

# MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

## EXECUTIVE COMMITTEE MEETING

Virtual, May 5, 2023

### Members Present:

Scott Grimes, Grand Haven  
John Thompson, Brighton  
Vic Michaels, Detroit  
Kris Isom, Adrian  
Judy Cox, Bay City

### 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.

Chesterfield-Austin Catholic and Sterling Heights-Parkway Christian High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in girls golf (varsity only) and boys and girls bowling (varsity only) between these schools. The combined enrollment of 225 students will place the combined team in Division 4. Chesterfield-Austin Catholic will be the primary school. Support from the Catholic High School League will be submitted.

Monroe-St Mary Catholic Central and Allen Park-Cabrini High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in boys tennis (varsity only) between these schools. The combined enrollment of 551 students will place the combined team in Division 4. Monroe-St Mary Catholic Central will be the primary school. Support from the Catholic High School League was submitted.

Muskegon Catholic Central and Fruitport Calvary Christian High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in football (varsity only) between these schools. The combined enrollment of 175 students will place the combined team in Division 8. Muskegon Catholic Central will be the primary school. Support from The Alliance Conference was submitted.

St Joseph-Our Lady of the Lake Catholic, Benton Harbor-Countryside Academy, St Joseph-Michigan Lutheran and Watervliet-Grace Christian High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in 8-player football (varsity and JV) between these schools. The combined enrollment of 373 students is in excess of the 8-player tournament enrollment cap and the team will not be eligible for the MHSAA tournament. St Joseph-Our Lady of the Lake Catholic will be the primary school. Support from several competing schools was submitted.

Standish-Sterling and AuGres-Sims High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in boys and girls swimming & diving (varsity only) between these schools. The combined enrollment of 608 students will place the combined team in Division 3. Standish-Sterling will be the primary school. Support from The Independent Swim Conference was submitted.

Battle Creek-Central and Battle Creek-St Philip Catholic Central High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved a cooperative program in boys and girls tennis (varsity and JV) between these schools. The combined enrollment of 1,303 students will place the combined team in Division 3. Battle Creek-Central will be the primary school. Support from the Southwestern Michigan Athletic Conference was submitted.

Grandville-Calvin Christian, Grand Rapids-West Catholic, Middleville-Thornapple Kellogg and Hopkins High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved a cooperative program in girls swimming and diving (varsity only) between these schools. The combined enrollment of 2,164 students will place the combined team in Division 1. Grandville-Calvin Christian will be the primary school. Support from the OK Conference was submitted.

Madison Heights-Bishop Foley Catholic, Clarkston-Everest Collegiate, Macomb Lutheran North, Madison Heights-Lamphere, Marine City-Cardinal Mooney, Royal Oak-Shrine Catholic and Waterford-Our Lady of the Lakes High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved a cooperative program in ice hockey (varsity only) between these schools. The combined enrollment of 2,238 students will place the combined team in Division 3. Madison Heights-Bishop Foley will be the primary school. Support from the Catholic High School League was submitted.

Warren-Regina and Macomb-Lutheran North High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved a cooperative program in girls swimming & diving (varsity only) between these schools. The combined enrollment of 1,217 students will place the combined team in Division 2. Warren-Regina will be the primary school. Support from the Catholic High School League was submitted.

Jenison, Zeeland East and Zeeland West High Schools (Regulation I, Section 1[F-2]) – The Executive Committee approved a cooperative program in ice hockey (varsity only) between these schools. The combined enrollment of 3,565 will place the combined team in Division 1. Jenison will be the primary schools. Support from the OK Conference was submitted.

Maple City–Glen Lake 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 transferred to Glen Lake from Frankfort after her 9<sup>th</sup>-grade year in September 2022. While at Frankfort she competed in cross country, wrestling, and track during her 9<sup>th</sup>-grade year. Before her transfer to Glen Lake in September, the student competed in two cross country meets for Frankfort. While at Glen Lake, the student participated in football, basketball, and soccer. The student switched households before finding a good environment and new guardian. The new school request was for eligibility after the first two cross country meets at Glen Lake for Fall 2023. Frankfort submitted supporting information regarding the transfer.

The Executive Committee approved the request for waiver after two cross country dates.

Oak Park High School (Regulation I, Section 9) – A request to waive the transfer regulation was made for an Oak Park student who transferred from River Rouge at the start of the second semester of the 2022-23 school year. The student previously attended Oak Park as a school of choice 9<sup>th</sup>-grader and competed in track and field. She then transferred to River Rouge for the start of the 2022-23 school year to live with her father. Her father got a job in Ohio, and the student moved back in with her mother in the Wayne/Westland School District. The mother wanted the student to return to Oak Park because she did not want her to be in three schools in a little over a year, and her job is near Oak Park, which was why they initially selected Oak Park. The new school request was for the student to be eligible to compete in track for Oak Park for the remainder of the track season. The student has not competed in any meets this season.

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 is made on behalf of a 10<sup>th</sup>-grade student who transferred from Redford Union to Riverview-Gabriel Richard at the start of the 2022-23 school year. Before leaving the team, the student participated in five baseball games while at Redford Union. The student has been practicing, but not competing in the first ten games of the baseball season at Gabriel Richard this spring. The request was for immediate eligibility in baseball at Gabriel Richard this spring.

The Executive Committee approved the request for waiver.

Rockford 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 transferred to Rockford from Grand Rapids-NorthPointe Christian for the start of the 2022-23 school year. The student experienced health challenges that required subsequent counseling and continuing therapy which led to a decision to start at a new school. The student participated in junior varsity softball at the former school. The request was for subvarsity eligibility in softball. Letters of support were included from the former school and a physician.

The Executive Committee did not approve the request for waiver.

Scottville-Mason County Central 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 transferred from Ludington to the Spartan Connect online program associated with Mason County Central in January 2023. The student participated in one wrestling match while at Ludington before getting injured. The family desired online education for their son which is why the transfer occurred. The request was for eligibility at Mason County Central in wrestling after the first match of the 2023-24 season.

The Executive Committee approved the request for waiver after one wrestling date.

East Grand Rapids High School (Regulation II, Section 11) – Pursuant to Interpretation 241, a request to waive the four-player rule for the 2023-24 school year is made on behalf of the boys and girls swimming & diving coach employed full-time by the East Grand Rapids Aquatics USA Swim Club. The program will have over 200 participants, ages 6-college age, of which approximately 52 are East Grand Rapids students in grades 6-8. Approximately 40 participants come from seven other schools or districts (Byron Center, Caledonia, Grand Rapids-Catholic Central, Grand Rapids Christian, Grand Rapids Public Schools, Rockford, and the Forest Hills Schools). A similar request has been approved for this coach and program since 2012-13.

The Executive Committee approved the request for waiver for the 2023-24 school year. This request must be made annually.

Southgate Anderson High School (Regulation II, Section 11) – Pursuant to Interpretation 241, a request to waive the four-player rule was made on behalf of the head girls and boys swimming coach, who was just hired as the District Pool Coordinator and also employed by Southgate Public Schools. The swim program and pool are open to the public and also require her to run swim and dive programs and lessons as a part of her job duties.

The Executive Committee approved the request for waiver for the 2023-24 school year. This request must be made annually.

Ecorse High School (Football Classification) – A request was made to opt-up in football from Division 7 to Division 6. Ecorse anticipated being in Division 6 when scheduling opponents for the 2023 football season as they have always been a Division 6 school. Under the newly adopted opt-up policy for football, this request comes to the Executive Committee for approval.

The Executive Committee approved the request for the 2023-24 and 2024-25 school years.

Next Meetings – 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)