MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, December 3, 2015

Members Present:

Staff Members Present:

Scott Grimes, Grand Haven Fred Smith, Benton Harbor Vic Michaels, Detroit Kris Isom, Adrian Orlando Medina, Harrison Township Tom Rashid Jack Roberts (Recorder)

<u>Executive Committee Authority and Responsibility</u> – 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 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 null and void.

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 contract 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.

<u>Powers-North Central High School (Regulation I, Section 1[D])</u> – A request was made to waive the 100-student enrollment limit to permit 8th-grade girls to participate with high school teams in girls basketball. The school is having difficulty fielding a varsity and JV team. Only four girls are trying out for JV and eight for varsity. The North Central 9-12 enrollment is 122 students.

The Executive Committee did not approve the request for waiver.

<u>Detroit-Cristo Rey and Detroit-Loyola High Schools (Regulation I, Section 1[E])</u> – The Executive Committee approved a cooperative program in baseball between these two schools whose combined enrollment of 587 students will place a new team in the Division 2 tournament. Neither school sponsored baseball previously; Cristo Rey will be the primary school. Support from the Catholic High School League was received.

<u>L'Anse and Baraga High Schools (Regulation I, Section 1[E])</u> – The Executive Committee approved a cooperative program between these two schools in boys and girls golf which are both played in the spring in the Upper Peninsula. The combined enrollment of 379 students will place a new team in the boys and girls Division 1 tournament (one less in Division 2 and 3). L'Anse will be the primary school. Support was received from future opponents.

Madison Heights-Bishop Foley and Macomb-Lutheran North High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of boys lacrosse to a cooperative agreement which exists in ice hockey between these two schools whose combined enrollment of 884 students will continue placement of a team in the Division 2 tournament. Bishop Foley sponsored the sport previously and will be the primary school. Support from the Catholic High School League was received.

Royal Oak-Shrine, Clarkston-Everest Collegiate, Waterford-Our Lady of the Lakes and Rochester Hills-Lutheran Northwest High Schools (Regulation I, Section 1[F]) – The Executive Committee approved the addition of Lutheran Northwest to a boys lacrosse cooperative agreement which exists between the other three schools and whose combined enrollment of 832 students will continue placement of a team in the Division 2 tournament. Shrine will continue as the primary school. Support from the Catholic High School League was received.

Allen Park-Cabrini 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 11th-grade student who recently moved with his father into a residence in Belleville which is 1.4 miles closer to Divine Child than to Cabrini. The student began the 9th grade at Cabrini while living with both parents in Inkster. The student moved with his mother to Garden City for three semesters through the 10th grade. To begin the 2015-16 school year, the student returned to Inkster to live with his father and enrolled at Cabrini. In November of 2015, the student moved with his father to Belleville. The parents never married, and an otherwise completed Educational Transfer Form was submitted. The student is returning to his former school, but not the closest nonpublic school.

The Executive Committee approved the request for waiver.

<u>Bay City-All Saints High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation was made on behalf of a 12th-grade student who attended All Saints his entire career except for three hours on Oct. 21, 2015, when he was enrolled at Bay City Western. On Oct. 26, the student reenrolled at All Saints. The student was experiencing issues at home and struggling at school and was advised by an outside counselor to seek a fresh start.

The Executive Committee approved the request for waiver.

Berrien Springs High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation to permit eligibility on the 91st school day of enrollment was made on behalf of a 9th-grade student who previously attended Eau Claire High School, participated in athletics and enrolled at Berrien Springs on Nov. 10, 2015. The family lives in Eau Claire and the student's mother works in Berrien Springs, causing transportation issues.

The Executive Committee did not approve the request for waiver.

Bloomfield Hills-Marian 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 11th-grade student who previously attended Farmington Hills-Harrison and whose family moved over the summer into Bloomfield Hills closer to Cranbrook or Roeper than to Marian. The student is Catholic and previously attended St. Fabian Catholic Middle School which is a feeder school to Marian. The student enrolled at Marian to begin the 2015-16 school year on Aug. 28, 2015.

The Executive Committee approved the request for waiver.

<u>Brighton-Livingston Christian High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation was made on behalf of two unrelated 10th-grade students who attended Whitmore Lake High School and enrolled to begin the 2015-16 school year. The school is in the process of relocating from Pinckney to Brighton and experienced a drop in enrollment. The number of participants in basketball is very low. The school's reported enrollment in February 2015 was 46 students in grades 9-12.

The Executive Committee did not approve the request for waiver.

Brownstown-Woodhaven High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (public school of residence) was made on behalf of an 11th-grade student who moved between parents who never married from his father in River Rouge to his mother in the Woodhaven School District. The student enrolled at Woodhaven on Sept. 21, 2015. On Oct. 30, 2015, the student and his mother moved into the Gibraltar-Carlson School District because the mother became employed in an auto plant there. The student had attended Woodhaven Middle School and started the 9th grade at Gibraltar-Carlson High School in 2013. An otherwise completed Educational Transfer Form is in process but was not completed prior to the family relocating.

The Executive Committee approved the request for waiver, pending completion of the Educational Transfer Form.

<u>Canton-Salem High School (Regulation I, Section 9[B])</u> – A request to waive the transfer regulation to permit eligibility at the subvarsity level only for the remainder of the 2015-16 school year was made on behalf of a 9th-grade student who began the 2015-16 school year at Salem and enrolled at Lutheran Westland in the last week of September 2015. On Nov. 4, 2015, the Executive Committee approved a subvarsity waiver for this student as requested by Lutheran Westland. On Nov. 16, 2015, the student reenrolled at Salem. The student did not participate in a scrimmage or game at Lutheran Westland prior to his return to Salem.

The Executive Committee approved the request for waiver at the subvarsity level only through the remainder of the 2015-16 school year.

<u>Farmington Hills-North Farmington High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation was made on behalf of an 11th-grade student whose parents divorced in 2013. The student and his father lived in the grandmother's home in Southfield until this fall when they moved into a home with another family in the Farmington Hills-Harrison attendance area. The family they are residing with has a student who has been attending North Farmington for his entire high school career. The student enrolled at North Farmington on Oct. 6, 2015.

The Executive Committee did not approve the request for waiver.

<u>Fennville High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation was made on behalf of 11th- and 9th-grade siblings whose parents have separated and who are living part time with their mother in an uncle's home in Fennville and part time with their father in Allegan. The mother is waiting to solidify her job and income before filing for divorce. The students previously attended Allegan, are considered homeless and enrolled at Fennville on Oct. 28, 2015. The 9th-grade student has no history of athletic participation in high school.

The Executive Committee did not approve the request for waiver for the 11th-grader, and approved the request for waiver at the subvarsity level only through the 2015-16 school year for the 9th grader.

<u>Fenton High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation and specifically Interpretation 62 (public school of residence) was made on behalf of a 12th-grade student who had a full and complete residential change from North Carolina with his mother into a residence with his stepfather in Linden. The student attended Fenton for the 9th and 10th grades and reenrolled at his former school but not his school of residence.

The Executive Committee approved the request for waiver.

<u>Fenton High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose father's US government employment transferred him to Virginia for an 18-month temporary assignment. In November 2015, the family moved to Virginia with the father and the student enrolled in school there. To begin the 2016-17 school year, the mother and siblings will be returning to their home in Fenton and reenrolling in the Fenton Schools while the father remains in Virginia until his assignment ends in February 2017. The request was for immediate eligibility upon return to Fenton for this student in the fall of 2016.

The Executive Committee approved the request for waiver.

<u>Flint-Powers Catholic High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation and an element of Interpretations 65 and 77 (full residential change) was made on behalf of an 11th-grade student whose 21 year old brother remained in the former residence in Maryland until finishing his college term before rejoining his father, the student and mother in Clio in late December. The father and student moved to Maryland in early August due to the father's employment. In late November, the father and student returned to their home in Clio to rejoin the mother. The student reenrolled at Powers Catholic on Nov. 30, 2015. The student attended Powers for the 9th and 10th grades. Powers is the closest nonpublic school to their residence.

The Executive Committee approved the request for waiver.

<u>Grand Rapids-Union High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation was made on behalf of a 10th-grade student who experienced ongoing bullying and an assault from a classmate while enrolled at Wyoming-Lee during the 2014-15 school year. The classmate was eventually suspended by Lee. The student enrolled to begin the 2015-16 school year at Union.

The Executive Committee did not approve the request for waiver.

<u>Hesperia High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation was made on behalf of an 11th-grade student who has been in a very transient home most of his life, attending five high schools since starting the 9th grade at Mason County Central. Moving each time with his mother and three younger brothers, the student moved to Kentucky in the second semester of 2013-14 and then enrolled at Shelby in November 2014 and Hesperia later in the 2014-15 school year. The student moved to Reed City to begin the 2015-16 school year and played football. The student experienced health issues at Reed City and reenrolled at Hesperia on Nov. 2, 2015. The student is living in Hesperia with an older sister and a family of a friend. The mother and three brothers continue to reside in Reed City.

The Executive Committee approved this request for waiver. No subsequent requests to waive the transfer regulation for this student will be considered by the Executive Committee, and no exception to the transfer regulation will apply to this student without MHSAA review and approval.

<u>Kingsley High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation was made on behalf of an 11th-grade student who was removed from her mother's care by Child Protective Services after several incidents of domestic violence. The student previously attended McBain High School and now resides with an aunt in the Kingsley School District, enrolling at Kingsley on Oct. 30, 2015.

The Executive Committee approved the request for waiver.

<u>Lansing-Eastern High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose family lost their home in Battle Creek. They moved to a shelter in East Lansing for two months, then to an aunt in East Lansing for three months, and then to a shelter in Lansing. The children were enrolled in the East Lansing Public Schools for the start of the 2013-14 school year and continued there after the relocation to the shelter in the Lansing-Eastern attendance area in January 2014. In November 2014, the family found a government subsidized home in the Eastern School District and moved in there. The student finished the 2014-15 school year at East Lansing and enrolled to begin the 2015-16 school year at Eastern, the school of her new residence. The student participated in athletics at East Lansing.

The Executive Committee approved the request for waiver.

<u>Linden High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Lake Fenton in late September and early October 2015. The student has partial deafness as a result of a childhood infection and is in special education classes. The student participated in subvarsity wrestling previously at Linden but not at Lake Fenton. The student reenrolled at Linden on Oct. 19, 2015.

The Executive Committee approved the request for waiver.

Midland-HH Dow High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Michigan Connections Academy, an online school, for the 9th grade and enrolled to begin the 2015-16 school year in an all online curriculum at Dow High School. The student is a resident of the Chippewa Hills School District, has no history of participation in school sports, played travel hockey and hopes to play hockey for Midland-Dow which only sponsors a varsity hockey team.

The Executive Committee did not approve the request for waiver.

Niles High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who lived in Indiana and whose mother put him out of her home. In May 2015, the student was taken in by a pastor who resides in Niles and who has obtained guardianship of the student. The student continued to attend South Bend-Washington High School for the remainder of the 2014-15 school year where he has no history of athletic participation. The student enrolled at Niles to begin the 2015-16 school year and has made the JV basketball team.

The Executive Committee did not approve the request for waiver.

Quincy High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (public school of residence) was made on behalf of an 11th-grade student who is moving from his divorced father in Missouri to the home of his mother in the Coldwater School District. The student attended Quincy Schools his entire career until February 2014 when he went to live with his father in Missouri until Nov. 16, 2015, when the student enrolled at Quincy, his former school but not his school of residence. An otherwise completed Educational Transfer Form was submitted.

The Executive Committee approved the request for waiver.

Shelby Township-Utica Eisenhower High School (Regulation I, Section 9) — A request to waive the transfer regulation was made on behalf of a 10th-grade student whose father and primary custodial parent died unexpectedly in August 2014, placing the student in the care of his mother. The student's mother has been in and out of the student's life since birth. On Oct. 6, 2015, the mother was arrested and is facing incarceration. The student moved in with his grandmother in nearby Roseville and continued to attend St. Clair Shores-Lake Shore. Because the grandmother will be moving to Florida at Christmas, the student moved into the home of an aunt in the Utica Eisenhower attendance area and enrolled at Utica Eisenhower on Nov. 16, 2015. On Dec. 9, 2015, the aunt has a probate court hearing to become the student's guardian. The mother is not contesting the guardianship. Support from two staff members at the former school was submitted.

The Executive Committee approved the request for waiver.

Tawas Area High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who experienced harassment and a physical attack in March 2013 while a student at Oscoda High School. The attack led to hospitalization, an aftermath of anxiety and continued harassment by one of the students Involved. Three of the four students were disciplined by the school and found guilty of assault and battery by the court. The student struggled to return to school and enrolled in online classes to complete the end of the 2014-15 school year. Seeking a change of environment, the student enrolled at Tawas to begin the 2015-16 school year.

The Executive Committee approved the request for waiver.

<u>Vermontville-Maple Valley High School (Regulation I, Section 9[D])</u> – A request to waive the transfer regulation to permit eligibility on the 91st school day of enrollment was made on behalf of an 11th-grade student who played girls golf in the 9th and 10th grades while enrolled at Charlotte High School from 2012 through 2014. The student enrolled at Maple Valley on Oct. 7, 2015, and seeks to be on the boys golf team this spring. Maple Valley does not sponsor girls golf.

The Executive Committee approved the request for waiver, effective with the student's 91st school day of enrollment at Maple Valley High School beginning Oct. 7, 2015.

<u>Vestaburg High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose great grandfather was stung by bees and died from an allergic reaction. It was determined that the student would now live with her great grandmother in Vestaburg, and the student enrolled to begin the 2015-16 school year. The student attended school in Ohio previously and participated in subvarsity athletics.

The Executive Committee approved the request for waiver.

<u>Warren Mott High School (Regulation I, Section 9)</u> – A request to waive the transfer regulation was made on behalf of a 12th-grade student whose parents both serve in the military. The student lived with both parents in New York until the summer of 2015 when the mother was transferred to Warren and the father ordered to deploy to California. The student is living with his mother and brother in the Warren Mott attendance area and enrolled to begin the 2015-16 school year.

The Executive Committee approved the request for waiver.

Subvarsity Waiver Requests Meeting All Conditions of Section 9(B) – The Executive Committee approved immediate eligibility at the subvarsity level for the following transferring 9th- or 10th-grade students (after entering 9th grade, before completing 10th grade) who have not previously participated in an interscholastic scrimmage or contest in any MHSAA sport at the high school level (whether MHSAA member schools or not) and who do not qualify for one of the 15 stated exceptions to the transfer regulation and have transferred for reasons having nothing to do with athletics, discipline or family finances and would not require Executive Committee evaluation or comparison of school demographics or curriculum:

Requesting High School	Grade	Former High School	Date of Enrollment	Length of Subvarsity Eligibility Status
Adrian-Lenawee Christian	9	Toledo-St. Francis de Sales	Nov. 18, 2015	Remainder of 15- 16 school year
Battle Creek- Pennfield	9	Battle Creek-St. Philip	Oct. 19, 2015	91 st school day of enrollment
Caseville	10	Elkton-Pigeon-Bay Port	Sept. 8, 2015	Jan. 18, 2016
Coleman	10	Beaverton	Nov. 20, 2015	Remainder of 15- 16 school year
Jonesville	10	Texas	Aug. 28, 2015	Jan. 18, 2016
Middleton-Fulton	10	DeWitt	Sept. 8, 2015	Jan. 18, 2016
Monroe	9	Monroe-St. Mary Catholic Central	Nov. 30, 2015	Remainder of 15- 16 school year
Owendale- Gagetown	10	Unionville- Sebewaing	Sept. 8, 2015	Jan. 18, 2016
Southfield Christian	10	North Farmington	Sept. 2015	Jan. 18, 2016
Suttons Bay	10	Traverse City Central	Nov. 24, 2015	Remainder of 15- 16 school year
Ypsilanti-Arbor Prep	9	Ypsilanti-Lincoln	Oct. 19, 2015	91 st school day of enrollment
Ypsilanti-Lincoln	9	Ypsilanti-Arbor Prep	Sept. 29, 2015	Jan. 18, 2016

Ada-Forest Hills Eastern, Grand Rapids-Forest Hills Central and Forest Hills Northern High Schools (Regulation II, Section 11) – A request to waive the four-player out-of-season coaching limitation was made on behalf of the boys and girls tennis coaches from these three schools of the same district whose out-of-season activity has been limited because of changes in the operation of indoor tennis courts in the Grand Rapids area. Three have closed and one will not schedule court time for other than club members. The request was to permit each individual school coach to work with four students from that coach's school only, while a coach from another school of this same district may be practicing with four students incidental to that coach's workout "under the same roof." This request was granted these three schools in December 2014.

The Executive Committee approved the request for waiver for these specific coaches only.

Ann Arbor-Pioneer High School (Regulation II, Section 11) — Pursuant to Interpretation 241, a request to waive the four-player rule for the 2015-16 school year was made on behalf of a newly hired assistant boys and girls swim coach who would run a newly created off-season swimming program through either the Ann Arbor Recreation and Education Department or through the Saline Swim Team (a non-school club team). The coach has worked formerly with Club Wolverine and his primary source of income is coaching non-school swimming. The program would be open to the general public and run from December-March. It is anticipated that 40-100 students ages 11-18 would participate from the Ann Arbor Public Schools and other surrounding districts. Approximately 15-20 of the participants would be current Pioneer students. This program would be an alternative to the more strenuous club swim schedules offered in the area, involve weight training and dry land conditioning, and not participate in swim competitions as many other club swim programs have done.

The Executive Committee approved the request for waiver for this coach only for the 2015-16 school year only.

Farmington High School (Regulation II, Section 11[H]) — Pursuant to Interpretation 241, on June 10, 2015, the Executive Committee approved a request to waive the four-player rule for the 2015-16 school year on behalf of the boys swimming & diving coach of this cooperative program. This coach is also the head of "dROP Aquatics" and was hired by the school after the 2015-16 girls swim season started to serve as an assistant girls swim coach. "dROP Aquatics" is a community swim program and business run by the coach and his wife which is his sole income. The program has 120-130 participants ages 5-50. Sixty-three of the participants are in grades 7-12 from 13 high schools and seven middle schools in the region. Forty-two of the 63 are from five Farmington Public Schools, 19 are students attending Farmington and Harrison High Schools. Limited coaching candidates were available to the school when this coach was hired as boys coach and similarly when he was hired late as assistant girls coach. This request was made to add girls swimming to the waiver of the four-player rule for this same coach in the "dROP Aquatics" program for 2015-16.

The Executive Committee approved the request for waiver for this coach only for the 2015-16 school year only.

Rockford High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 241, a request to waive the four-player rule for the 2015-16 school year was made on behalf of two Rockford coaches whose primary source of income is coaching the Rockford Riptide Swimming Program. The request was on behalf of the Rockford boys varsity coach who is also the girls varsity coach at Ada-Forest Hills Eastern and the Rockford assistant girls swimming coach. The program is open to the general public and includes over 150 participants from the Rockford and Grand Rapids area including students from five school districts: Rockford, Cedar Springs, Grand Rapids-Northview, East Kentwood and Sparta. Approximately 20 of the participants are Rockford students in grades 7-12.

The Executive Committee approved the request for waiver for these two coaches only for the 2015-16 school year only.

The Executive Committee requested that *Handbook* Interpretation 241 be reviewed by the MHSAA Swimming & Diving Committee to assure it is serving the purposes for which it was intended.

<u>Greater Flint Middle School League (Regulation IV, Section 10)</u> – A request was made to permit the schools of this league to hold a league swim meet on Friday, Jan. 29, 2016. This would be the third middle school meet in a week, in excess of the middle school limitation that a student or team not participate in more than two meets per week and a maximum of 12 days of competition.

The Executive Committee approved the request for waiver for the 2016 season.

The Executive Committee requested that the MHSAA Junior High/Middle School Committee review the weekly limits stipulated in Regulation IV, Section 10.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, Jan. 13, 2016, at 1 pm in East Lansing (Classification Committee precedes at 9:30 am); Wednesday, Feb. 17, 2016, at 9 am in East Lansing (Audit & Finance Committee follows); Wednesday, March 23, 2016, at 12 Noon in East Lansing (Representative Council follows on March 24); Wednesday, April 20, 2016, at 9 am in East Lansing (Audit & Finance Committee follows); Sunday, May 1, 2016, at 11 am in Glen Arbor (Representative Council follows at 1 pm); and Wednesday, June 15, 2016, at 9 am in East Lansing.