

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, April 21, 2021

Members Present:

Scott Grimes, Grand Haven
Steve Newkirk, Clare
Vic Michaels, Detroit
Karen Leinaar, Bear Lake
John Thompson, Brighton

Staff Members Present:

Tom Rashid
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.

Grosse Pointe Woods-University Liggett and Detroit-Skills & Trade Preparatory High Schools (Regulation I, Section 1[E]) – Application was made for a cooperative program in 11-player football (varsity only) between these two schools whose combined 2021-22 enrollment of 331 students would keep one team in Division 7. University Liggett would be the primary school. Support from the Catholic High School League was submitted.

The Executive Committee did not approve the cooperative program. The status of Skills & Trade Preparatory as a new member school is under review during 2021-22.

Grosse Pointe Woods-University Liggett and Warren-Regina High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in girls swimming & diving (varsity only) between these two schools whose combined 2021-22 enrollment of 849 students will keep one team in Division 3. University Liggett sponsored the sport previously and will be the primary school. Support from the Catholic High School League was submitted.

Hart and Walkerville High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in 11-player football (JV and varsity) between these two schools whose combined 2021-22 enrollment of 478 students will move one team from Division 6 to Division 5. Hart sponsored the sport previously and will be the primary school. Support from the West Michigan D League and West Michigan Conference was submitted.

Holt and Mason High Schools (Regulation I, Section 1[E-1]) – The Executive Committee approved a cooperative program at the subvarsity level only in girls lacrosse between these two schools whose combined enrollment is 2,700 students. Holt has sponsored girls lacrosse previously and will be the primary school. Support from the Capital Area Activities Conference was submitted.

Ishpeming and Republic-Michigamme High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in 11-player football (JV and varsity) between these two schools whose combined 2021-22 enrollment of 250 students will keep one team in Division 8. Ishpeming sponsored football previously and will be the primary school. Support from the Western Peninsula Athletic Conference was submitted.

Lansing-Eastern and Lansing-Sexton High Schools (Regulation I, Section 1[E-1]) – The Executive Committee approved the addition of girls soccer (subvarsity only) to the cooperative program that exists between these two schools of the same district in several other sports. The combined enrollment is 2,650 students. Support from the Capital Area Activities Conference was submitted.

Linden and Swartz Creek High Schools (Regulation I, Section 1[E-1]) – The Executive Committee approved a cooperative program at the subvarsity level only in girls soccer between these two schools whose combined 2020-21 enrollment is 2,165 students. Both schools have sponsored girls soccer previously and have insufficient numbers of students to sponsor their own teams. Linden will be the primary school. Support from the Flint Metro League was submitted.

Memphis and Kimball-Landmark Academy High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in 11-player football (JV and varsity) between these two schools whose combined 2021-22 enrollment of 499 students will move a team from Division 7 to Division 5. Memphis sponsored football previously and will be the primary school. Support from the Greater Thumb Conference was submitted.

New Buffalo and Three Oaks-River Valley High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of 8-player football (JV and varsity) to the cooperative program that exists between these two schools in wrestling. The combined 2021-22 enrollment will be 353 students, which will make the program ineligible for the 2021-22 8-player tournament. New Buffalo previously sponsored 8-player football and River Valley sponsored 11-player football but has been unable to complete a season for the past two years due to insufficient numbers. New Buffalo will be the primary school. Support from the Southwest Michigan 8-Man Conference was submitted. The schools are considering playing an 8-player schedule possibly for two years until the program develops enough to transition back to 11-player football.

Royal Oak-Shrine and Southfield Christian High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program between these two schools in 11-player football (varsity only). The combined 2021-22 enrollment of 384 students will remove two schools from Division 8 and add one program to Division 6. Shrine will be the primary school. Support from the Catholic High School League was submitted.

Walled Lake Central and Walled Lake Western High Schools (Regulation I, Section 1[E-1]) – The Executive Committee approved the addition of girls soccer (subvarsity only) to the cooperative program that exists between these two schools of the same district in girls gymnastics, girls lacrosse and boys swimming & diving. The combined 2020-21 enrollment is 2,695 students. Walled Lake Central will be the primary school. Support from the Lakes Valley Conference was submitted.

Cooperative Program Renewals (Regulation I, Section 1[F]) – Pursuant to instructions revised by the Representative Council in December 2006, the MHSAA staff identifies Cooperative Team Renewal Forms that require Executive Committee review, including those involving Class A or B schools or three or more schools of any size which indicate large numbers of students trying out or being cut, or have a significant win/loss record. The Executive Committee approved the following two programs for two school years, through the 2022-23 school year, and requested that the district resubmit materials for review in April 2023 for the programs to continue in 2023-24:

- a. Zeeland West and Zeeland East High Schools in Girls Swimming & Diving: Eighteen students from Zeeland West and 21 students from Zeeland East participated in this cooperative program, with a 5-0 record in 2020. The program has been under Executive Committee and OK Conference review since the spring of 2019 and was renewed through the 2020-21 school year. Consideration was given as to whether enough girls are swimming for each school to have its own team in the future.
- b. Zeeland West and Zeeland East High Schools in Boys Lacrosse: Thirty-one students from Zeeland West and 16 students from Zeeland East participated in this program which did not have a season in 2019-20 due to the pandemic.

Orchard Lake-St. Mary's Preparatory High School (Classification) – A request was made to delay the implementation of Classification Point #11 which indicates that a single-gender school with 75 percent of its population of the same gender will double the classification for the majority gender. Silent on what to do with the **minority** gender, it was assumed that the minority and majority enrollments are added together. St. Mary's has been an all-boys school since its inception and will add its second incoming 9th-grade class of approximately 40 girls this coming fall of 2021. The boys enrollment of 523 students, doubled, sets the school's classification in boys sports at 1,046 and its girls classification, 523 + 46 students, at 569 students, generally Class B or Division 2. The request was to allow for the girls-only enrollment of approximately 80 female students to classify its girls teams in Division 4 tournaments for two school years.

The Executive Committee approved the request for the 2021-22 school year only. If the school requests, the Executive Committee will review the situation in March of 2022.

New Member School Review: Detroit-Skills & Trade Preparatory High School – On Sept. 10, 2020, the Executive Committee approved membership for this new school. In the fall of 2020, due in part to the pandemic, the school was unable to provide enrollment for its students in 66 percent of a full-time student's active credit load potential on a Skills & Trade Prep transcript. In the fall of the 2020-21 school year, Skills & Trade Prep entered into an agreement with the South Redford School District (Thurston High School) to provide online learning for students for credit on a South Redford transcript. Students were not considered to be eligible at Thurston, which had made inquiry. A cooperative agreement with Grosse Pointe Woods-University Liggett School in football was submitted for the 2021-22 school year. Considering the issues with the MHSAA minimum enrollment regulation, MHSAA staff suggested that Skills & Trade Prep submit information to the Executive Committee regarding the new school's status in the current and coming school year.

The Executive Committee paused the membership process for 2021-22 for Skills & Trade Preparatory High School. The school may submit additional information to the Executive Committee in March of 2022 regarding its status as an MHSAA member school. Given the current status, Skills & Trade Preparatory will not be eligible for MHSAA tournaments in 2022-23, but if membership action is reinstated, the school may participate in approved cooperative agreements during 2022-23 provided all regulations are met and MHSAA Membership Resolutions are submitted by required timelines. The school may conduct regular season competition. At the present time, the Executive Committee did not approve the cooperative program request.

Representative Council Meeting – The Executive Committee reviewed a draft agenda of the May 2-3 Council meetings and discussed virtual or in-person options.

Future Meetings – The next meetings of the Executive Committee are scheduled for Friday, April 30, 2021, at Noon in East Lansing; and Wednesday, June 16, 2021, at 9 a.m. in East Lansing.