

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, March 22, 2018

Members Present:

Scott Grimes, Grand Haven
Pete Ryan, Saginaw
Vic Michaels, Detroit
Kris Isom, Adrian
Alvin Ward, Detroit

Staff Members Present:

Tom Rashid
Jack Roberts (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 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 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.

Pellston and Mackinaw City High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in 8-player football between these two schools whose combined 2018-19 enrollment is 210 students. Pellston sponsored 8-player football previously and will be the primary school. Support from four future opponents was submitted. Over the limit for Class D (193 students and below), the team will not be eligible for the 2018 MHSAA 8-player tournament. A companion middle school application was also approved later in these minutes.

Grand Rapids-Forest Hills Central, Forest Hills Northern and Ada-Forest Hills Eastern High Schools (Regulation I, Section 1[F]) – In May 2016, during the cooperative program renewal process, the Executive Committee asked these three schools of the same district to create two or three separate teams in girls lacrosse beginning with the 2018-19 school year – prior to the next scheduled renewal. The request was based on participation numbers at that time: 48 students total with 13, 17 and 18 students from each of the three high schools. Currently, there are 41 students participating with 11, 16 and 14 students and includes a JV team. The schools requested a one-year extension of the current agreement, through the 2019 season. There are ten 9th-grade students playing girls lacrosse this spring. The school's projections for incoming 7th- and 8th-grade students who play girls lacrosse would enable two or three teams for the 2019-20 school year and hopefully include both JV and varsity teams. The combined 2018-19 enrollment is 3,154 students: 1,212 students at Central, 800 at Eastern, at 1,142 at Northern.

The Executive Committee approved a one-year extension (through the 2018-19 school year) in this cooperative program in girls lacrosse. The schools are requested to communicate to the MHSAA in February of 2019 regarding intentions for 2019-20 and beyond.

Livonia-Churchill, Franklin and Stevenson High Schools (Regulation I, Section 1[F]) – In 2002, the MHSAA set a 3,500-student enrollment cap on all cooperative programs which resulted four years later in the formation of two girls gymnastics teams among the three Livonia public high schools. The action at the time included splitting the enrollment of Franklin equally between the other two schools of the district – Churchill, which became known as Livonia Red, and Stevenson, which was known as Livonia Blue. The two teams have operated through the 2017-18 school year. Based on enrollment changes in the district, a request was made to reformulate to include a two-school cooperative program between Churchill and Franklin (combined 2018-19 enrollment of 3,266 students), while Stevenson (2018-19 enrollment of 1,823 students) would have a stand-alone team.

A second request was made to allow two current 10th-grade students from Franklin who participated with Stevenson the past two years to be allowed to continue through their graduation with the Stevenson team (grandfathered individuals).

The Executive Committee approved both requests. The two Franklin 10th-graders may choose either team on which to participate; but after making that choice, they may not later participate on the other team. In any event, Stevenson will be recorded as having a stand-alone team in 2018-19 and 2019-20.

St. Joseph-Lake Michigan Catholic and Watervliet-Grace Christian High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of boys and girls basketball (JV and varsity), boys soccer, girls volleyball (JV and varsity), and baseball to a cooperative agreement between these two schools which exists in softball, girls soccer and boys and girls cross country. The combined 2018-19 enrollment of 116 students will continue participation in the Division 4 tournaments in all sports. Lake Michigan Catholic will be the primary school. Grace Christian will continue to sponsor its own stand-alone boys and girls track teams. Support from the BCS League was submitted.

Troy and Troy-Athens High Schools (Regulation I, Section 1[F-3]) – In August 2015, the Executive Committee approved a cooperative program in ice hockey between these two schools of the same district in excess of the 3,500-student enrollment cap because Troy-Athens had dropped the sport in the previous school year. The allowance was for three years, to the end of this school year (2017-18). The school district requested another year of operation as an agreement with the 2018-19 combined enrollment of 4,500 students because participation remains insufficient to field one team at either school. In addition, in May 2017, the Representative Council changed this regulation to permit cooperative programs in excess of the enrollment cap to run for four years, rather than three. This was done to better correspond with cooperative program renewals, which are required every two years.

The Executive Committee approved a one-year extension (through the 2018-19 school year) and authorized MHSAA staff to make the same decision if requested by other schools which had been granted the three-year experiment before the rule changed to four years.

Alpena High School (Regulation I, Sections 7 & 9) – A request to waive the previous academic credit record and transfer regulations was made on behalf of a 10th-grade student who suffered a major head trauma while in the 8th grade that required her to receive serious medical care and to cease being a traditional student. The student attended Alpena Junior High School before the injury and then enrolled in a virtual charter academy through the first semester of her 10th-grade year. The student reenrolled at Alpena High School on Jan. 29, 2018. The student did not pass enough classes in the first semester of 2017-18 to be eligible at the start of the next semester but is now doing well academically. The student previously participated in girls soccer and is interested in running track this spring.

The Executive Committee approved the request to waive the transfer rule, but did not approve the request to waive the previous academic credit record regulation.

Adrian High School (Regulation I, Section 9[D]) – A request was made on behalf of two 10th-grade students to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The students previously attended Adrian-Madison and enrolled at Adrian on March 12, 2018. The students participated in athletics previously.

The Executive Committee approved the requests for waiver following the students' 90th scheduled school days of enrollment at Adrian High School beginning March 12, 2018.

Alma 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 Ovid-Elsie since the 3rd grade before enrolling at Alma because the student had been threatened and called names during the 2017-18 school year. An incident occurred on Sept. 27, 2017 where the student was threatened and slapped by a classmate. The student enrolled at Alma on Jan. 18, 2018.

The Executive Committee did not approve the request for waiver.

Battle Creek-Central High School (Regulation I, Section 9[D]) – A request was made on behalf of a 10th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Battle Creek-St. Philip and enrolled at Central on March 5, 2018. The student participated in athletics previously.

The Executive Committee approved the request for waiver following the student's 90th scheduled school day of enrollment at Central High School beginning March 5, 2018.

Belleville High School (Regulation I, Section 9[D]) – A request was made on behalf of a 9th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Trenton and enrolled at Belleville on March 12, 2018. The student participated in athletics previously.

The Executive Committee approved the request for waiver following the student's 90th scheduled school day of enrollment at Belleville High School beginning March 12, 2018.

Centreville High School (Regulation I, Section 9[D]) – A request was made on behalf of an 11th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Sturgis and enrolled at Centreville on March 1, 2018.

The Executive Committee approved the request for waiver following the student's 90th scheduled school day of enrollment at Centreville High School beginning March 1, 2018.

Coldwater 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 an abusive situation with his mother in Arkansas into the home of his older brother in Coldwater. While in the 7th grade, the student and mother left the father in Texas due to abuse. The physical abuse and substance use continued when the student moved to Arkansas. The student entered a health facility on three occasions.

The Executive Committee approved the request for waiver.

Dollar Bay High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who experienced emotional anxiety and depression while a student at Hancock. The student is under treatment and medication. The student enrolled at Dollar Bay on Jan. 29, 2018.

The Executive Committee approved the request for waiver.

Farwell High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who moved between his parents, who were often incarcerated, or was placed in foster care or most recently with grandparents. The student has attended Harrison his entire education. The student has moved in with his mother who has been granted custody and parental rights and obtained an apartment in the Clare School District. The student enrolled at Farwell on Nov. 27, 2017, because the grandparents and mother attended Farwell. The parents never married and the father remains incarcerated.

The Executive Committee approved the request for waiver.

Flint-Powers Catholic High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 (closest school of the same denomination) was made on behalf of an 11th-grade student whose family is moving from Oakland County where the student attended Notre Dame Prep to Grand Blanc and is enrolling at Powers Catholic to begin the 2018-19 school year. The new home is closer to St. Thomas More Academy but the family has ties to many Powers families and the mother is an alumna of Powers. An incoming 9th-grade brother will also be enrolling to begin the school year.

The Executive Committee approved the request for waiver.

Grand Blanc High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Grand Blanc Schools his entire career except for two days (Feb. 22 and 23, 2018) when the student attended Flint-Powers Catholic and did not participate in athletics. The student reenrolled at Grand Blanc on Feb. 26, 2018.

The Executive Committee approved the request for waiver.

Hartford High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who missed enrolling at Hartford by the fourth Friday after Labor Day (Feb. 23, 2018) in part because the school was closed due to flooding on Wednesday and Thursday, Feb. 21 and 22, 2018. The parent had left a voicemail message with the principal indicating her intention to enroll the student on Tuesday, Feb. 20, 2018. On Friday, Feb. 23, 2018, when school reopened, the principal returned the call but was unable to connect with the parent. After being explained the eligibility rules, the student's first day of school was Tuesday, March 6, 2018. The request was for eligibility to begin fall sports in 2018 as though the student had enrolled on Feb. 23, 2018.

The Executive Committee did not approve the request for immediate eligibility but did approve the request for waiver following the student's 90th scheduled school day of enrollment at Hartford High School beginning March 6, 2018.

Holland 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 9th-grade student who, in December 2017, was placed with foster parents who reside in the Holland-West Ottawa School District. The student began the 9th grade with foster parents in Hudsonville and the student attended there until the placement was changed to the West Ottawa family so the student and her sister could be reunited with a two-year-old brother. The student's new foster mother is employed at a charter school less than one mile from Holland High School. The student and her sister attended this school prior to the placement in Hudsonville. The younger sister has reenrolled at this charter middle school now that they are residing in West Ottawa. The student who is the subject of this request enrolled at Holland on Jan. 15, 2018.

The Executive Committee approved the request for waiver.

Hopkins High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose father recently died and left instructions in his will that a family that resides in Hopkins have guardianship of the student. The student's mother died a few years prior. The student previously attended Coopersville and enrolled at Hopkins on Jan. 22, 2018.

The Executive Committee approved the request for waiver.

Macomb-L'Anse Creuse North High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who previously attended Harrison Township-L'Anse Creuse, a school of the same district, before the student attended a residential treatment facility to begin the 2017-18 school year. The student has returned to his parents' home (Exception 2) in the L'Anse Creuse attendance area but it is preferred the student not return to the same school and environment. The student enrolled at L'Anse Creuse North on Feb. 14, 2018. The student participated in bowling at L'Anse Creuse and is interested in playing baseball at L'Anse Creuse North.

The Executive Committee approved the request for waiver.

Mendon High School (Regulation I, Section 9[D]) – A request was made on behalf of a 9th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Galesburg-Augusta and enrolled at Mendon on March 5, 2018. The student participated in athletics previously, but moved into the Colon district as the student enrolled at Mendon.

The Executive Committee approved the request for waiver following the student's 90th scheduled school day of enrollment at Mendon High School beginning March 5, 2018.

Michigan Center High School (Regulation I, Section 9[D]) – A request was made on behalf of a 9th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Jackson-Northwest and enrolled at Michigan Center on March 6, 2018. The student participated in athletics previously.

The Executive Committee approved the request for waiver following the student's 90th scheduled school day of enrollment at Michigan Center High School beginning March 6, 2018.

Midland High School (Regulation I, Section 9[C]) – A request to waive the transfer regulation to permit eligibility in girls lacrosse was made on behalf of a 12th-grade student who previously attended Midland-H. H. Dow and participated in the girls lacrosse cooperative program between Midland and Dow, schools of the same district. The student enrolled at Midland on Jan. 29, 2018 due to peer relationships that were harmful to the student.

The Executive Committee approved the request for waiver for this student for girls lacrosse only for the remainder of the 2017-18 school year.

Otsego High School (Regulation I, Section 9[D]) – A request was made on behalf of a 9th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Kalamazoo-Hackett Catholic Prep and enrolled at Otsego on March 5, 2018. The student participated in athletics previously.

The Executive Committee approved the request for waiver following the student's 90th scheduled school day of enrollment at Otsego High School beginning March 5, 2018.

Owendale-Gagetown High School (Regulation I, Section 9[D]) – A request was made on behalf of a 10th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment due to compelling circumstances. The student attended Elkton-Pigeon-Bay Port Laker to begin the 9th grade and enrolled at Owendale-Gagetown on Nov. 8, 2017. The student and his younger sister's grades were suffering and the student was under a great deal of peer pressure that resulted in bad decisions. An older sister had dropped out of school during her fourth year of high school and the parents did not want the same fate for the younger siblings. The student has no history of athletic participation, but Owendale-Gagetown does not sponsor subvarsity baseball. Support for eligibility was submitted from the former school.

The Executive Committee did not approve the request for waiver.

Owosso High School (Regulation I, Section 9[D]) – A request was made on behalf of a 9th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended St. Johns and enrolled at Owosso on March 5, 2018. The student participated in athletics previously.

The Executive Committee approved the request for waiver following the student's 90th scheduled school day of enrollment at Owosso High School beginning March 5, 2018.

Pigeon—Elkton-Pigeon-Bay Port Laker High School (Regulation I, Section 9[D]) – A request was made on behalf of a 9th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Cass City, participated in athletics, and enrolled at Laker on March 12, 2018.

The Executive Committee approved the request for waiver following the student's 90th scheduled school day of enrollment at Laker High School beginning March 12, 2018.

Potterville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who was the victim of assault by a family member in October of 2017. Due to the trauma of the experience, the student enrolled in online courses through Jan. 21, 2018. The student has been in counseling and is now deemed ready to return to school, and reenrolled at Potterville on Jan. 22, 2018.

The Executive Committee approved the request for waiver.

St. Clair Shores-Lake Shore High School (Regulation I, Section 9[D]) – A request was made on behalf of an 11th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended St. Clair Shores-Lakeview from the 9th grade and enrolled at Lake Shore on Oct. 9, 2017. On Nov. 2, 2017, the Executive Committee approved eligibility in ice hockey only for this student as he participated previously in the cooperative program between these two schools. The student is interested in running track.

The Executive Committee approved the request for waiver following the student's 90th scheduled school day of enrollment at Lake Shore High School beginning Oct. 9, 2017.

Traverse City West High School (Regulation I, Section 9[D]) – A request was made on behalf of a 10th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Traverse City-St Francis and enrolled at Traverse City West on Feb. 26, 2018. The student participated in athletics previously.

The Executive Committee approved the request for waiver following the student's 90th scheduled school day of enrollment at Traverse City West High School beginning Feb. 26, 2018.

Traverse City West High School (Regulation I, Section 9[D]) – A request was made on behalf of a 9th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Maple City-Glen Lake and enrolled at Traverse City West on Oct. 9, 2017. The student participated in athletics previously.

The Executive Committee approved the request for waiver following the student's 90th scheduled school day of enrollment at Traverse City West High School beginning Oct. 9, 2017.

Union City High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who has been at three schools since starting the 9th grade because of an unstable home environment where the parents were unable to provide appropriate care for children and a home. The student began the 9th grade at Sturgis and 10th grade at Burr Oak before the student and siblings were taken into the grandparents' home in Union City. The student played football at Sturgis in the 9th grade and is interested in running track this spring. The student enrolled at Union City on Nov. 27, 2017, and has made progress in academics and his behavior.

The Executive Committee approved the request for waiver.

Vermontville-Maple Valley High School (Regulation I, Section 9[D]) - A request was made on behalf of a 12th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Bellevue and enrolled at Maple Valley on Oct. 2, 2017.

The Executive Committee approved the request for waiver following the student's 90th scheduled school day of enrollment at Maple Valley High School beginning Oct. 2, 2017.

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
Holland Christian	9	Zeeland West	Jan. 15, 2018	Remainder of 17-18 school year
Manchester	9	Clinton	Mar. 14, 2018	Remainder of 17-18 school year
Otsego	9	Plainwell	Jan. 9, 2018	Remainder of 17-18 school year
Saginaw-Nouvel Catholic Central	9	Saginaw-Heritage	Jan. 23, 2018	Remainder of 17-18 school year
Walled Lake Western	9	Detroit-Edison PSA	January 2018	Remainder of 17-18 school year
Warren-Cousino	9	Detroit School of Arts	Jan. 29, 2018	Remainder of 17-18 school year
Waterford Kettering	9	Waterford Mott	Jan. 29, 2018	Remainder of 17-18 school year
Waterford Kettering	9	Waterford Mott	Feb. 21, 2018	Remainder of 17-18 school year
Williamston	10	Haslett	Mar. 6, 2018	91 st school day of enrollment

Pellston and Mackinaw City Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in 8-player football (6th, 7th and 8th grade combined) between these two member middle schools. Pellston sponsored 8-player football previously and will be the primary school. A companion high school application was also approved.

MKO Middle School Athletic Conference (Regulation IV, Section 10) – A request was made to allow this league to begin middle school football practice five days earlier than allowed by the regulation, on Wednesday, Aug. 15, 2018. Practice is permitted on the 14th Monday before Thanksgiving (Aug. 20, 2018). The early start date would allow schools the option to have three additional days of practice so they may scrimmage on the Wednesday or Thursday of the last week of August prior to Labor Day in order to have nine practice days prior to the scrimmage. It would also permit schools to not practice on the Friday or Monday of Labor Day. The MKO Conference offers four seasons of participation with winter sports beginning on Monday, Oct. 15, 2018, and this would permit some time off between fall and winter seasons. The Executive Committee approved this request previously.

The Executive Committee approved the request for waiver.

Banking Authority – The Executive Committee confirmed that the MHSAA Executive Director, currently John E. Roberts, is authorized to establish any banking relationships which he determines are in the best interests of the Michigan High School Athletic Association, and he may execute documents necessary to make investments, deposits, withdrawals and other transactions necessary to conduct the business of the Association.

Next Meetings – The next meetings of the Executive Committee are scheduled for Tuesday, April 24, 2018, at 8:30 a.m. (followed by Audit and Finance Committee); Sunday, May 6, 2018, at 10 a.m. in Gaylord (Representative Council meeting follows); and Wednesday, June 13, 2018, at 9 a.m. in East Lansing.