

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING MINUTES

Virtual, April 17, 2024

9:00 a.m.

Committee Members:

Scott Grimes, Grand Haven
John Thompson, Brighton
Vic Michaels, Detroit
Sean Jacques, Calumet
Fred Smith, Bangor

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 was 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.

McBain-Northern Michigan Christian High School (Regulation I, Section 1[D]) – The Executive Committee approved a request to waive the enrollment regulation to allow the use of 7th-grade student-athletes in their girls soccer program. Northern Michigan Christian High School has 64 students in grades 9-12 for the 2023-24 school year. The request comes with causes and rationale about the positive impact of using 7th graders at Northern Michigan Christian in girls soccer starting in the spring of 2024.

Atlanta and Fairview High Schools (Regulation I, Section 1[E-1]) – The Executive Committee approved a cooperative program in 8-player football (varsity only) between these schools. The combined enrollment of 171 students will remove one team from Division 2 into Division 1. Atlanta will be the primary school. Support from the North Star League was submitted.

Chesterfield-Austin Catholic and Sterling Heights-Parkway Christian High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in boys soccer (varsity only) between these schools. The combined enrollment of 222 students will remove one team from Division 4. Austin Catholic will be the primary school. Support from both the Catholic High School League and the Michigan Independent Athletic Conference was submitted.

Kalamazoo-Comstock and Galesburg-Augusta High Schools (Regulation I, Section 1[E-1]) – The Executive Committee approved a cooperative program between these schools in girls soccer (JV only) beginning in spring 2024. The combined enrollment of 604 students will place the team in Division 3. Kalamazoo-Comstock will be the primary school. Support from the Southwest 10 Conference was submitted.

Wyoming-Tri-unity Christian and Wyoming-West Michigan Lutheran High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in 8-player football (varsity only) between these schools. The combined enrollment of 133 students will place the team in Division 2. Tri-unity Christian will be the primary school. Support from potential competing schools was provided.

Belleville 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 Belleville High School from University of Detroit Jesuit High School during the second semester of 2023-24. The student attended U of D Jesuit and participated in football and track. The family moved from their Lathrup Village home to a home in the Belleville attendance area. The student's 21-year-old brother continues to reside at the Lathrup Village residence while the parents and student have made the full and complete residential move to the Belleville District. The student left U of D Jesuit because he intends to graduate early and the school does not provide the option to graduate early. Belleville asked for immediate athletic eligibility given the student's circumstances. Documentation was provided along with confirmation of home visits by the Belleville administration. New information included challenges the young man had while a student at U of D Jesuit.

The Executive Committee approved the request for waiver.

Big Rapids High School (Regulation I, Section 9) – A second request to waive the transfer regulation was made on behalf of an 11th-grade student who enrolled at Big Rapids High School for the 4th quarter on March 11, 2024. The student competed at Morley Stanwood High School in baseball and football. The student transferred to Big Rapids needing a new start because of the academics that the student desired but could not take at Morley Stanwood. The request is for immediate eligibility in baseball and football. New information was submitted that the family also needs to care for elderly family members in Big Rapids. The family does own property in the district and asked for immediate eligibility before the final move is completed.

The Executive Committee did not approve the request for waiver.

Birmingham-Seaholm High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who transferred to Bloomfield Hills-International Academy from U of D Jesuit High School at the end of the first semester of the 2023-24 school year. The student participated in JV tennis at U of D Jesuit during the fall of 2023-24. The student transferred to the International Academy to alleviate some logistical and financial burdens on the family as well as have a better academic environment. The request was for eligibility in boys tennis at Seaholm for the fall of 2024.

The Executive Committee did not approve the request for waiver.

Grand Rapids-West Catholic High School (Regulation I, Section 9) – A second request to waive the transfer regulation was made for an 11th-grade student who enrolled at West Catholic in January 2024. The student transferred from Kenowa Hills High School, needing a new start because his father was released as the head football coach at Kenowa Hills in December of 2023. The student transferred to West Catholic after the student's social and mental health was negatively impacted by these events. The former school provided letters of support for the student to be immediately eligible at the new school. The request was for immediate track, football, and basketball eligibility. New information provided included letters from the superintendent and counselor at Kenowa Hills in support of his eligibility at West Catholic.

The Executive Committee approved the request for waiver.

Howell High School (Regulation I, Section 9) – A second request to waive the transfer regulation was made for an 11th-grade student who competed in baseball the previous two years at Orchard Lake-St Mary Prep High School. The student transferred to Howell High School at the start of the 23-24 school year, where he had previously attended, because he needed a fresh start after his grades declined, and subsequently, his health was impacted. This followed issues the student and family had with the former school who declined to provide a letter of support for this request. The continued request is for immediate eligibility in baseball in the spring of 2024.

The Executive Committee did not approve the request for waiver.

Ludington High School (Regulation I, Section 9) – A request to waive the transfer regulation is made on behalf of a 10th-grade student who transferred to Ludington High School from Mason County Central High School at the end of the first semester of the 2023-24 school year. The student participated in football, basketball, and baseball at Mason County Central during his 9th and 10th-grade years. The student transferred to Ludington because of issues that occurred while at Mason County Central. The request was for eligibility in baseball this spring and for football and basketball during the 2024-25 school year.

The Executive Committee did not approve the request for waiver.

North Adams-Jerome High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who transferred to Addison High School from North Adams-Jerome High School to start the 2023-24 school year. The student played baseball while at North Adams-Jerome during the 2022-23 spring season. The student desires to return to his original school after issues disrupted the student's academic and extracurricular pursuits. The request was for immediate eligibility in baseball.

The Executive Committee did not approve the request for waiver.

Petoskey High School (Regulation I, Section 9) – A third request to waive the transfer regulation was made on behalf of an 11th-grade student at Petoskey High School. The student changed residences from Illinois, where the student attended Hinckley-Big Rock High School and participated in softball. The family moved to the Petoskey area with every intention of living in the Petoskey attendance area after the father changed jobs as a golf course superintendent. Despite numerous attempts to find a house or rental in the Petoskey area, the family could not find a suitable residence and went to the Harbor Springs area to find housing, and the family's desire to go to Petoskey was unrelated to athletics. Given the challenging housing market and unique transfer situation, the continued request was for immediate eligibility in softball this spring at Petoskey. The new documentation included a letter from the softball coach as well as from the student describing the challenges she has gone through in this situation. The student has missed more than 13 games since the season started.

The Executive Committee did not approve the request for waiver.

Redford-Thurston High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who competed the previous school year in baseball at Lutheran Westland High School. The student transferred from Lutheran Westland at the start of the 23-24 school year after being asked to leave because of a school conduct issue. The request was for immediate eligibility in baseball.

The Executive Committee did not approve the request for waiver.

Warren-Regina High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who transferred to Regina High School from Notre Dame Prep in August of 2023. The student participated in girls lacrosse last spring while at Notre Dame Prep where she experienced negative social interactions with peers. The request was for subvarsity eligibility in girls lacrosse this spring.

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

White Lake-Lakeland High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who competed the previous school year in bowling at Clarkston High School. The student transferred from Clarkston at the start of the second semester of the 23-24 school year because she and her mother bounced around different living situations. This unstable living environment has caused the student to be classified as homeless under the McKinney-Vento Act at Lakeland High School. Documentation of the homeless status was provided. The request was for immediate eligibility in bowling for the 2024-25 school year.

The Executive Committee approved the request for waiver.

Central Lake, Bellaire and Ellsworth Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in 8-player football (6th, 7th and 8th grades combined) between these schools. Central Lake will be the primary school.

Next Meetings – Friday, May 3 at 9 a.m. – Virtual; Thursday, June 13 at 9 a.m. – Virtual; Monday, August 5 at 9 a.m. – Virtual; Wednesday, August 21 at 9 a.m. – Virtual; Thursday, September 5 at 9 a.m. – Virtual; Thursday, October 3 at 9 a.m. – Virtual; Wednesday, November 6 at 9 a.m. – Virtual; Thursday, December 5 at 3 p.m. in East Lansing (Representative Council meets the next day).