

**MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.**

**EXECUTIVE COMMITTEE MEETING**

East Lansing, September 10, 2014

Members Present:

Jim Derocher, Negaunee  
Scott Grimes, Grand Haven  
Vic Michaels, Detroit  
Fred Smith, Buchanan  
Dave Derocher, Reese

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 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 post-season 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.

Fairview High School (Regulation I, Section 1[D]) – A request was made to waive the 99-student enrollment cap to allow 8<sup>th</sup>-grade students to participate with high school students. The school's February 2014 enrollment was 103 students; 53 girls in grades 9-12. The request for 8<sup>th</sup>-grade participation was in girls basketball so the school might offer both JV and varsity teams and maintain its current middle school program as well.

The Executive Committee noted that the 99-student limit for allowing 8<sup>th</sup>-graders to participate with 9-12 graders was recently reviewed and reaffirmed by the Representative Council, and that Executive Committee action should be consistent with the Council's action. The request was not approved.

Ironwood- LL Wright, Bessemer-AD Johnston and Wakefield-Marenisco High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of Wakefield-Marenisco to a cooperative agreement in boys and girls alpine skiing which existed previously between Ironwood and Bessemer. The combined enrollment of 485 students will continue placement of a team in the Division 2 tournament. LL Wright will continue as the primary school. Support from three future opponents was submitted.

Swartz Creek-The Valley School and Burton-Faith High School (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in girls basketball between these two schools whose combined enrollment is 46 students. The Valley School sponsored girls basketball previously and will be the primary school. The schools currently participate in a cooperative program in boys golf, girls soccer and girls volleyball with Burton-Faith as the primary school. Support from the Inner State Athletic Conference was submitted.

Traverse City-St. Francis, Bellaire, Elk Rapids, Grayling, Kalkaska, Kingsley, Leland, Mancelona, Maple City-Glen Lake and Suttons Bay High Schools (Regulation I, Section 1[F]) – The Executive Committee approved the addition of Grayling to a cooperative agreement in ice hockey which has existed in one form or another since 2000. Bellaire High School was added in 2013. St. Francis will continue as the primary school of this ten-team program whose combined enrollment of 3,095 students will continue placement of a team in the Division 1 tournament. Support from the Northern Michigan Hockey League was submitted.

Canton-Salem High School (Regulation I, Section 7) – A request to waive the previous academic credit record regulation was made on behalf of an 11<sup>th</sup>-grade student who was diagnosed with mono-nucleosis and depression and did not achieve a satisfactory academic record during the second semester of 2013-14 while enrolled at Ann Arbor-Skyline. The student and family moved to the Salem School District over the summer.

The Executive Committee did not approve the request for waiver.

Algonac High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade student who attended Algonac Schools through the 9<sup>th</sup> grade and practiced and participated while ineligible in a football scrimmage for Marine City-Cardinal Mooney Catholic on Aug. 21, 2014 before reenrolling at Algonac on the first day of school.

The Executive Committee did not approve the request for waiver.

Bath High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade student whose parents own property and have building plans for a home in Bath that will not be completed until January 2015. The father has taught in Bath for 22 years while living in Lowell and Williamston to provide for a younger child's special educational needs. The younger child is thriving in Williamston Schools but the older is not, in spite of good grades and athletic participation during 9<sup>th</sup> grade. The student enrolled at Bath to begin the 2014-15 school year.

The Executive Committee did not approve the request for waiver.

Blanchard-Montabella High School (Regulation I, Section 9[B]) – A request to waive the transfer regulation was made on behalf of a 9<sup>th</sup>-grade student whose family moved from Greenville to the Montabella School District over the summer and who practiced and played in one JV football game for Vestaburg in August prior to enrolling at Montabella on the first day of school. The student previously attended Greenville Schools. The request was for subvarsity eligibility.

The Executive Committee did not approve the request for waiver.

Caseville High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11<sup>th</sup>-grade student who was the subject of teasing/bullying incidents at Unionville-Sebewaing Area Schools which caused the student to enroll at Caseville to begin the 2014-15 school year.

The Executive Committee did not approve the request for waiver.

Cedar Springs High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 62 was made on behalf of a 10<sup>th</sup>-grade student who is moving from his father's home in Florida to his mother's home in the Howard City-Tri County School District. The student has participated in athletics in Florida and was previously enrolled at Cedar Springs Schools before moving to Florida for the 2013-14 school year because the mother was ill. The parents never married, and an otherwise completed Educational Transfer Form was submitted.

The Executive Committee approved the request for waiver.

Grand Rapids-Catholic Central 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 three international students (one 12<sup>th</sup>-grader and two 10<sup>th</sup>-graders) from Approved International Student Programs (AISPs) whose host families all have children attending Catholic Central previous to this school year but are closer to other nonpublic schools than to Catholic Central.

The Executive Committee approved the requests for waiver.

Grosse Pointe Woods-University Liggett High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11<sup>th</sup>-grade student who has lived in England with his parents and siblings the past 14 years and attended a boarding school from 8<sup>th</sup>-10<sup>th</sup> grades. The student is moving to the home of his grandmother in Grosse Pointe and enrolling to begin the 2014-15 school year at University Liggett. The remainder of the family will remain in England for the next few years due to the father's job.

The Executive Committee did not approve the request for waiver.

Jackson High School (Regulation I, Section 9[C]) – A request to waive the transfer regulation to allow eligibility in ice hockey only was made on behalf of an 11<sup>th</sup>-grade student who participated in the ice hockey cooperative program between Jackson and Parma-Western during the 2013-14 school year. The student has enrolled at Jackson High School to begin the 2014-15 school year. Support from Parma-Western was submitted.

The Executive Committee approved the request for waiver for ice hockey only until Jan. 19, 2015.

Kalamazoo-Comstock High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9<sup>th</sup>-grade student who enrolled in mid-August at Kalamazoo-Hackett Catholic Central before Hackett determined it did not have the academic support that would serve the student. The student's academic records and IEP were not received by Hackett from his middle school until Aug. 28, 2014. The student then enrolled at Comstock on Sept. 8, 2014.

The Executive Committee approved the request for waiver.

Lansing-Everett High School (Regulation I, Section 9) – A request to waive the transfer regulation and the language of Exception 2 (returning to live with single parent, if divorced) was made on behalf of a 12<sup>th</sup>-grade student who attended a boarding school in Virginia and is returning to the residence of his father in the Everett attendance area. The student's parents never married; and except for the year of boarding school, the student has resided with his father only since the student was age four.

The Executive Committee approved the request for waiver.

Lansing-Waverly 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 12<sup>th</sup>-grade student who made a residential change (Exception 1) with his mother this summer from the Wayne Memorial School District to the Lansing School District to begin the 2014-15 school year. The student returned to the same home and reenrolled at the same school (the student attended Waverly in the 10<sup>th</sup> grade while living with his stepfather and mother, but it is not his school of residence).

The Executive Committee approved the request for waiver.

Madison Heights-Bishop Foley 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 11<sup>th</sup>-grade student who, due to marital difficulties, lived with his mother only in Rochester from March – August 2014 while attending Pontiac-Notre Dame Prep. The student was not allowed to return to Notre Dame Prep at the end of 2013-14 for academic reasons and enrolled at Bishop Foley to begin 2014-15. The parents have reconciled and the student and mother returned to the family home in Shelby Township on Aug. 5, 2014. The closest Catholic high school is Austin Catholic which is three miles closer to the student's home. The mother is an alumna of Bishop Foley.

The Executive Committee approved the request for waiver.

Newaygo High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade student who attended Newaygo Schools for all but the 9<sup>th</sup> grade when he enrolled at Howard City-Tri County two weeks into the 2013-14 school year because his family was hoping to build a home there. The student wrestled and completed the 9<sup>th</sup> grade at Tri County and is returning to Newaygo to begin the 2014-15 school year.

The Executive Committee did not approve the request for waiver.

North Branch 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 12<sup>th</sup>-grade international student from an Approved International Student Program (AISP). After one week at Fenton High School, the agency changed the host family due to incompatibility. The new host family resides in the Lapeer district but has three children who have attended North Branch previous to this school year.

The Executive Committee approved the request for waiver.

Norway High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11<sup>th</sup>-grade student who has been under treatment for severe anxiety since November 2013 and enrolled in online courses in the second semester of 2013-14 based on the recommendation of a team of Norway High School teachers and counselors. The student successfully completed the online term and is reenrolling at Norway to begin the 2014-15 school year. The student remains under medical care.

The Executive Committee approved the request for waiver.

Novi High School (Regulation I, Section 9) – A request waive the transfer regulation was made on behalf of 10<sup>th</sup>- and 12<sup>th</sup>-grade brothers whose parents have both been recently incarcerated in Georgia and whose aunt and uncle have been awarded limited guardianship. The students moved to the guardians' residence in the Novi School District on July 7, 2014 and enrolled to begin the 2014-15 school year at Novi High School.

The Executive Committee approved the requests for waiver.

Taylor-Kennedy High School (Regulation I, Section 9[B]) – A request was made to waive the transfer regulation to permit eligibility at the subvarsity level only on behalf of a 10<sup>th</sup>-grade student who previously attended New Boston-Huron High School and had limited participation in football games during the 9<sup>th</sup> grade. The student enrolled to begin the 2014-15 school year at Kennedy.

Citing the specific requirement of Section 9(B) – that there has been no previous interscholastic athletic participation – the Executive Committee did not approve the request for waiver.

Walled Lake Western 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 10<sup>th</sup>-grade student from an Approved International Student Program (AISP) whose host family lives in South Lyon but has an incoming 9<sup>th</sup>-grade daughter currently in attendance at Walled Lake Western High School.

The Executive Committee approved the request for waiver.

Approved International Student Programs – At its June 11, Aug. 6 and Aug. 26 meetings, the Executive Committee took action to designate most AISPs for 2014-15. At this meeting, the Executive Committee reviewed the school-based program of the Jenison Public Schools called Jenison International Academy, through which 12 F-1 visa students are enrolled for 2014-15 (14 in 2013-14, 5 in 2012-13 and 2 in 2011-12). Jenison High School also has 13 J-1 visa students enrolled in 2014-15 through CSIET-listed exchange programs. With an enrollment of 1,386 students, the one percent standard would limit Jenison High School to 13 international students.

The executive Committee approved **Jenison International Academy** as an AISP with the condition that a maximum of 13 international students (one percent of the school's total enrollment) from among the 12 F-1 visa students enrolled through this program **and** the 13 J-1 visa students enrolled through several CSIET-listed international student programs are allowed to participate on varsity level interscholastic teams during the 2014-15 academic year.

Subvarsity Waiver Requests Meeting All Conditions of Section 9(B) – The Executive Committee approved immediate eligibility at the subvarsity level for the following transferring 9<sup>th</sup>- or 10<sup>th</sup>-grade students (after entering 9<sup>th</sup> grade, before completing 10<sup>th</sup> 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
Bath	10	Lansing-Nexus Academy	Sept. 2, 2014	Jan. 19, 2015
Birmingham-Seaholm	10	Oxford Virtual Academy	Sept. 2, 2014	Jan. 19, 2015
Cedar Springs	10	Cedar Springs-Creative Tech. Acad.	Sept. 2, 2014	Jan. 19, 2015
Comstock Park	10	Guatemala	Sept. 2, 2014	Jan. 19, 2015
Goodrich	10	Lapeer West	Sept. 2, 2014	Jan. 19, 2015
Owendale-Gagetown	10	Cass City	Sept. 2, 2014	Jan. 19, 2015
Rochester-Adams	10	Brazil	Sept. 2, 2014	Jan. 19, 2015
Roseville	10	Fraser-Arts Academy in the Woods	Sept. 2, 2014	Jan. 19, 2015
Walled Lake Central	10	White Lake-Lakeland	Sept. 2, 2014	Jan. 19, 2015
Walled Lake Western	10 (2)	Walled Lake Northern	Sept. 2, 2014	Jan. 19, 2015
Warren-Mott	10	Center Line-MI Math & Science	Sept. 2, 2014	Jan. 19, 2015
Watervliet	10	Berrien Springs-Discovery Academy	Sept. 2, 2014	Jan. 19, 2015
Whitehall	10	Battle Creek-Harper Creek	Sept. 2, 2014	Jan. 19, 2015

Holly High School (Regulation I, Section 12) – A request to waive or interpret the limited team membership regulation was made on behalf of an 11<sup>th</sup>-grade student who is interested in running track this spring and other students who compete with a for-profit cheerleading organization which is open to any student willing to pay the fee (by definition not an all-star event). The concern was that competitions in which these students may participate may include teams that are called or purport to be all-star, in conflict with Interpretation 163 which states: “An ‘all-star’ contest is one which is called ‘all-star’ and/or in which there is participation by one or more ‘all-star’ teams.” The request was to allow the students to participate without future penalty as no competitions that the organization plans to attend are now known to include teams that purport to be “high school” or “all-star.”

The Executive Committee did not approve the request to grant waiver of the rule or to immunize this student or others from the consequences of a violation if teams that are all-star by their name or their nature participate in the same events where this team participates. As long as MHSAA rules are followed, students will remain eligible for interscholastic athletics. If all-star teams appear at events, this team may participate, but individuals who want to remain eligible for interscholastic athletics must not participate.

Allegan High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 236, a request to waive the three-/four-player rule for the 2014-15 school year was made on behalf of the head boys and girls swimming & diving coach and a volunteer assistant who are both employed by the Allegan Aquatic Center which is open to the general public. The head coach is the pool director and the assistant is a swim instructor. The Allegan youth swim program includes 60-70 participants ages 5-18 and includes students from four different school districts including Allegan (Gobles, Hastings and Otsego). A few Allegan students in grades 7-12 are involved in the program. The Allegan Aquatic Center is the only pool in the community. The school has had difficulty securing coaches in years past. Approval has been granted for this program and these coaches previously.

The Executive Committee approved the request for waiver for the 2014-15 school year.

Grand Rapids-Catholic Central High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 241, a request to waive the three-/four-player rule for the 2014-15 school year was made on behalf of the head girls and boys swimming coach who is also employed full-time by the Grand Rapids Novi Sad Aquatics Program and is aquatics director of the Godwin Heights High School pool. The program is open to the general public and includes over 120 participants ages 5-59. The program involves students from eight school districts including the Grand Rapids Catholic Schools, (Byron Center, Caledonia, Grand Rapids, Grandville, Grand Rapids-Northview, Plainwell and Wayland). It is anticipated that ten girls and two boys from Catholic Central will be among the participants.

The Executive Committee approved the request for waiver for the 2014-15 school year.

Tecumseh High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 241, a request to waive the three-/four-player rule for the 2014-15 school year was made on behalf of the head girls and boys swimming coaches who are involved with the Tecumseh Tiger Sharks Swimming Program. The program is open to the general public and includes over 65 participants ages 8-18 and involves students from six school districts including Tecumseh (Adrian, Britton-Deerfield, Clinton, Adrian-Lenawee Christian and Onsted). It is anticipated that 12 Tecumseh students in grades 7-10 will be among the 26 students in grades 7-12 in the program. Forty students are in the 6<sup>th</sup> grade or below. Only Tecumseh and Adrian Schools have indoor pools in Lenawee County. The boys coach has just been hired as a guidance counselor at Tecumseh High School and serves as a substitute for the girls coach who is also the community pool director.

The Executive Committee approved the request for waiver for the girls swimming & diving coach for the 2014-15 school year, but did not approve the request for the boys swimming & diving coach.

Regulation III, Section 1(C) – Pursuant to *Handbook* Interpretation 265, the Executive Committee approved waiver of the enrollment regulation for the following junior high/middle schools to permit 6<sup>th</sup>-grade students to participate with and against 7<sup>th</sup>- and/or 8<sup>th</sup>-graders for the sports listed in the 2014-15 school year only).

<b>Junior High/ Middle School</b>	<b>Sport(s)</b>	<b>High School Enrollment</b>	<b>Middle School Enrollment</b>
Lansing Christian	boys soccer, girls volleyball	197	55 7 <sup>th</sup> - & 8 <sup>th</sup> -graders

Manistee and Manistee Catholic Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in football between these member middle schools. Both schools sponsored the sport previously, Manistee Catholic in a cooperative program with Custer-Mason County Eastern which is dissolving. Manistee will be the primary school.

MHSAA Membership – An Amendment to the MHSAA Constitution that would provide flexibility to the 15-student minimum enrollment requirement has been approved by the Representative Council for submission to the MHSAA membership for vote this fall and, if adopted, for full effect Aug. 1, 2015. The Representative Council authorized the Executive Committee to take actions consistent with the amendment during 2014-15; and it did so for the following schools:

**Paradise-Whitefish Township High School** has been a long-standing MHSAA member school but its enrollment has dropped below the 15-student minimum required by the MHSAA Constitution. Its enrollment is 13 high school students and it sponsors its own cross country and track & field teams for both boys and girls and is meeting the conditions for membership that would be permitted by the proposed amendment.

**Watersmeet Middle School** has been a long-standing MHSAA member school at the grade 7 and 8 level but its enrollment has dropped below the 15-student minimum required by the MHSAA Constitution. The school sponsors its own basketball and track & field teams for both boys and girls and enrollment projections in grades 4-6 indicate the school will return to over 15 students. Watersmeet is meeting the conditions for membership that would be permitted by the proposed amendment.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, Oct. 1, 2014, at 8:30 a.m. in East Lansing; Wednesday, Nov. 5, 2014, at 8:30 a.m. in East Lansing; and Thursday, Dec. 4, 2014, at 1 p.m. in East Lansing.