 (public school of residence) was made on behalf of a 10th-grade student who moved from his divorced mother in Tennessee to his father in Benton Harbor. There are three other siblings living with the father in attendance at Berrien Springs Schools since 2011. An otherwise completed Educational Transfer Form was submitted.

The Executive Committee approved the request for waiver.

Detroit-Mumford High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who was assaulted by a classmate at Warren-De La Salle Collegiate on May 23, 2013, which resulted in discipline for both students. The student was not allowed to return to school until June 11, 2013 to take his exams, and was informed that his scholarship was rescinded. The student's family was unable to afford the tuition. The student resides in the Mumford attendance area and enrolled at Mumford to begin the 2013-14 school year.

The Executive Committee did not approve the request for waiver.

Farmington High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose family moved over the summer from Arizona into the Farmington High School attendance area. The family enrolled two of three 10th-grade triplets at Farmington High School, and enrolled the student who is the subject of the appeal at Farmington Hills-Harrison High School (schools of the same district). In August, before school began, the student participated in one JV volleyball tournament with Harrison before withdrawing and registering to enroll at Farmington High School. The student began attending classes on the first day of school at Farmington, Sept. 3, 2013.

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 a 12th-grade student whose brother is on a ventilator, in hospice care with heart failure and suffers from Muscular Dystrophy. The student's parents have remained to care for the brother in Kansas. Due to the stress of the brother's health situation and the care the parents must give the younger brother, the student moved to her grandparents' home in Farwell and enrolled to begin the 2013-14 school year.

The Executive Committee approved the request for waiver.

Gaylord High School (Regulation I, Section 9) – A request to waive the transfer regulation and Interpretation 61 is made on behalf of a 12th-grade student who has moved into the home of a family in the Johannesburg-Lewiston School District. The student's home and personal life have been a struggle for the past several years while living from time to time with each parent and attending school in Virginia Beach, VA. Over the summer of 2013, the student came to northern Michigan and decided not to return to Virginia, enrolling to begin the 2013-14 school year at Gaylord High School because Johannesburg-Lewiston would not accept the student.

The Executive Committee did not approve the request for waiver.

Harbor Beach 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 a 12th-grade student whose mother was incarcerated over the summer; and with no other residential option, the student moved into the residence of his stepfather in Bad Axe. The student attended Harbor Beach Schools through the 10th grade before the mother and stepfather separated, at which time the student attended Otisville-Lakeville for the 2012-13 school year.

The Executive Committee approved the request for waiver.

Hemlock High School (Regulation I, Section 9[C]) – A request was made on behalf of an 11th-grade student to waive the transfer regulation to permit eligibility in an ice hockey cooperative program between Hemlock, Saginaw-Swan Valley and two other schools. The student participated in the program for the 9th and 10th grades and enrolled at Hemlock to begin the 2013-14 school year. Support from Swan Valley has been submitted.

The Executive Committee approved the request for waiver for ice hockey only until Jan. 20, 2014.

Holland High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 18 year old 12th-grade student who has moved from Mexico to the home of his aunt and uncle in Holland and enrolled on Sept. 18, 2013. The request was for immediate eligibility because the school believes it is unlikely that the principal of the student's previous school in Mexico will return the Educational Transfer Form.

The Executive Committee did not approve the request for waiver.

Holland-West Ottawa High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose divorced father works out of state three of four weeks per month and can no longer care for the student. The student is returning to the home of his mother in West Ottawa but had used the one-time allowance for the Educational Transfer Form in the 9th grade, moving from West Ottawa to Muskegon-Oakridge where the student remained with his father until the start of the 2013-14 school year. The student could not reside with his step-mother because of a strained relationship.

The Executive Committee did not approve the request for waiver.

Manchester High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Manchester Schools his entire life except for two days to begin the 2013-14 school year when the student enrolled at Tecumseh High School. The student's family had moved to Tecumseh over the summer and the student practiced cross country for one day on Aug. 14, 2013, but did not participate in a meet or scrimmage. The student's older brother continued to attend Manchester. On the second day of school, the student reenrolled at Manchester High School.

The Executive Committee approved the request for waiver.

Marine City-Cardinal Mooney Catholic High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Marine City High School for one day (Sept. 3, 2013) before reenrolling at Cardinal Mooney once tuition payment arrangements were formulated by the school and parent. The student had attended Cardinal Mooney since the 9th grade in 2011-12.

The Executive Committee approved the request for waiver.

Marysville High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 61 (public school of residence) was made on behalf of a 12th-grade student who attended Marysville Schools through the 10th grade until the father's employment change had the family relocate to North Carolina in August 2012. The student attended school in North Carolina for the 11th grade in 2012-13 and did not participate in athletics. The student desires to graduate from Marysville and has moved into his grandparents' home in the Port Huron School District.

The Executive Committee approved the request for waiver.

Montague High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who attended Montague Schools since Kindergarten except for seven school days when the student began the 2013-14 school year at Whitehall. The student reenrolled at Montague on Sept. 12, 2013.

The Executive Committee approved the request for waiver.

Northville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose mother is an alcoholic and has been in and out of rehabilitation and prison, causing the student to move in with an aunt and enroll at Northville High School to begin the 2013-14 school year. Child Protective Services has intervened in the past, as the mother can no longer care for the student. The student previously attended Webberville High School and hopes to participate in competitive cheer.

The Executive Committee approved the request for waiver.

Onsted High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who was living on and off with his parents in a physically and verbally abusive situation in California and was homeless at one point. The father has been incarcerated and the mother involved with drugs. Over the summer, the student moved into the residence of his grandparents in the Onsted School District and enrolled to begin the 2013-14 school year.

The Executive Committee approved the request for waiver.

Onsted High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who was living with his mother and grandmother in Virginia and has no history of athletic participation in high school. Recently the grandmother moved from Virginia to Onsted and the student moved with her to avoid family issues with the mother, who remained in Virginia.

The Executive Committee did not approve the request for waiver.

Romulus High School (Regulation I, Section 9) – A request waive the transfer regulation was made on behalf of an 11th-grade student who experienced issues with students and staff at Riverview-Gabriel Richard for the 9th and 10th grades, causing the student to enroll at Romulus Schools to begin the 2013-14 school year.

The Executive Committee did not approve the request for waiver.

St. Clair Shores-South Lake High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose birth father was incarcerated for five years and whose mother lost her home, is not currently employed and is living with relatives in Detroit. The student attended Warren-Lincoln High School for the 9th and 10th grades while living with his mother until enrolling at South Lake on Sept. 17, 2013. The student is living with his pastor in the South Lake attendance area.

The Executive Committee approved the request for waiver.

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
Burton-Genesee Christian	9	New Lothrop	Sept. 2013	Jan. 20, 2014
Camden-Frontier	9	Reading	Sept. 9, 2013	Jan. 20, 2014
Grand Rapids-NorthPointe Christian	10	China	Sept. 3, 2013	Jan. 20, 2014
Grand Rapids-NorthPointe Christian	10	Kent City-Algoma Christian	Sept. 3, 2013	Jan. 20, 2014
Grand Rapids-NorthPointe Christian	10	Grand Rapids-Plymouth Christian	Sept. 3, 2013	Jan. 20, 2014
Grand Rapids-NorthPointe Christian	10	Rockford	Sept. 3, 2013	Jan. 20, 2014
Memphis	10	Armada	Sept. 3, 2013	Jan. 20, 2014
Warren-Cousino	10	Melvindale-Academy for Business & Tech	Sept. 3, 2013	Jan. 20, 2014

Shelby Township-Utica Eisenhower High School (Regulation I, Section 11) – A request was made to review the amateur status of an 11th-grade student who would like to accept reimbursement from the Athletic Development Fund of Wheelchair and Ambulatory Sports USA (WASUSA) in order to participate in international table tennis competition and try out for the US Junior National Paralympic Track Team and participate in two events. The student is fully paralyzed in his right arm and hand and partially paralyzed in his right leg. The student plays boys tennis and runs track for Eisenhower but much of his financial assistance will be for international competition in table tennis.

The Executive Committee determined that the funding activity described in this matter conforms to the amateur status/awards regulation.

Regulation III, Section 1(C) – Pursuant to 2013-14 *Handbook* Interpretation 262, the Executive Committee approved waiver of the enrollment regulation for the following junior high/middle schools to permit 6th-grade students to participate with and against 7th- and/or 8th-graders for the sports listed in the 2013-14 school year only (unless otherwise indicated below).

Junior High/ Middle School	Sport(s)	High School Enrollment	Middle School Enrollment
Byron Center-Zion Christian	boys & girls basketball, baseball, girls soccer	81	17 7 th -graders 20 8 th -graders
Manistee Catholic Central	boys & girls basketball, boys & girls track & field, girls volleyball, baseball, girls softball	69	11 7 th -graders 12 8 th -graders
Pewamo-St. Joseph	girls competitive cheer	N/A	17 7 th - & 8 th -graders

New Member School – For the 2011-12 and 2012-13 school years, the enrollment at **Paradise-Whitefish Township High School** fell below 15 students and MHSAA membership was not renewed. On Sept. 13, 2013, the school notified the MHSAA that it has 16 students enrolled onsite in grades 9-12 and would like to return to MHSAA membership. Pursuant to Representative Council policies adopted March 21, 1997, the Executive Committee must review and determine membership for schools whose membership has lapsed for one or more years, and if approved, when MHSAA tournament participation shall be allowed to commence. The school completed a 2013-14 MHSAA Membership Resolution on Sept. 23, 2013, and is requesting to enter the UP Cross Country Tournament this fall.

The Executive Committee approved the return to membership at the high school level, as well as the participation of students in MHSAA tournaments for which the school qualifies.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, Nov. 6, at 9 a.m. in East Lansing; and Thursday, Dec. 5, at 1 p.m. in East Lansing.