



# media information

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**FOR IMMEDIATE RELEASE**

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## **MHSAA Receives Partial Stay In Seasons Case; Realignment On Hold During Appeals Process**

**EAST LANSING, Mich. – May 9 –** The United States Sixth Circuit Court of Appeals in Cincinnati, Ohio, has issued a stay in the case of the Communities For Equity v. Michigan High School Athletic Association, an action which likely delays beyond the 2003-04 school year the implementation of any Court-ordered realignment of high school sports seasons in Michigan.

In its ruling today, the Sixth Circuit denied the motion of the Plaintiffs to dismiss the MHSAA's appeal for lack of jurisdiction; granted the MHSAA's Motion for Stay pending its appeal insofar as requiring a change in the alignment of sports seasons by the 2003-04 school year; but denied the Association's Motion for Stay in all other respects.

The order means that the Sixth Circuit will take up the case after the District Court has received a Compliance Plan from the MHSAA for the realignment of seasons, and the District Court rules on that plan. The plan must be submitted by May 24. The District Court has scheduled a hearing on the matter for July 18 in Kalamazoo. After the District Court's decision, the appeals process begins, and could extend into the 2003-04 school year.

"This assures the schools of an opportunity to appeal," said John E. "Jack" Roberts, executive director of the MHSAA. "It also assures that the Court of Appeals will look at the entire District Court case, Compliance Plan and all; so that if other appealable issues arise between now and the District Court's approval of the Compliance Plan, they too can be included."

In its decision, the Appeals Court wrote, "...it is clear the stay motion raises serious appellate issues concerning liability under Title IX and the Equal Protection Clause." The decision also states, "...the defendant (MHSAA) has articulated a variety of harms that it, its member schools, and student-athletes may suffer if it must comply with the injunction by bringing its scheduling into compliance with the district court's ruling by the 2003-04 school year. For that reason, a partial stay will be granted."

(more)

## **2-2-2 – MHSAA Receives Stay In Seasons Case**

The MHSAA's Representative Council, the 19-member legislative body of the Association, discussed sports seasons scheduling at its annual Spring meeting earlier this week, but delayed action. The Council will meet before May 24 to finalize a Compliance Plan. At the time the Compliance Plan is filed, the MHSAA will also announce the results of a survey used to seek input for the Compliance Plan.

The MHSAA is a private, not-for-profit corporation of voluntary membership by over 1,300 public and private senior high schools and junior high/middle schools which exists to develop common rules for athletic eligibility and competition. No government funds or tax dollars support the MHSAA, which was the first such association nationally to not accept membership dues or tournament entry fees from schools. Member schools which enforce these rules are permitted to participate in MHSAA tournaments, which attract approximately 1.6 million spectators each year.

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