

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, March 23, 2023

1:00 p.m.

Committee Members:

Scott Grimes, Grand Haven
John Thompson, Brighton
Vic Michaels, Detroit
Isom, Kris, Adrian
Seng, Meg, Ann Arbor

Staff Members:

Cody Inglis
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.

Battle Creek-St Phillip, Battle Creek-Calhoun Christian and Climax-Scotts High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program between these schools in boys golf (varsity only) beginning in 2023-24. The combined enrollment of 316 students would likely place the combined team in Division 3. Battle Creek-St Phillip will be the primary school. Support from the South Central Athletic Association was submitted.

Clarkston-Everest Collegiate and Waterford-Our Lady of the Lakes High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program between these schools in boys soccer (varsity only). Everest Collegiate sponsored boys soccer in Division 4 in 2022-23 while Our Lady of the Lakes did not. The combined enrollment of 242 students would likely keep the combined team in Division 4. Clarkston-Everest Collegiate will be the primary school. Support from the Detroit Catholic High School League was submitted.

Grand Rapids-Forest Hills Central, Ada-Forest Hills Eastern and Grand Rapids-Forest Hills Northern High Schools (Regulation I, Section 1[E-1]) – The Executive Committee approved a cooperative program between these schools in girls lacrosse (JV only). Both Forest Hills Central and Forest Hills Northern have sponsored JV girls lacrosse previously. Forest Hills Central will be the primary school. Support from the OK Conference was submitted.

Grand Rapids-Forest Hills Northern and Ada-Forest Hills Eastern High Schools (Regulation I, Section 1[E-1]) – The Executive Committee approved a cooperative program between these schools in boys lacrosse (JV only). Both schools have sponsored JV boys lacrosse previously. Forest Hills Northern will be the primary school. Support from the OK Conference was submitted.

Ishpeming-Westwood and Republic-Michigamme High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program between these schools in baseball (varsity and JV) beginning in Spring 2023. Ishpeming-Westwood has sponsored baseball in Division 3 while Republic-Michigamme has not. The combined enrollment of 419 students will keep the combined team in Division 3. Ishpeming-Westwood will be the primary school. Support from the Western Peninsula Athletic Conference was submitted.

Ludington High School (Regulation I, Section 4) – A request to waive Notes: Section 4 and 5 under the Maximum Enrollment rule of Regulation I was made on behalf of an 11th-grade student at Ludington. The student has attended Ludington Public Schools and played soccer suffering two ACL injuries to her knee which have required surgery. Because of the injuries and surgeries, the student desired to leave Ludington for the 2023-24 school year and have a fifth year of athletic eligibility when she returns to Ludington. During this year of “unenrollment” from Ludington, the student desires to take community college courses to minimize learning loss. The school requests a fifth year of athletic eligibility in soccer for the 2024-25 school year, as well as a waiver of Interpretation 27 within this regulation.

The Executive Committee did not approve the request for waiver.

Ada-Forest Hills Eastern High School (Regulation I, Section 9) – A second request to waive the transfer regulation was made on behalf of a 10th-grade student who transferred to Forest Hills Eastern from Grand Rapids-NorthPointe Christian for the start of the 2022-23 school year. The student attended Forest Hills Public Schools until his 9th-grade year. The student experienced academic and health challenges related to the pandemic and COVID. After attending school for one year, the student struggled with social/emotional issues and fitting in at NorthPointe Christian. While at NorthPointe Christian, the student played baseball. The family believed that returning to his original school would allow the student to thrive academically and socially now that COVID is impacting education less. The request was for subvarsity eligibility in baseball at Forest Hills Eastern.

The Executive Committee did not approve the request for waiver.

Ann Arbor–Father Gabriel Richard 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 Father Gabriel Richard in January 2023 after attending Wixom-St Catherine of Siena for her 9th-grade and the start of 10th-grade years. The student competed in field hockey and lacrosse at St. Catherine of Siena. The student and family desired a new beginning because of severe bullying. This led to school meetings with the family and student. The family believes that the school did not handle the bullying incident well and desired a change in school for their daughter. The student transferred to Father Gabriel Richard to continue the Catholic faith and schooling important to her family and desired to play girls lacrosse at Father Gabriel Richard.

The Executive Committee did not approve the request for waiver.

Beverly Hills-Birmingham Groves High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who transferred to Groves from Seaholm. The student competed in baseball while at Seaholm where he experienced bullying from teammates. The student has attended counseling to help him cope and the new start has helped him thrive. Since the transfer, the student's grades and well-being have improved. Groves requested immediate eligibility in baseball.

The Executive Committee did not approve the request for waiver.

Cedar Springs High School (Regulation I, Section 9) – A second request to waive the transfer regulation was made on behalf of a 10th-grade student who transferred to Cedar Springs from Cedar Springs-Creative Technologies Academy at the start of the second semester of the 2022-23 school year. While at CTA, the student participated in cross country, volleyball, and soccer. The school asked for immediate subvarsity eligibility in these sports for the student's sophomore and junior years.

The Executive Committee did not approve the request for waiver.

Farmington Hills-Mercy High School (Regulation I, Section 9) – A second request to waive the transfer regulation was made on behalf of a 10th-grade student who transferred to Mercy from Livonia Churchill at the start of the 2022-23 school year. The student has experienced health challenges and social/emotional issues, some of which were related to bullying and online harassment at the former school. The student entered counseling and desired a change to deal with her health challenges. The student participated in softball at the former school. The student has thrived academically and socially this school year.

The Executive Committee did not approve the request for waiver.

Fruitport 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 Fruitport from Muskegon Orchard View at the start of the second semester. The student transferred primarily for reasons of safety from her mother's former boyfriend. The family moved in with her brother's family in Ravenna whose kids attend Fruitport. While at Orchard View, the student participated in cross country, wrestling, and track & field. The school asked for immediate eligibility in track for this school year and cross country and wrestling for the 2023-24 school year.

The Executive Committee approved the request for waiver.

Fruitport 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 Haven as a 9th-grade student and where she played one game of JV girls soccer. The student lived with her father who was arrested. The student finished her 9th-grade year online through Grand Haven and moved in with her mother who resides in the Mona Shores attendance area. The mother determined that having the student attend Fruitport would be best. In addition, the student has family members who are staff at Fruitport to support her. Fruitport requested subvarsity eligibility in girls soccer after one game this season.

The Executive Committee approved the request for waiver with immediate eligibility.

Grant 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 Grant from Fremont for the 2022-23 school year. The student experienced issues at the former school. The family also felt the issue was not handled properly by the school administration. The student participated in volleyball, basketball, and softball at the former school. The family believed that the new school would allow the student to get a fresh start, in a new district, away from the issues that existed. The request was for eligibility in all sports.

The Executive Committee did not approve the request for waiver.

Grosse Pointe North High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who transferred to Grosse Pointe North after attending Lansing-Waverly previously. The student competed in track & field while at Waverly. The student was living with his aunt in the Lansing area after his grandmother could not care for him and his sister. The student lost his mother early in life and has never met his biological father. The student was forced to return to Grosse Pointe, after leaving there in 2019, to attend Waverly because his aunt became ill and could no longer care for him. The student returned to live with his grandmother after bouncing around the Detroit area. Grosse Pointe North has categorized him as homeless under the McKinney-Vento Act. MHSAA regulations and past practice require that McKinney-Vento scenarios be submitted to the Executive Committee for review and consideration.

The Executive Committee approved the request for waiver.

Kent City High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who transferred from Sparta on March 7, 2023. The student's mother is a staff member at Kent City High School. The student transferred to Kent City after attending Sparta in 9th, 10th, 11th and half of 12th grade. While at Sparta, the student participated in cross country, bowling, track & field, and soccer. The student's parents went through a divorce that impacted the student negatively both socially/emotionally and academically at Sparta. The student suffered harassment and bullying. The student required medical intervention as her health declined. Ultimately a transfer was determined to be best so that the mom could be close to her and support her in a new school environment. The school asked for eligibility in track & field and soccer based on the circumstances that forced the transfer. Documentation from the former school administration and letters from medical professionals were provided.

The Executive Committee approved the request for waiver.

Macomb-Dakota High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who transferred to Dakota from L'Anse Creuse North. The student competed in tennis while at L'Anse Creuse North. While at the former school, the student experienced bullying and struggled to fit in. Since the transfer, the student's grades have improved and she has found new friends. Dakota requested immediate eligibility in tennis.

The Executive Committee did not approve the request for waiver.

Marquette High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who transferred to Marquette Alternative High School at the start of the 2022-23 school year from Ishpeming-Westwood, where the student competed in gymnastics and track & field. The student transferred because of health issues in the traditional school setting, and MAHS provided the only alternative high school setting in the area. MAHS students are allowed to participate on Marquette High School athletic teams. The student desired to compete in gymnastics and track & field at Marquette. Because of some confusion over the transfer rule, the student initially competed in one gymnastics meet this season. Marquette requests eligibility in gymnastics after the student sits out the first meet of the 2023-24 gymnastics season. Documentation submitted included support from the former school and a medical provider.

The Executive Committee did not approve the request for waiver. The student is eligible in gymnastics after one meet in 2023-24.

Muskegon-Orchard View High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who transferred to Orchard View from Muskegon Oakridge in early March 2023. The student experienced bullying issues at the former school. The family believed that the new start at Orchard View would allow the student to have peace of mind and a fresh start. The request was for immediate eligibility in soccer.

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 enrolled at Pinckney for the start of the 2022-23 school year. The student attended Ann Arbor-Father Gabriel Richard as a freshman and sophomore. The student left Father Gabriel Richard due to social, financial, and poor experiences for her older sister at Father Gabriel Richard. The new school is her home school district in Pinckney. While at Father Gabriel Richard the student competed in softball and the new school request was for eligibility for this spring.

The Executive Committee did not approve the request for waiver.

Plymouth High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who transferred from Allen Park Inter-City Baptist in October 2022. The student transferred to Plymouth, the public school closest to his residence, after attending Inter-City Baptist. The student experienced health issues at the former school with staff and desired a new start. The new school asked for eligibility in baseball based on the circumstances. Documentation from a medical professional was provided.

The Executive Committee did not approve the request for waiver.

Scottville-Mason County Central High School (Regulation I, Section 9) – A second request to waive the transfer regulation is made on behalf of an 11th-grade student who transferred from Manistee to Mason County Central in January 2023. The student participated in track and football while at Manistee. The move was made because the student struggled academically with in-person learning, and his parents made him attend an online education. Manistee did not provide an online learning program that fit the student's needs. Several other inquiries to area schools did not work while the MCC online program was fit for the student. The student's academic performance has improved since enrolling in the online program at MCC.

The Executive Committee did not approve the request for waiver.

Swartz Creek High School (Regulation I, Section 9) – A request was made to waive Regulation I, Section 9(C) on behalf of a student who transferred from Flushing to Swartz Creek after the first semester of the 2022-23 school year. The student attended Swartz Creek for his entire academic career, other than the first semester of the 2022-23 school year. During the 2021-22 school year, the student participated in wrestling and boys lacrosse. Flushing and Swartz Creek have a cooperative agreement in lacrosse so 9(C) would apply by rule as a request. Flushing provided written support for the transfer of this student back to Swartz Creek.

The Executive Committee approved the request for waiver in boys lacrosse only.

Wayland Union High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an incoming 9th-grade student who participated in football and wrestling during his freshman year at Wayland Union. The student transferred to an online school unassociated with Wayland Union on March 6, 2023. The student's mother worked for that online school, and the family thought it would be best academically for the student. The student reenrolled at Wayland Union on March 20, 2023, eight school days later. The school request was for continued athletic eligibility given the short timeframe of the move to the online school and back to Wayland Union.

The Executive Committee approved the request for waiver.

Grand Rapids-Kenowa Hills and Comstock Park-Mill Creek Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program between these schools in boys lacrosse (7th and 8th grades combined) beginning in the 2022-23 school year. Kenowa Hills will be the primary school.

Traverse City West, Traverse City-The Children's House and Traverse City-Greenspire Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program between these schools in boys and girls cross country and track & field (6th, 7th and 8th grades combined). Traverse City-West will be the primary school.

Next Meetings – Wednesday, April 19 at 9 a.m. - Virtual (Audit and Finance Committee follows); Saturday, May 6 at 10:30 a.m. in Gaylord (Representative Council meets at 1 p.m.); Thursday, June 15 at 9 a.m. – Virtual; Monday, Aug. 7 at 9 a.m. – Virtual; Tuesday, Aug. 22 at 9 a.m. – Virtual; Thursday, Sept. 7 at 9 a.m. – Virtual; Thursday, Oct. 5 at 9 a.m. – Virtual; Wednesday, Nov. 1 at 9 a.m. – Virtual; Thursday, Nov. 30 at 2 p.m. in East Lansing (Representative Council meets the next day).