

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, December 2, 2021

REVISED

Members Present:

Scott Grimes, Grand Haven
Vic Michaels, Detroit
Kris Isom, Adrian
Don Gustafson, St. Ignace
Eric Albright, Midland

Staff Member Present:

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.

Grand Rapids-West Catholic and Coopersville High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program between these schools in girls competitive cheer (varsity only). Both schools sponsored the sport previously. The combined enrollment of 1,313 students will move one team from Division 2 and one team from Division 3 and place a new team in the Division 1 tournament. West Catholic will be the primary school. Support from the OK Conference was submitted.

Houghton, Chassell, Hancock, Lake Linden-Hubbell and Painesdale-Jeffers High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of Chassell to a cooperative program that exists between the other four schools in boys and girls skiing (varsity only). The combined enrollment of 1,035 students will continue one team in the Division 2 tournaments. Houghton High School will continue as the primary school. Support from future opponents was submitted.

Morenci and Waldron High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of wrestling (varsity only) to a cooperative program that exists between these schools in girls competitive cheer. The combined enrollment of 276 students will keep one team in the Division 4 tournament. Morenci sponsored wrestling previously and will be the primary school. Support from the Tri-County Conference was submitted.

Suttons Bay, Lake Leelanau-St. Mary and Northport High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of Lake Leelanau-St. Mary to a cooperative program that exists between the other two schools in boys golf (varsity only). The combined enrollment of 234 students will keep one team in the Division 4 tournament. Suttons Bay will continue as the primary school. Support from the Northwest Conference was submitted.

Swartz Creek and Flushing High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved a cooperative program between these two schools in boys lacrosse (JV and varsity) whose combined enrollment of 2,485 students will move one team from Division 2 to the Division 1 tournament. Swartz Creek sponsored the sport previously and will be the primary school. Support from the Flint Metro League was submitted.

Waterford Kettering and Waterford Mott High Schools (Regulation I, Section 1[F-1]) – The Executive Committee approved the addition of girls tennis (JV and varsity) to a cooperative program that exists between these two schools in several other sports. The combined enrollment is 2,543 students and will remove two teams from Division 2 and add one team to the Division 1 tournament. Both schools sponsored the sport previously; Waterford Kettering will be the primary school. Support from the Lakes Valley Conference was submitted.

Waterford Mott, Waterford Kettering, Walled Lake Central and West Bloomfield High Schools (Regulation I, Section 1[E-1]) – The Executive Committee approved a subvarsity only cooperative program in ice hockey between these four schools. Waterford Mott, Waterford Kettering and Walled Lake Central are currently in a varsity-level cooperative program, and West Bloomfield sponsors its own varsity team. Waterford Mott will be the primary school. Support from the Lakes Valley Conference was submitted.

Warren Woods-Tower High School (Regulation I, Section 5[B]) – A request to waive the maximum competition regulation, and specifically Interpretation 32 (participation in a girls and boys season in the same school year), was made on behalf of a 12th-grade student who was a member of the girls swim program, was injured at the beginning of her first meet of the season and did not compete in any other practice or competition this fall. She would like to compete with the boys team this winter.

The Executive Committee approved the request for waiver. The student will be withheld from the first boys swim meet of the 2021-22 school year.

Belleville High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (nonpublic school of residence) was made on behalf of a 10th-grade student who had attended Belleville Schools through the 8th grade before moving to Georgia with her mother after her parents divorced in 2019. She attended school in Georgia for the 9th grade and played basketball. The student has moved back to Michigan to finish her schooling in Belleville. However, her father now resides in the Ypsilanti School District, so the student enrolled at Belleville as a school of choice student to begin the 2021-22 school year. An Educational Transfer Form is in process. The school requested subvarsity eligibility in girls basketball.

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

Beverly Hills-Groves High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose father had a stroke in May 2019 and whose brother is legally blind, causing the family to move to a home in the Bloomfield Hills School District that could accommodate the disabilities of the father and son. The family home in the Groves district is under renovations that are expected to be completed in the summer of 2022.

The Executive Committee approved the request for waiver.

Bridgeport High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who lived with her mother and grandmother in Bridgeport during her freshman and sophomore years. The student moved with her mother to the Saginaw-Arthur Hill district where she attended her junior year and played basketball. The student then moved back to her grandmother's residence and enrolled at Bridgeport for the 2021-22 school year.

The Executive Committee did not approve the request for waiver.

Caledonia High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who began her freshman year at Grand Rapids-Catholic Central, where her mother is also an administrator. The student suffered from severe anxiety and stress-related issues that eventually led to a medical diagnosis and hospitalization. The student was a member of the bowling team at the previous school.

The Executive Committee approved the request for waiver.

Coopersville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose family moved into Coopersville prior to the start of the 9th grade in 2020-21, when the student was in the 8th grade. The student continued to attend Comstock Park and participated in wrestling during the 2020-21 school year before enrolling at his new school of residence, Coopersville, to begin the 2021-22 school year.

The Executive Committee did not approve the request for waiver.

East Kentwood High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who transferred from Caledonia where he played basketball. The student experienced bullying at the previous school, so the parents sought professional help for the student and transferred him to East Kentwood in late August.

The Executive Committee tabled the request for waiver pending additional information regarding the details on the harassment and support from the former school.

Flat Rock High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who transferred from Allen Park-Inter City Baptist where he played basketball as a 9th-grader in the 2020-21 school year. The student changed schools and enrolled at Flat Rock to begin the 2021-22 school year due to a need for more directed help for academic struggles.

The Executive Committee did not approve the request for waiver.

Grand Blanc High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who had attended Grand Blanc Schools for 8th, 9th and part of the 10th grade before his family moved to Saginaw due to financial hardships related to COVID-19. He attended Saginaw-Heritage in 10th grade and played JV basketball. The family moved back to the Grand Blanc area but was unable to find a home that was in that school district. The new home is in the Atherton School District. The student enrolled at Grand Blanc for the 2021-22 school year and the request was to participate in basketball.

The Executive Committee approved the request for waiver.

Grass Lake High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Grass Lake High School as a freshman and participated in football, basketball and baseball. To begin the 2021-22 school year, the student transferred to Lumen Christi High School where he was able to play football under an Executive Committee waiver. The student transferred back to Grass Lake on Nov. 1 and requested immediate eligibility due to health issues.

The Executive Committee did not approve the request for waiver.

Hancock High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who transferred from Painesdale-Jeffers, where he played in six ice hockey contests during the 2020-21 school year. Due to the delayed hockey season, the student played in five regular season games and one MHSAA tournament game. The student completed the local junior hockey Bantam season before Jeffers sought him out to play for the school's team. The student and two younger siblings enrolled at Hancock to begin the 2021-22 school year, in part over dissatisfaction with the COVID-19 protocols of the former school.

The Executive Committee did not approve the request for waiver.

Kalkaska High School (Regulation I, Section 9) – On Nov. 3, 2021, the Executive Committee tabled a request to waive the transfer regulation made on behalf of an 11th-grade student who experienced bullying and harassment while a student at Traverse City Schools beginning in middle school and continuing through the 9th and 10th grades at Traverse City Central where she played girls basketball. The student entered counseling in the summer of 2021. Originally from the Kalkaska area, the student enrolled to begin the 2021-22 school year. The school submitted additional documentation from the previous school.

The Executive Committee did not approve the request for waiver.

Kalkaska High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of two brothers (10th and 11th grades) who were the victims of abuse by a former staff member at their previous school district in 2019. The high-profile case and subsequent additional charges caused the students to struggle with the aftermath in their small community. The parents would like them to have a fresh start in a new community and school system. Support was received from the former school.

The Executive Committee approved the request for waiver.

Mattawan High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose family transferred all of their children from Watervliet-Grace Christian because of declining enrollment. The student is interested in playing subvarsity boys basketball. The student played basketball in a cooperative program at his previous school during the 2020-21 school year.

The Executive Committee did not approve the request for waiver.

Melvindale High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Canton Prep where she participated in bowling. The student and her mother moved from Canton to Detroit while the student was an 8th-grader and she continued to attend Canton Prep because it had a 100 percent virtual learning program planned for 2021-22. Canton Prep announced in June 2021 that this online option would be discontinued, and the mother was hired by Melvindale in August 2021. For transportation ease and due to curriculum choices, the student enrolled at Melvindale to begin the 2021-22 school year.

The Executive Committee did not approve the request for waiver.

Menominee High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who previously attended Carney-Nadeau High School where he participated in football and basketball. The student's mother remarried and moved to Wisconsin in 2018, but the student wished to continue attending Carney-Nadeau and moved in with a family friend. The student then moved to live with another family until the summer of 2021, when he was no longer allowed to live there. He has moved in with another family in the Menominee School District and has enrolled there. The student's parents have been divorced for many years and neither parent is involved in his life currently.

The Executive Committee approved the request for waiver.

Muskegon High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who is a ward of the court and has lived with his grandfather in the Muskegon High School District while attending Muskegon Heights Public School Academy virtually during the 2020-21 school year. He participated on the varsity basketball team, which was the only level available at that school. Muskegon Heights began in-person learning for 2021-22 which made transportation difficult, so the student enrolled at Muskegon High School at the beginning of the 2021-22 school year. The student continues to reside in the Muskegon High School District. Interpretation 62 requires that the student have a residential change to grant immediate eligibility. The school requested eligibility in subvarsity basketball only.

The Executive Committee did not approve the request for waiver.

Pinckney High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who lived with her mother in Pinckney and attended Brighton High School as a freshman. In February of 2021, the student moved to her father's residence and enrolled at Cedarville High School. The parents were never married, and an Educational Transfer Form was filed at that time. The student's mental health deteriorated, and in October of 2021, she returned to live with her mother and enrolled at Pinckney High School. The student has participated in basketball for many years and would like to participate in basketball and track & field.

The Executive Committee approved the request for waiver under the transfer regulation. The student may not use a subsequent waiver or exception to the transfer regulation.

Portage Central High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Kalamazoo Central as a 9th-grader in the 2020-21 school year and was on the bowling team there. After the student's grandfather died, he enrolled at Portage Central High School, where his grandmother works, and he also moved in with her to lend support. The student's parents still maintain a residence in the Kalamazoo Central School District. The student would like to continue to participate in bowling.

The Executive Committee did not approve the request for waiver.

Rockford High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who transferred from Grand Rapids-West Catholic where she participated in volleyball and skiing. The student had difficulty finding a friend group at West Catholic and struggled with anxiety and other health issues.

The Executive Committee did not approve the request for waiver.

Saranac High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended and played basketball as a freshman at Saranac, transferred to Lowell as a sophomore and played while ineligible in one basketball game, and has now returned to Saranac for his 11th-grade year. The school requested eligibility in basketball after one game.

The Executive Committee approved the request for waiver. The student will be withheld from the first boys basketball game of the 2021-22 season.

Swartz Creek High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who had attended Swartz Creek his entire life. He transferred to Grand Blanc through school of choice and played in two football scrimmages and one JV game before realizing after one and a half days of classes that the new school was not a good fit for him. He transferred back to Swartz Creek on Sept. 8, 2021. The school requested immediate eligibility in basketball and eligibility in football in 2022 after a two-game suspension.

The Executive Committee approved the request for waiver in basketball and for 2022 football. The student will be withheld from the first two football games of the 2022 season.

Warren Mott High School (Regulation I, Section 9) – A request to waive the transfer regulation is made on behalf of a 12th-grade student who attended Redford-Thurston High School and participated in boys swimming. The student's mother died in September 2020 and the grandmother was awarded custody of the student in April of 2021. The student's grandmother lives in the Warren Mott School District. The request was for varsity-level competition in the winter of the current school year.

The Executive Committee approved the request for waiver.

Wayland Union 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 previously attended Innovations Central, which is a part of the Grand Rapids Public Schools, and played boys basketball at Union High School in the 2020-21 school year. The student's parents divorced and he and his mother moved to his grandfather's residence in Wayland. The grandfather's home is in the Thornapple Kellogg School District, but the student chose to enroll at Wayland Union because it is closer to the new residence and the student has relatives who have attended there in the past. The student's mother has since moved out of the residence but the student continues to reside with his grandfather.

The Executive Committee did not approve the request for waiver.

Wayland Union 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 Wayland Union for the 2021-22 school year. The student transferred from Martin Public Schools due to bullying by members of her basketball team. The student entered counseling and would like to compete in JV basketball at Wayland Union.

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

Wyoming-Godwin Heights 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 a 10th-grade student who moved with her mother from Mississippi to live with the student's aunt in the Grand Rapids Public School District. The other children in the current household have always attended Godwin Heights Public Schools, so this student was also enrolled there to begin the 2021-22 school year. The student played girls basketball at her previous school. The request was for immediate eligibility in girls basketball.

The Executive Committee approved the request for waiver.

Zeeland West High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who moved from California to Zeeland to live with his uncle and enrolled at Zeeland West for the 2021-22 school year. The student participated in three wrestling days of competition in the 2020-21 school year in California. The school requested eligibility after the first three dates of competition in wrestling.

The Executive Committee approved the request for waiver. The student will be withheld from the first three wrestling dates of the 2021-22 season.

Harbor Beach and Bad Axe-Huron County Rural Middle Schools (Regulation III, Section 1[E]) – The Executive Committee approved a cooperative program between these two middle schools in boys and girls basketball, boys and girls cross country, boys and girls soccer, boys and girls track & field and girls volleyball (6th, 7th and 8th grades combined), as well as in football (7th and 8th grades combined).

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 schools:

Battle Creek Academy High School is a nonpublic co-educational high school operated by local churches to provide a Seventh-Day Adventist Christian education. The governing board is comprised of members from local Seventh Day Adventist churches. The school has been in existence since 1872 and in the same location since 1948. The school currently competes against several small faith-based and public schools in the region, sponsoring teams for both boys and girls in soccer and basketball and girls volleyball. There are currently 96 students in grades K-12, with 42 students in grades 9-12. The middle school has an anticipated 6th-8th grade enrollment of 17 students and seeks MHSAA membership. The school has a very diverse population with Hispanic, Asian, African American and Caucasian students almost equally comprising the student body. The athletic director attended an orientation on Sept. 13 and MHSAA staff conducted an onsite visit. The school has a full-sized gym with limited seating and a soccer pitch for practice or competition. An Athletic Department Code of Conduct was submitted. A signed 2021-22 Membership Resolution and Preliminary Classification Form were received on Sept. 28, 2021. If a 2022-23 Membership Resolution is received prior to Sept. 30, 2022, and all other regulations are followed, the school will be eligible for MHSAA tournaments for the 2022-23 school year.

Center Line Preparatory Academy is a public charter school which has been in existence since September of 2020 and sought membership at the middle school and high school levels. There are currently 200 students in grades 9-12 and 70 students in grades 6-8. The school does not have any athletic programs but plans to offer boys and girls basketball, baseball, softball and track & field programs this school year and begin volleyball and football programs in the fall of 2022. An Athletic Department Code of Conduct was submitted, but the athletic director missed the deadline for the New AD Orientation. A signed 2021-22 Membership Resolution and Preliminary Classification Form were received on Aug. 31, 2021. If a 2022-23 Membership Resolution is received prior to Sept. 30, 2022, and all other regulations are followed, the school will be eligible for MHSAA tournaments for the 2022-23 school year.

Farmington Hills-HUDA Upper School is a private, 100 percent Muslim school which has been in existence since 1988 as a middle school and recently began to offer high school. The school would like to join the MHSAA at the high school level only. The governing board is comprised solely of HUDA alumni and is also governed by an executive committee comprised solely of parents with children in the school. There are currently 15 students in grades 9-12. No athletic teams are currently sponsored but the school plans to sign a cooperative agreement for students to participate with Farmington Public Schools for the 2021-22 school year. HUDA Upper School would like to eventually sponsor its own teams after its enrollment increases. The athletic director attended the second portion of the New AD Orientation on Nov. 18 and MHSAA staff conducted an onsite visit. An Athletic Department Code of Conduct has been submitted. A signed 2021-22 Membership Resolution and Preliminary Classification Form were received on Aug. 25, 2021. If a 2022-23 Membership Resolution is received prior to Sept. 30, 2022, and all other regulations are followed, the school will be eligible for MHSAA tournaments for the 2022-23 school year.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, Jan. 12, 2022, at 1 p.m. in East Lansing (after Classification Committee meeting); Wednesday, Feb. 23, 2022, at 9 a.m. (Audit and Finance Committee follows); Thursday, March 24, 2022, at 10 a.m. in East Lansing (Representative Council meets following day); Wednesday, April 20, 2022, at 9 a.m. in East Lansing (Audit and Finance Committee follows); Sunday, May 1, 2022, at 10: 30 a.m. in Gaylord (Representative Council meets at 1 p.m.); and Wednesday, June 15, 2022, at 9 a.m. in East Lansing.