

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, September 6, 2017

Members Present:

Scott Grimes, Grand Haven
Fred Smith, Benton Harbor
Vic Michaels, Detroit
Kris Isom, Adrian
Cheri Meier, Okemos

Staff Members Present:

Tom Rashid
Jack Roberts (Recorder)

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

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

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

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

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

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

Holton and North Muskegon High Schools (Regulation I, Section 1[D]) – The Executive Committee approved a cooperative program in wrestling between these two schools whose combined enrollment of 561 students will place a new team in the Division 3 tournament. Holton sponsored wrestling previously and will be the primary school. Support from the Central States Activities Association was submitted.

Monroe and Carleton-Airport High Schools (Regulation I, Section 1[F-1]) – Application was made for a cooperative program in girls gymnastics between these two schools whose combined enrollment of 2,789 students will place a new team in the Division 1 tournament. Neither school sponsored the sport previously. Monroe will be the primary school. Support from the South Central Gymnastics League was submitted.

Monroe, Ida and Monroe-Jefferson High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved the addition of Ida to a cooperative program in ice hockey that exists between Monroe and Jefferson High Schools. The combined enrollment of 3,123 students will continue placement of a team in the Division 1 tournament. Monroe will continue as the primary school. Support from the Huron League and Southeast Conference was submitted.

Saline and Chelsea High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved a cooperative program in boys and girls alpine skiing between these two schools whose combined enrollment of 2,710 students will place a new team in the Division 1 tournaments. Neither school sponsored skiing previously; Saline will be the primary school. Support from the Mt. Brighton Ski League was submitted.

Charlevoix High School (Regulation I, Section 7) – A request to waive the previous academic credit record regulation was made on behalf of a 10th-grade student who enrolled in an online charter school for the 2016-17 school year. The student became homeless and transient and two classes short of the four courses needed to be 66 percent of full credit load potential for a full-time student. Injuries from a car accident in the spring of 2015 caused the student to miss the second half of the 8th grade. The student was living in Oklahoma City with his mother and moved into his father's home in Charlevoix over the summer. An Educational Transfer Form is in process.

The Executive Committee approved the request for waiver of the previous term academic record regulation, but requested that the MHSAA receive documentation that clarifies the student's eligibility under Regulation I, Sections 4, 5 and 9.

Lake Linden-Hubbell High School (Regulation I, Section 7) – A request to waive the previous academic credit record regulation was made on behalf of a 10th-grade student who was moved from home to home and was the subject of Child Protective Services intervention. The student's father died in 2010 and the mother was unable to provide for the basic needs of the student and his younger brother. The student attended L'Anse High School for the 9th grade, was unable to attend school for most of the year, and passed only two courses in 2016-17. The student has been placed in foster care with a family in the Lake Linden-Hubbell School District (Exception 3). The student has no history of sports participation.

The Executive Committee approved the request for waiver and confirmed that the current academic term is the student's third for purposes of Regulation I, Sections 4 and 5.

Muskegon-Orchard View High School (Regulation I, Section 7) – A request to waive the previous academic credit record regulation was made on behalf of a 12th-grade student who has been struggling with medical issues since January 2017. The student was hospitalized for two weeks in the spring of 2017. The student missed several days of school, was not able to take his exams and did not pass any classes in the second semester of 2016-17. The student attempted four summer school classes and passed two. The student has two of the four courses needed to be 66 percent of full credit load potential for a full-time student.

The Executive Committee approved the request for waiver and confirmed that the current academic term is the student's seventh for purposes of Regulation I, Sections 4 and 5.

Adrian-Lenawee 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 an 11th-grade student whose mother moved with the student and her siblings from Ohio and recently married a man whose 11th-grade daughter has attended Lenawee Christian for the past three years. Lenawee Christian is not the closest nonpublic school to the new home.

The Executive Committee approved the request for waiver.

Birmingham-Roeper High School (Regulation I, Section 9[B]) – 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 previously attended Clarkston and participated in track & field. The student is a gymnast, which Roeper does not offer, and is also interested in JV volleyball. The student enrolled in Roeper's Gifted Education Program and has two sisters that graduated from Roeper.

The Executive Committee did not approve the request for waiver.

Blanchard-Montabella High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose mother died in the late spring of 2017, whose family lost their home and who has moved into the home of an aunt and uncle in the Montabella School District. The father is in construction, works in the metro Detroit area and is attempting to stabilize the family financially. The student previously attended Remus-Chippewa Hills and participated in athletics.

The Executive Committee approved the request for waiver.

Bloomfield Hills-Academy of the Sacred Heart (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (closest nonpublic school) was made on behalf of an 11th-grade student who is returning to her family in Bloomfield Hills after a year of attendance at a Christian therapeutic residential school in Georgia. The family's residence is approximately seven miles from Academy of the Sacred Heart. The student's family was in China for several years for employment reasons. While the parents remained in China, the student enrolled for the 10th grade in the boarding school in Georgia for the 2016-17 school year after experiencing difficulties while a student in China. The student remains in therapy and is enrolling at Academy of the Sacred Heart to begin the 2017-18 school year.

The Executive Committee approved the request for waiver.

Bloomfield Hills-Brother Rice High School (Regulation I, Section 9) – On Aug. 23, the Executive Committee did not approve a request to waive the transfer regulation and specifically Interpretation 62 (closest nonpublic school) made on behalf of an 11th-grade student. The student made a full and complete residential change from Croswell to Northville because the mother accepted a teaching position at Brother Rice. Brother Rice is not the closest nonpublic school to the student's new home. The school requested reconsideration, submitting additional information that the student was abandoned by his birth mother and, after a lengthy battle, was adopted by this parent in 2010. The student also had trouble in his former school, which included theft and sexual and racial harassment.

The Executive Committee approved the request for waiver.

Charlevoix High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (public school of residence) was made on behalf of an 11th-grade student whose father is a construction project manager who recently began working in Charlevoix. The family made a full residential change from Indiana. The family was unable to find a home that fit their needs and budget in Charlevoix but were able to find housing in East Jordan. The student has never played football before but is interested in football this fall.

The Executive Committee did not approve the request for waiver.

Fruitport High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose mother and stepfather have a history of domestic violence upon their children and who was the subject of Child Protective Services intervention due to improper supervision and threatened harm. The student previously attended Muskegon High School and relocated with two younger siblings to the home of the grandmother in the Fruitport School District. An older 17-year-old brother has moved from the parents' home. A probate court hearing for the appointment of a guardian is scheduled for Sept. 28, 2017.

The Executive Committee approved the request for waiver.

Grosse Pointe Woods-University Liggett High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose grandmother suddenly died on April 25, 2017, which impacted the student's daily after-school schedule. The student previously attended Grosse Pointe South and participated in cross country and track & field. The student will enroll to begin the 2017-18 school year, hoping the smaller student population will allow the student the necessary attention during this difficult grieving time.

The Executive Committee did not approve the request for waiver.

Holland 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 the Holland School District and was given full guardianship of the student upon his release in June 2017 from court-ordered placement in a residential facility. The change in guardianship from the mother to the aunt was the result of an unstable environment in the mother's home. The student's father has not been in his life. The student enrolled at Holland to begin the 2017-18 school year and has no history of sports participation.

The Executive Committee approved the request for waiver.

Kalamazoo-Hackett Catholic Prep High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (closest school of the same denomination) was made on behalf of a 12th-grade student whose father accepted a job with the Kalamazoo Catholic Diocese and will be moving closer to Hackett in the near future. In transition, the family has relocated to Jackson to the home of grandparents where they are closer to Jackson-Lumen Christi and Battle Creek-St. Philip. The family moved here from Virginia where the student attended Catholic school. The mother remains in Virginia taking care of family business and selling the home. The student and a 9th-grade brother have enrolled at Hackett to begin the 2017-18 school year.

The Executive Committee did not approve the request for waiver.

Kalamazoo-Loy Norrix High School (Regulation I, Section 9) – On Aug. 23, the Executive Committee did not approve a request to waive the transfer regulation made on behalf of a 12th-grade student whose mother is an alcoholic and who was living in an unhealthy environment in Cincinnati. The student's father is dying and the student has been taken in by an uncle in the Loy Norrix attendance area. The school requested reconsideration, submitting additional information. Since the Aug. 23 meeting, the student's uncle drove to Cincinnati to obtain a notarized letter from the mother showing her intention to grant custody to the uncle. The uncle's fiancé provided details on the student's life with his mother, including that the mother pawned the student's possessions. Letters from the student detailing his struggles was also submitted.

The Executive Committee approved the request for waiver.

Kalkaska High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who has moved back and forth between his father in Walled Lake and his aunt in Kalkaska. The aunt now has Power of Attorney and guardianship of the student. The student has no history of sports participation and would like to play JV football.

The Executive Committee did not approve the request for waiver.

Kentwood-East Kentwood 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 East Grand Rapids High School and played varsity soccer. Because of an inappropriate social media posting by a coach, the student enrolled at East Kentwood on Sept. 5, 2017.

The Executive Committee did not approve the request for waiver.

Lansing-Waverly High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who had difficulties while enrolled at Okemos and was diagnosed with medical issues in the 11th grade. The student has moved from her mother's home to the home of her godparents in the Waverly School District. The student has no history of school sports participation and is interested in playing girls volleyball.

The Executive Committee did not approve the request for waiver.

Lincoln-Alcona High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose mother died during the 2016-17 school year and who reenrolled at Lincoln-Alcona on March 21, 2017. The student attended Alcona for the 7th and 8th grades while living with his grandparents. During this time, his mother was diagnosed with cancer and moved closer to family in Lincoln. The student lived with his father whose work kept him in Eaton Rapids. The student attended Grand Ledge for the 9th grade and most of the 10th grade before moving back to his grandparents in March 2017 after the mother died. The student has undergone counseling and medical attention while dealing with his mother's death.

The Executive Committee approved the request for waiver.

Manistee High School (Regulation I, Section 9) – A request was made on behalf of a 12th-grade student to waive the transfer regulation to permit the second use of an Educational Transfer Form (ETF). On March 22, 2017, an ETF was signed and returned to permit eligibility at East Grand Rapids as the student was moving from his mother's home in Manistee to his father's home in East Grand Rapids. A second ETF was processed by Manistee on Aug. 29-30, 2017, but not signed by the MHSAA. The student returned to his mother's home in Manistee because of issues relating to the father's payment of child support, living conditions, health insurance and treatment by the father.

The Executive Committee did not approve the request for waiver.

Mio-Au Sable High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student whose father was recently incarcerated and whose mother is also currently incarcerated. With no one in the student's home in the Roscommon School District, the student has moved into the home of an aunt in the Mio-Au Sable School District and will be enrolling to begin the 2017-18 school year. The student practiced volleyball and participated in matches with Roscommon before enrolling at Mio-Au Sable. The student would participate in subvarsity volleyball.

The Executive Committee approved the request for waiver.

Traverse City West High School (Regulation I, Section 9[B]) – A request to waive the transfer regulation and specifically Interpretation 74 (practicing with another school in August) was made on behalf of an incoming 9th-grade student to permit eligibility at the subvarsity level in cross country. The student attended Benzie Middle School, lived in the Traverse City West attendance area and practiced cross country for three days (Aug. 9-11, 2017) with Benzie Central. Not wishing to continue driving to Benzonia, the student registered to enroll at Traverse City West on Aug. 24, 2017, and began classes on Sept. 5, 2017. The student did not participate in a scrimmage or contest.

The Executive Committee approved the request for waiver for boys cross country at the subvarsity level only. The student is eligible immediately at any level for all other sports.

Vestaburg High School (Regulation I, Section 9) – On Aug. 23, 2017, the Executive Committee did not approve a request for immediate eligibility but permitted eligibility at the subvarsity level only on behalf of a 10th-grade student whose father accepted a post as pastor of a church in the Carson City-Crystal School District. The request was specifically to waive Interpretation 62 (public school of residence) as the church requires that the pastor live in the Crystal community. The student and two siblings enrolled in Vestaburg because the majority of teens the father ministers to in his church attend Vestaburg. The parents have been serving as missionaries in the Czech Republic for the past ten years. The student had been home schooled previously.

The school requested reconsideration and submitted significant additional information that the family actually lived in the Vestaburg School District from April 1 to June 6, 2017, when they first arrived from the Czech Republic. The family moved to Crystal after the father had accepted the pastorship. The student registered to enroll at Vestaburg on April 21, 2017, but was urged by Vestaburg school staff to wait until the fall semester to begin classes. Had the student begun school at that time, he would have been eligible even if the family moved to Crystal. He continued to be home schooled until the fall term of 2017-18. Support for full eligibility was also submitted by the Carson City-Crystal superintendent.

The Executive Committee approved the request for waiver.

Walled Lake Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Waterford Kettering while living with his parents. Over the summer, the mother moved with the student only into the Walled Lake Central attendance area and the student enrolled to begin the 2017-18 school year. The mother was battling cancer for several years and a family friend moved into the home to assist in the mother's care. The mother is now cancer free and the student and mother have relocated over the summer while the father remains in the former home.

The Executive Committee did not approve the request for waiver.

Westland-Lutheran High School Westland (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Lutheran Westland for the 9th grade in 2016-17 and Dearborn-Divine Child for three school days to begin the 2017-18 school year (Aug. 21-24, 2017). The student did not play or practice with Divine Child, and reenrolled at Lutheran Westland on Aug. 28, 2017.

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
Bay City-John Glenn	10	Insight School of Michigan	Sept. 5, 2017	Jan. 15, 2018
Beverly Hills-Detroit Country Day	10	Bloomfield Hills-Marian	Sept. 5, 2017	Jan. 15, 2018
Birmingham-Roeper	10	Birmingham-Seaholm	Sept. 5, 2017	Jan. 15, 2018
Bloomfield Hills-Cranbrook	10	Shanghai American School	Sept. 5, 2017	Jan. 15, 2018
Charlevoix	10	Charlevoix Montessori	Sept. 5, 2017	Jan. 15, 2018
Detroit-U of D Jesuit	10	Warren-Cousino	August 2017	Jan. 15, 2018
Flint-Kearsley	10	Lapeer	Sept. 5, 2017	Jan. 15, 2018
Muskegon	10	Muskegon-Mona Shores	Sept. 5, 2017	Jan. 15, 2018
Portage Northern	10	Schoolcraft	Sept. 5, 2017	Jan. 15, 2018
Riverview	10	Dearborn-Henry Ford Early College	Sept. 5, 2017	Jan. 15, 2018

Eligibility of Students Fleeing Hurricanes – The Executive Committee reviewed protocols for processing a possible influx of eligibility rule waiver requests related to Hurricanes Harvey and Irma, pursuant to the approach taken with Hurricane Katrina victims in 2005.

Flint-Michigan School for the Deaf (Regulation II, Section 6) – A request to waive the 600-mile round-trip travel limitation was made to permit participation in the Spike Out Volleyball Tournament held in Maryland on Oct. 6-7, 2017. Michigan School for the Deaf is 534 miles one way from the Maryland school. The other deaf schools that will play in Division II of the tournament include Marie Phillip School, MA (432 miles), Western Pennsylvania (337 miles), Lexington, NY (242 miles), Fanwood, NY (242 miles), and Rochester, NY (337 miles). At its Aug. 23 meeting, the Executive Committee tabled this request until a meeting when it could be provided with and discuss a complete list of all schools that will compete in the event, as well as any forms that may be required by state and national high school athletic associations for interstate events.

This action by the Executive Committee triggered a start of the sanctioning process required by the National Federation of State High School Associations and its member organizations. At first, the process was initiated for only the Division I competition in the event, involving schools from Maryland, California (2), Indiana, District of Columbia and Texas, causing Michigan School for the Deaf to withdraw from the list of invited states and withdraw its request to waive this regulation. Subsequently, the Maryland Secondary School Athletic Association insisted that the tournament sponsor seek sanction for both divisions of play, which it has done; and Michigan School for the Deaf renewed its request to waive the MHSAA travel limitation to permit the school's participation against the Division II schools only (from Massachusetts, Pennsylvania and New York [3]).

The Executive Committee approved the request for waiver for Michigan School for the Deaf to participate against the listed Division II schools in this event on these dates, subject to completion of necessary national and state sanctioning forms. Any addition to the list of participating schools voids this approval.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, Oct. 4, 2017, at 8:30 a.m. in East Lansing; Wednesday, Nov. 1, 2017, at 8:30 a.m. in East Lansing; and Thursday, Nov. 30, 2017, at 1:30 p.m. in East Lansing (Representative Council meets the next day).