

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

Virtual, January 11, 2023

Committee Members:

Scott Grimes, Grand Haven
John Thompson, Brighton
Vic Michaels, Detroit
Kris Isom, Adrian
Chris Miller, Gobles

Staff Members:

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.

Saginaw-Arthur Hill and Saginaw High Schools (Regulation I, Section 1[E-2]) – The Executive Committee approved a cooperative program between these schools for the addition of boys and girls track & field (varsity only) to an already existing cooperative program for football and wrestling. Both schools currently sponsor boys and girls track & field. The combined enrollment of 1,211 students would add one team to Division 1 and remove one team from each Division 2 and Division 3. Saginaw-Arthur Hill will be the primary school. Support from the Saginaw Valley High School Association was submitted.

Saginaw-Arthur Hill, Saginaw and Saginaw-Arts & Sciences High Schools (Regulation I, Section 1[E-2]) – The Executive Committee approved a cooperative program between these schools in boys and girls golf (varsity only), baseball (varsity only) and softball (varsity only). All three schools currently sponsor baseball and softball. Arthur Hill and Saginaw currently offer boys golf while none of the schools currently offer girls golf. The combined enrollment of 1,418 students would add one team to division 1 and remove one team from each division 2 and division 3. Saginaw-Arthur Hill would be the primary school. Support from the Saginaw Valley High School Association was submitted.

Auburn Hills–Oakland Christian High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a student who has transferred from Dryden. The student was involved in two physical altercations with a student at the former school which included law enforcement involvement and charges. This situation led him to transfer to Oakland Christian where he has had family members attend and will get away from the student. Documentation included police reports and other paperwork. The new school requested immediate eligibility in basketball. The former school provided documentation indicating the request was primarily for athletic reasons.

The Executive Committee did not approve the request for waiver.

Bloomfield Hills–Academy of the Sacred Heart (Regulation I, Section 9) – A second request to waive the transfer regulation and specifically Interpretation 62 (closest non-public school of residence) was made on behalf of an 11th-grade student who attended Western Reserve Academy in Ohio and played basketball and soccer during her two years at Western Reserve Academy. 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. The family's desire to get to a smaller sized school with academic rigor were two main reasons to attend Academy of the Sacred Heart. The new and significant information submitted were three letters including one from her pastor related to the reasons behind the choice to attend Academy of the Sacred Heart and the rationale for the student to be eligible. The request was for the student to be able to participate in basketball and soccer immediately at Academy of the Sacred Heart.

The Executive Committee did not approve the request for waiver.

Brooklyn–Columbia Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who transferred to Columbia Central from Onsted on August 24, 2022. The student played basketball at Onsted and does not currently meet a transfer exception. Multiple reasons were cited for the transfer to Columbia Central from Onsted, primary reasons being issues on the basketball team between the player, the family and the coach at Onsted. This contentious situation spilled over to the classroom and other social situations which resulted in the family desiring a new school and basketball team. Columbia Central's basketball coach's primary employment is at a sports facility in Jackson, which is owned by the student's father. The coach has also coached the student in non-school, AAU basketball. The new school has been advised that the MHSAA athletic related transfer rule would potentially apply in this situation. The parents are in the process of a divorce which may be finalized sometime in 2023. The father has purchased a home in the Columbia Central district while the mother still lives in Onsted. Columbia Central requested immediate eligibility in basketball at the new school.

The Executive Committee did not approve the request for waiver. It was noted that once the divorce is final, the student could become eligible using an approved Educational Transfer Form.

Carson City-Crystal High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 10th-grade student who has moved from Central Montcalm to Carson City after his 9th-grade year. While at Central Montcalm, the student participated in football and wrestling. He attended Central Montcalm because his grandmother was a long-time teacher who recently retired. His mother lives in the Carson City district and his father, who suddenly passed in 2020, lived in Central Montcalm. For stability, the family chose to have him stay in Central Montcalm but after continued deteriorating grades and his grandmother's retirement, the desire to get him support at Carson City where he lives was made. While the student did sit out the football season to get his grades up, he has now made significant academic progress and the immediate ask was for eligibility in wrestling at Carson City. Strong supporting documents from the former school were received.

The Executive Committee approved the request for waiver.

Cedar Springs High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who transferred to Cedar Springs from Algoma Christian at the start of the 2022-23 school year. Algoma Christian is not an MHSAA member school. The student attended Cedar Springs Public Schools through 8th grade when she was homeschooled for her 9th-grade year and attended Algoma Christian as a 10th grader. While at Algoma Christian, the student played soccer. The student desires to play soccer at Cedar Springs after returning to make connections and because of her love of soccer. The student left Cedar Springs because of social and bullying issues. The school asked for immediate eligibility in girls soccer on behalf of this student.

The Executive Committee did not approve the request for waiver.

Centreville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an incoming 11th-grade student who participated in basketball for the past two seasons while a student at Centreville High School. The student transferred to an online school unassociated with Centreville during the second semester of 2021-22 to help with credit recovery and mental health struggles. They now desire to come back to Centreville and participate in basketball after reenrolling at Centreville where they have attended since first grade.

The Executive Committee approved the request for waiver.

Clinton Township-Chippewa Valley High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an incoming 11th-grade student that transferred from Warren-DeLaSalle at the start of the 2022-23 school year. The student felt out of place and struggled both academically and socially and the family decided that a new start was needed. While at DeLaSalle the student played in 6 JV basketball games. The previous school has confirmed this fact. The new school asked for immediate eligibility at Chippewa Valley to play basketball after the student has sat six games at the new school.

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

Detroit-Renaissance High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically interpretation 61 C. was made on behalf of an 12th-grade student who transferred to Detroit from Lowndes High School in Valdosta, GA at the start of the 2022-23 school year. The student's father now works for the US Custom and Border Control in Detroit and the family struggled to find suitable housing after being accepted into Renaissance High School, a testing school of Detroit Public Schools. The new residence is only one mile from Renaissance. Since Renaissance is "test" school, the student is not immediately eligible at a "test" school but at the closest geographic school in DPS which would be Mumford. The school district asked for a waiver of this rule and for immediate eligibility in basketball and soccer, the sports she played in Georgia.

The Executive Committee approved the request for waiver.

Farmington Hills-North Farmington High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who transferred to North Farmington from Detroit Edison. Upon the passing of her mother in 2019, the student moved to live with her paternal grandmother in Detroit. The grandmother recently underwent hip replacement surgery and the recovery associated with that forced the granddaughter to move back to her father's residence in the North Farmington district. The student played girls basketball as a 9th and 10th grader at Edison. The school request was for immediate eligibility in girls basketball.

The Executive Committee approved 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 two 10th-grade brothers who transferred to Powers Catholic from Davison on December 5th, 2022. The students were involved in a physical altercation after practice in the locker room with teammates after an early season practice. This incident resulted in the family transferring their sons from Davison to Powers less than a week after the incident as they feared for their safety. The former school presented a summary of the incident with an investigative report while the new school and family presented medical documentation, social media discussion and interactions with the former school. Powers Catholic request was for immediate eligibility in basketball at the new school for the two students.

The Executive Committee did not approve the request for waiver.

Goodrich High School (Regulation I, Section 9) – A third request to waive the transfer regulation was made on behalf of a 10th-grade student who participated in volleyball, basketball, swim and softball while a 9th-grade student at Brandon High School. It was discovered that their residence is now in the Goodrich school district and not in the Ortonville-Brandon school district. This rare change in school district boundaries occurred in 2018 without the family's knowledge and has been confirmed with the Hadley Township office, who made the switch, as well as with supplied tax records. The additional information included communication from Hadley Township, which confirms the family did not know about the school district switch. The former school has also previously documented their support of the move to Goodrich for this student. Goodrich requested immediate varsity athletic eligibility in all sports the student played at the previous school.

The Executive Committee approved the request for waiver.

Grand Rapids-South Christian High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of incoming 10th-grade student who transferred to South Christian from Middleville-Thornapple-Kellogg after attending since kindergarten. The student enrolled at South Christian on January 2, 2023. While at Thornapple-Kellogg the students experienced mental health and anxiety issues that led to counseling. The parents felt a new start would give the student a chance to alleviate the anxiety issues he was facing at Thornapple-Kellogg. The student competed in football, basketball and baseball. Supporting documentation was received from the parents as well as a counselor.

The Executive Committee did not approve the request for waiver.

Hamtramck High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 10th-grade student who transferred to Hamtramck from Detroit Communication Media Arts after the 2021-22 school year. While at CMA, the student lived with her father and played Girls Basketball. The student struggled academically and socially and desired to leave CMA. The student and father had a falling out regarding this change which necessitating the ultimate move back to Hamtramck. The family determined that going back to Hamtramck would be best as she had attended there through much of her younger years. The student has required counseling and therapy and letters of support were provided. The school request was for immediate eligibility in girls basketball at Hamtramck.

The Executive Committee did not approve the request for waiver.

Lansing Catholic High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th grade student who transferred and started at Lansing Catholic in August of 2022 after attending Williamston as a 9th grader. While at Williamston the student was injured requiring surgery and experienced harassment and rumors being spread about her from other students. In addition, the student struggled with depressive disorder which caused her to seek out a psychiatrist and a counselor that she still visits. While at Williamston, the student competed in basketball and the new school requests immediate eligibility in basketball. Supporting documentation was received from the student's therapist, psychiatrist, former classmates and medical documents related to her surgery.

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

Orchard Lake-St. Mary's Preparatory High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an incoming 10th-grade student that transferred from Northville on Jan. 3, 2023 after starting the 2022-23 school year there. The student attended Orchard Lake St. Mary Prep during the 2021-22 school year. While at Northville, the student found that it was not the right fit for her and desired to go back to OLSM. While at OLSM, the student competed in track in the spring of 2022. The school asked for immediate eligibility to compete in track this spring at OLSM.

The Executive Committee did not approve the request for waiver.

Orchard Lake-St. Mary's Preparatory High School (Regulation I, Section 9) – The school requested that the MHSAA Executive Committee grant a waiver of Regulation I, Section 9, Interpretation 94 regarding the required, minimum number of boarding school students. The school requested a waiver of the requirement of at least 25 students or ten percent, whichever is larger, of the full student enrollment being housed in the boarding school (dorm) as is required in Interpretation 94. The school's rationale was based on challenges from the COVID-19 pandemic which, according to the school, have caused low boarding school numbers at the school in 21-22 and the current school year of 22-23. The school reported that they currently have 28 students in the boarding school and cited these low numbers where due to fallout from the pandemic. Given the school reported their 2022-23 enrollment figure last February of 717 students in the high school, this current number of 28 boarding students is 44 boarding students short of the 10% requirement as defined in Interpretation 94. The waiver request referenced approval the Executive Committee had provided another boarding school, St. Joseph- Michigan Lutheran High School in 2019 and 2020. This boarding school was only four students under the minimum in 2019 and seven students under the minimum in 2020. One difference was Michigan Lutheran High School's request on August 4 of 2020, five months after the onset of COVID and before the school year began, provided detailed rationale regarding challenges with international travel, flight schedules, a change to single-occupancy student dorm rooms due to the pandemic and an increase in live-in staff to keep the dormitory sanitary and safe. This request was approved because the school fell only seven students short of the minimum requirement at the height of the pandemic, and the request was made in a timely manner before the start of the athletic and academic school year. The current request from St. Mary's came in January, roughly halfway through the school year, and after MHSAA had been seeking information and clarity on the number of current boarding school students from the school for the past two months, since November of 2022. It was noted that Executive Committee member Vic Michaels recused himself from this issue on the agenda.

The Executive Committee did not approve the request for waiver.

Potterville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who transferred to Potterville from Grand Ledge for the second semester of the 2022-23 school year starting on Dec. 21, 2022. The had a negative experience at the former school with their former JV coach. This resulted in reports to the Grand Ledge administration and school board and a subsequent lawsuit being filed by the family against the school district. The student transferred because a new start was needed after sudden staff changes resulted in the former JV coach being promoted to help with the Varsity Basketball team. This new development caused playing time issues and further anxiety and stress upon the student at Grand Ledge and led the family's desire to immediately move their student to Potterville. Supporting information included a letter from the student, the initial letter to Grand Ledge with the allegations of bullying from the coach and enrollment paperwork at Potterville. The new school requested immediate eligibility in basketball.

The Executive Committee did not approve the request for waiver.

Reed City High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 11th-grade student who transferred from Big Rapids to Reed City at the end of the first trimester this school year. This transfer is due to a change in employment for the student's father as he is now coaching Varsity Basketball at Reed City after 18 years as an assistant coach at Big Rapids. The family already lives in the Reed City district less than a mile from the Big Rapids district line. The request was for immediate eligibility in basketball at the new school. Letters of support included letters from Big Rapids High School, other coaches, the family and the student.

The Executive Committee did not approve the request for waiver.

Riverview–Gabriel Richard High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a student who transferred from Caldwell Academy in North Carolina at the beginning of the 2022-23 school year. The student participated in three varsity basketball games last school year before suffering a significant knee injury. The student then moved in with his father, who lives and works in Windsor, Ontario, and wanted a Catholic education for his son. The mother has not been in the student's life in several years which is why he is living with his father in Canada. The new school asked for immediate eligibility in boys basketball given that the student has missed eight games this season. The former school confirmed the games played last school year.

The Executive Committee approved the request for waiver beginning with the team's ninth game in 2022-23.

Springport High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Olivet High School through the 2021-22 school year. The student transferred to Springport at the semester due to mental and emotional health challenges at the former school. While at Olivet the student participated in wrestling and baseball. The school asked for eligibility in those two sports at Springport.

The Executive Committee did not approve the request for waiver.

Traverse City-Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an incoming 12th-grade student who participated in wrestling for the past three seasons while a student at Traverse City Central. The student transferred to an online school unassociated with Traverse City Central during the first semester of 2022-23 to help with credit recovery and academic needs. He desired to come back to Traverse City Central for his senior year and participate in wrestling. The school asked for immediate eligibility in wrestling for the student.

The Executive Committee approved the request for waiver.

Ypsilanti–Arbor Prep High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who is transferred to Arbor Prep after attending Ypsilanti Lincoln. The student played 9th-grade basketball at Lincoln. While at Lincoln the student suffered bullying and harassment from teammates and other students and a new start was needed. The former school confirmed that there were incidents while the student attended Lincoln. Arbor Prep requested subvarsity eligibility in basketball. Documentation provided included emails from the school to the parents detailing some incidents that occurred.

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

Lansing-Waverly and Lansing Catholic Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in boys and girls swimming (6th, 7th and 8th grades combined) for these schools beginning in the 2022-23 school year. Lansing-Waverly will be the primary school.

Morenci and Waldron Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in wrestling (7th and 8th grades combined) for these two schools beginning the 2022-23 school year. Morenci Middle School will be the primary school.

South Haven-Baseline and South Haven-St Basil Catholic Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in girls and boys basketball (6th, 7th and 8th grades), volleyball (7th and 8th grades), football (7th and 8th grades combined) and boys and girls cross country, boys and girls track, wrestling, boys and girls soccer and competitive cheer (6th, 7th and 8th grades combined) for these schools beginning in the 2022-23 school year. South Haven-Baseline will be the primary school.

New Member Schools – 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(s):

Waterford-Oakside Prep Academy is a public-school charter academy. It is governed by National Heritage Academy, which was founded during the COVID-19 pandemic in 2020. The high school currently has only grades 9 and 10 with 229 students enrolled. They currently offer basketball, volleyball and cross country with plans to add soccer next school year. The school will be seeking a league or conference affiliation but will operate independently playing other MHSAA member schools. MHSAA staff conducted an on-site visit on December 1, 2022. An Athletic Department Code of Conduct and Handbook was submitted. A signed 2022-23 Membership Resolution and Preliminary Classification Form were received. The school's athletic director did not attend any 2022 New AD in-service programs so must attend the 2023 version to complete school responsibilities of becoming a member school. The school will be eligible for MHSAA tournaments for the 2023-24 school year.

Next Meetings – The next meetings of the Executive Committee are scheduled for 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; and Thursday, Nov. 30 at 2 p.m. in East Lansing (Representative Council meets the next day)