

**MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.**

**EXECUTIVE COMMITTEE MEETING**

East Lansing, December 1, 2022

Members Present:

Scott Grimes, Grand Haven  
Nicole Carter, Novi  
Vic Michaels, Detroit  
Kris Isom, Adrian  
Alex Tiseo, Marquette

Staff Members Present:

Cody Inglis  
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.

Bear Lake and Brethren High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in boys golf (varsity only) between these two schools. Bear Lake currently sponsors boys golf in Division 4. The combined enrollment of 263 students would keep the team in Division 4. Bear Lake will be the primary school. Support from the West Michigan D League was submitted.

Ann Arbor-Greenhills, Whitmore Lake, Ann Arbor-Gabriel Richard and Whitmore Lake-Livingston Classical Academy High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved a cooperative program in boys swimming (JV only) for these schools. The combined enrollment would be 1,049 students. Ann Arbor-Greenhills will be the primary school. Support from the Catholic High School League was submitted.

Athens 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 transferred to Athens from Union City on 11/10/22. The student and his ex-girlfriend had a child while both were students at Union City. Both parents and students were living with the mother of the student in Union City until a court order dictated “no contact” between the student and his ex-girlfriend. Based upon not wanting to violate the court order, the student moved out of his mother's Union City home and into his fraternal grandparents' home in Athens. The student enrolled at Athens High School as a proactive step to eliminate further legal, social and emotional issues that could occur in this small school setting. The student participated in football and basketball at the former school. The request is for eligibility in all sports previously played. Legal documents from the matter were provided. Both students now attend Athens High School's virtual program.

The Executive Committee did not approve 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 non-public school of residence) was made on behalf of an 11<sup>th</sup>-grade student who attended Western Reserve Academy in Ohio and played basketball and soccer during her two years there. Western Reserve Academy is a boarding school. The student's mother lives in Ithaca, NY, while her father lives in Detroit. The parents made the decision to move schools based upon social and emotional issues that they were seeing with their daughter and the need to live with a parent instead of at a boarding school. Academy of the Sacred Heart is not the closest non-public school to the father's residence, but it is the closest single gender school to the new residence. The family's desire to get to a smaller size school along with academic rigor were two main reasons to attend Academy of the Sacred Heart. The request is for the student to be able to participate in basketball immediately at Academy of the Sacred Heart.

The Executive Committee did not approve the request for waiver.

Flint-Powers Catholic High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 10<sup>th</sup>-grade student who transferred to Powers Catholic from Grand Blanc for the start of the 2022-23 school year. The student experienced safety and bullying issues at the former school. The student transferred because a new start was needed based upon the bullying and safety concerns that existed. The new school request is for eligibility in competitive cheer and soccer at the new school.

The Executive Committee did not approve the request for waiver.

Grand Rapids- Catholic Central High School (Regulation I, Section 9) – A request to waive the transfer regulation is made on behalf of a 12<sup>th</sup>-grade student who transferred from Grand Rapids-Catholic Central to Caledonia during the 2021-22 school year. The student transferred because of severe illness which resulted in multiple hospitalizations for health support. After receiving the appropriate medical care and support, the student reenrolled at Catholic Central for her 12<sup>th</sup>-grade year, the school she had attended initially as a 9<sup>th</sup>-grade student before the move to Caledonia during her 11<sup>th</sup>-grade year. The request is for immediate eligibility in bowling. A letter of support details the situation from the parent perspective. The student was previously granted a waiver in Dec. 2021 to attend Caledonia and participated in bowling.

The Executive Committee did not approve the request for waiver.

Grand Rapids–West Michigan Aviation Academy 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 has transferred to West Michigan Aviation Academy from Grand Rapids-Sacred Heart Academy. The student competed as a 9<sup>th</sup>-grader at Sacred Heart Academy in basketball and baseball. While the student attended Sacred Heart Academy, the student's desire was to attend WMAA and admission at WMAA is by random lottery. The student was not selected before his 9<sup>th</sup> grade year and at semester. Just prior to school starting in August, he was notified and admitted to WMAA. He chose to attend WMAA just before school started in late August of 2022. The school asks for immediate eligibility in basketball and baseball for the student given that WMAA was his original school of choice as a 9<sup>th</sup>-grader, but he was not selected.

The Executive Committee approved the request for waiver.

Grant High School (Regulation I, Section 9) – A request to waive the transfer regulation is made on behalf of a 10<sup>th</sup>-grade student who played volleyball, basketball and soccer with Newaygo as a 9<sup>th</sup>-grade student and volleyball as a 10<sup>th</sup> grade student until she transferred to Grant this fall. The student has transferred to Grant due to some peer hardships after the separation of the mother and father. While divorce proceedings have been started, they have not been completed. The new school requests immediate eligibility for the student in volleyball, basketball and soccer. A letter of support is included from the student's father.

The Executive Committee did not approve the request for waiver.

Jenison High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 10<sup>th</sup>-grade student who transferred to Jenison from Wyoming Tri-Unity for the start of the 2022-23 school year. The student experienced bullying issues at the former school and transferred because a new start was needed based upon the bullying and mental health concerns that existed. The new school request is for eligibility in basketball at the new school.

The Executive Committee approved 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 a 10<sup>th</sup>-grade student who is transferring to East Kentwood after attending Novi. The student played 9<sup>th</sup>-grade basketball at Novi while he resided with his mother. The student moved to Kentwood and now lives with his aunt and uncle. The mother has been in an abusive relationship that impacted the student, his academic progress and attendance while at Novi. The student was also the primary caregiver for a younger sister in the home which caused stress and anxiety from which he needed to be removed. The student moved to live in Kentwood to get a fresh start and escape the toxic home life in Novi. East Kentwood is requesting immediate eligibility in basketball at the subvarsity level.

The Executive Committee approved the request for waiver in basketball at the subvarsity level only.

Kentwood-Grand River Preparatory 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 has transferred to Grand River Prep from The Potter's House in January of 2022. The student has experienced health challenges. While at The Potter's House, the student played basketball during the Covid-19 shortened 2020-21 season and the start of the 2021-22 season for 6 games. Upon his move back to Grand River Prep, the student was ineligible not only for the 2021-22 season but also for the 2022-23 season based upon the timing of the transfer. The school is asking for consideration of shortening this almost two-year period of ineligibility for the student. The request is for eligibility in basketball after sitting 6 games, the same number of games the student competed in last season. Support from the former school athletic director was included.

The Executive Committee approved the request for waiver after six basketball games in 2022-23.

Lansing Catholic 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 11<sup>th</sup>-grade student whose family made a full and complete residential change from Okemos to Williamston. While at Okemos she played basketball. Lansing Catholic is not the closest nonpublic high school but is the closest Catholic high school. The student and their parents are Catholic and the student attended Catholic grade-school and are active members of St. Martha's Parish in Okemos. The younger brother also attends Lansing Catholic High School. The request is for immediate eligibility in basketball. The school had a previous waiver request for this student on the August 4<sup>th</sup> EC agenda prior to the residential change.

The Executive Committee approved the request for waiver under Interpretation 62.

Muskegon-Oakridge 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 transferred to Oakridge from Mona Shores High School for the start of the 2022-23 school year. The student experienced significant issues with her home life including mentally and physically abusive relationships with her mother and a former boyfriend in separate living situations while attending Mona Shores. The student needed to get away from the abusive relationship with her ex-boyfriend who still attends Mona Shores and moved to live with her grandmother in the Oakridge district. The school requests immediate eligibility in girls basketball at Oakridge.

The Executive Committee approved the request for waiver.

Port Huron 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 is transferred to Port Huron from Port Huron Northern for the start of the 2022-23 school year. The student transferred schools because she changed residences after living with her grandmother to live with her mother after a change to her mother's work schedule. The new residence is still in the Port Huron Northern attendance area. The student played basketball at Port Huron Northern during her Junior year in only three scrimmages. The request is for eligibility at Port Huron after the third scrimmage or contest in girls basketball. The former school confirmed the scrimmage dates and participation.

The Executive Committee approved the request for waiver after two basketball games in 2022-23.

Portage Northern High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 10<sup>th</sup>-grade student who transferred to Portage Northern from Kalamazoo Central for the start of the 2022-23 school year. The student started his 9<sup>th</sup>-grade year at Kalamazoo Central so that he and his mother could care for her parents including her father, who had just suffered a heart attack. The toxic home environment impacted the students' academic performance and attendance. The decision was made to move the student to the other grandparents' home in the Portage Northern district. The student has improved his attendance and grades since the move. The school requests sub varsity eligibility in basketball and baseball. A letter of support from Kalamazoo Central was provided along with court documentation showing the new and former address.

The Executive Committee approved the request for waiver for subvarsity only.

Richland-Gull Lake High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 10<sup>th</sup>-grade student who transferred to Gull Lake from Kalamazoo-Hackett Catholic Central after one week of classes at Hackett in the 2022-23 school year. The student attended Hackett during his 9<sup>th</sup>-grade year and competed in hockey and golf. He started attending Hackett during his freshman year, for the in- person learning that they provided during the Covid-19 pandemic, Gull Lake was fully virtual at the time. The student experienced bullying issues at Hackett that necessitated counseling and begged his mother to let him attend Gull Lake, the school he attended through 8<sup>th</sup> grade. The request is for eligibility in hockey and golf at the new school. Documentation and a letter of support from his former hockey coach has been provided.

The Executive Committee did not approve the request for waiver.

Schoolcraft High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 10<sup>th</sup>-grade student who transferred to Schoolcraft from Portage Central for the start of the 2022-23 school year. The student experienced documented and significant assault, harassment and threats at the former school including former wrestling teammates. The student and the family desired a fresh start to help the student cope. A letter of support from the former school was presented as support to the request. The school request is for eligibility in all sports including wrestling which she participated in at Portage Central.

The Executive Committee approved the request for waiver.

Southfield Christian High School (Regulation I, Section 9) - A request to waive the transfer regulation was made on behalf of a 11<sup>th</sup>-grade student who transferred to Southfield Christian at the start of the 2022-23 school year from University High School, an alternative school for Southfield A&T where he played basketball for the past two seasons. The student was enrolled with Southfield Christian schools from K-4<sup>th</sup> grade when his father was diagnosed with cancer and the family could no longer afford the tuition. While at Southfield A&T the student's experience with the team was mentally unhealthy and they determined it best to return to Southfield Christian. The request is for immediate eligibility in basketball.

The Executive Committee did not approve the request for waiver.

Holt High School (Regulation II, Section 6[A]) – A request to waive the MHSAA sanctioning requirements for Holt High School to participate in an upcoming wrestling event. Holt has attended the North Canton wrestling invite in Ohio for nearly twenty years. The host school has now changed the weigh-in requirements from the NFHS standards and thus it is not a sanctioned NFHS event. It is an MHSAA sanctioning requirement for Michigan schools, who wish to attend multi-state events, that the event be sanctioned by the NFHS. This year the meet will take place December 16 and 17 and the school is only doing weigh-ins on Friday for the two-day event, instead of both Friday and Saturday. This weigh-in process is similar to what Michigan has in place for a multi-day event. In years past North Canton has worked to be in compliance with MHSAA rules to allow Holt the opportunity to attend and compete. Schools from Florida have been told they couldn't attend because it would take Holt out of being able to compete. The request is for Holt to be able to attend this event based upon North Canton following MHSAA rules in wrestling and their long-standing participation in the event.

The Executive Committee approved the request for waiver.

Harbor Springs High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 241, a request to waive the four-player rule was made on behalf of the head boys soccer coach who owns and draws his primary source of income from the Petoskey Field House, an indoor training turf field facility. The coach also administrates in the Northern Michigan Football Club where more than four players from Harbor Springs will potentially be on site while the coach is in the facility. The coach will not be coaching more than four students from Harbor Springs at any time. The Football Club program and indoor training facility are open to the public and may include students from many other school districts.

The Executive Committee did not approve the request for waiver.

MHSAA Tournament Calendar – The Executive Committee approved adjustments to the tournament calendar in bowling and competitive cheer due to facility availability.

Erie-Mason and Ida Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in boys and girls swimming (6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades combined) for these two schools. Erie-Mason Middle School will be the primary school.

Lawrence and Paw Paw-Trinity Lutheran Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in football (7<sup>th</sup> and 8<sup>th</sup> grades combined) for these two schools beginning the 2023-24 school year. Lawrence Middle School will be the primary school.

Pewamo-Westphalia, Pewamo-St Joseph and Westphalia-St Mary Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in competitive cheer (6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades combined) and an addition of Westphalia-St Mary to an already existing cooperative program in boys and girls track (6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades) for these schools beginning the 2022-23 school year. Pewamo-Westphalia Middle School will be the primary school.

Traverse City Christian and Grand Traverse Academy Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in softball (6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades combined) for these schools beginning the 2022-23 school year. Traverse City Christian will be the primary school.

Next Meetings –

Wednesday, Jan. 11, at 1 p.m. - Virtual

Wednesday, Feb. 15, at 9 a.m. - Virtual (Audit and Finance Committee follows)

Thursday, March 23, at 1 p.m. in East Lansing (Representative Council meets the next day)

Wednesday, April 19 at 9 a.m. - Virtual (Audit and Finance Committee follows)

Sunday, May 7 at 10:30 a.m. in Gaylord (Representative Council meets at 1 p.m.)

Thursday, June 15 at 9 a.m. - Virtual

Monday, Aug. 7 at 9 a.m. - Virtual

Tuesday, Aug. 22 at 9 a.m. - Virtual

Thursday, Sept. 7 at 9 a.m. - Virtual

Thursday, Oct. 5 at 9 a.m. - Virtual

Wednesday, Nov. 1 at 9 a.m. - Virtual

Thursday, Nov. 30 at 2 p.m. in East Lansing (Representative Council meets the next day)