

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, February 20, 2013

Members Present:

Jim Derocher, Negaunee
Scott Grimes, Grand Haven
Vic Michaels, Detroit
Karen Leinaar, Bear Lake
Pete Ryan, Saginaw

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 factual 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.

Bloomfield Hills-Andover and Lasher High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a request to finalize a 9th grade baseball cooperative agreement for one year only between these two schools of the same district which are merging at the end of the 2012-13 school year to form Bloomfield Hills High School. The combined enrollment of 1,915 students is in excess of the 1,000-student enrollment cap for baseball. Support from the Oakland Activities Association was received.

Sebewaing—Unionville-Sebewaing Area High School (Regulation I, Section 7) – A request to waive the previous academic credit record regulation was made on behalf of an 11th-grade student who contracted encephalitis which did not allow her to attend school after three days in September 2012. The student was then enrolled in seven online courses. In October 2012, her doctor ordered the student to discontinue any course work due to her illness. The student is an honor student currently enrolled in a blended schedule of in-school and online sufficient to meet the enrollment regulation and also attempting to make up the credit missed in the first semester of 2012-13.

The Executive Committee approved the request for waiver.

Adrian High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation to permit eligibility on the 91st school day of enrollment was made on behalf of a 9th-grade student who previously attended Adrian-Madison High School. The student did not participate in athletics at Madison before enrolling at Adrian High School on Oct. 9, 2012. The student wishes to participate in track & field.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Adrian High School starting Oct. 9, 2012.

Algonac High School (Regulation I, Section 9) – On Jan. 9, 2013, the Executive Committee did not approve a request to waive the transfer regulation made on behalf of an 11th-grade student who attended Algonac Schools from Kindergarten until Oct. 26, 2012 when the student enrolled at Marine City High School for 14 school days. The student changed schools due to repeated harassment over time and reenrolled at Algonac on Nov. 14, 2012 and did not participate in athletics. The school re-submitted its request with additional and specific information that was not presented originally. The harassment was first reported in the fall of 2011-12 and resulted in the school taking action against an Algonac classmate. An off-campus incident was also reported to the school. Issues continued for this student through the fall of 2012-13. The repeated incidents caused the student to change schools to Marine City and then after a short period return to Algonac.

The Executive Committee approved the request for waiver.

Buchanan High School (Regulation I, Sections 9 [A] & [F]) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Buchanan Schools her entire life except for two school days (Feb. 11-12, 2013) when the student attended Berrien Springs Virtual Academy. The student reenrolled at Buchanan on Feb. 13, 2013. The student was on the basketball team at Buchanan and missed games on Feb. 12 and 19, 2013.

The Executive Committee approved the request for waiver, including for participation in winter 2013 tournaments if otherwise qualified.

Gladwin High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Gladwin Schools his entire life except for ten school days (Feb. 4-15, 2013) when the student attended Houghton Lake High School. The student reenrolled at Gladwin on Feb. 18, 2013. The student's parents have joint custody and the mother urged the student to enroll at Houghton Lake during a stay at her home. The student is now living with his father.

The Executive Committee approved the request for waiver, including for participation in winter 2013 tournaments if otherwise qualified.

Grand Rapids Christian High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of 9th and 11th grade brothers whose father resigned as head football coach at Jenison High School in November 2012 and who experienced difficulties and hardships related to the father's position. On Jan. 30, 2013, it was announced that the current athletic director at Jenison will be the head football coach next season. The students enrolled at Grand Rapids Christian at the semester break.

The Executive Committee did not approve the request for waiver.

Kalamazoo-Comstock High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student who previously attended Parchment High School and enrolled at Comstock on Jan. 21, 2013 to avoid difficulty with classmates at Parchment. The student is a resident of Comstock and attended Parchment because the mother is a teacher there.

The Executive Committee did not approve the request for waiver.

Kalkaska High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation to permit eligibility on the 91st school day of enrollment was made on behalf of an 11th-grade student who previously attended Atlanta High School before enrolling at Kalkaska High School on Oct. 29, 2012. The school requested consideration for compelling circumstances because the mother moved with her children to Kalkaska as the family separated.

The Executive Committee did not approve the request for waiver.

Mackinaw City High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Mackinaw City High School since the 9th grade before enrolling at Pellston High School for five school days: Nov. 12-16, 2012. The student reenrolled at Mackinaw City on Nov. 16, 2012.

The Executive Committee approved the request for waiver.

Muskegon-Catholic Central High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 61 (closest nonpublic school) was made on behalf of a 9th-grade student who began the 2012-13 school year at Catholic Central while living with his mother and stepfather in the Mona Shores School District. On Sept. 26, 2012, the mother and stepfather separated and the student moved with his mother to Fruitport, enrolling at Fruitport High School. On Oct. 23, 2012, the student reenrolled at Catholic Central. The mother's second divorce, from the stepfather, will be finalized in March 2013. An Educational Transfer Form is in process.

The Executive Committee approved the request for waiver pending completion of the Educational Transfer Form by both schools and the MHSAA.

Romulus-Summit Academy North High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation to permit eligibility on the 91st school day of enrollment was made on behalf of a 10th-grade student who previously attended Lincoln Park High School before enrolling at Summit Academy North on Oct. 1, 2012. The student participated in sports previously at Lincoln Park.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Summit Academy North starting Oct. 1, 2012.

Traverse City-St. Francis High School (Regulation I, Section 9[C]) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who has participated in the hockey cooperative agreement this year and last between seven schools including St. Francis and Elk Rapids. The student completed the second trimester at Elk Rapids before enrolling at St. Francis on Feb. 18, 2013. Support was submitted by Elk Rapids High School.

The Executive Committee approved the request for waiver for ice hockey only during the remainder of the 2012-13 school year, including for participation in the MHSAA 2013 Ice Hockey Tournament.

Watervliet-Grace Christian High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who began the 2012-13 school year at Grace Christian and attended Decatur High School for five school days: Nov. 5-9, 2012. The student reenrolled at Grace Christian on Nov. 13, 2012.

The Executive Committee approved the request for waiver.

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 |
|---------------------------|-------|------------------------|--------------------|---|
| Dearborn-Divine Child | 9 | Livonia-Stevenson | Oct. 22, 2012 | Remainder of 12-13 School Year |
| Fraser | 9 | Center Line | Jan. 29, 2013 | Remainder of 12-13 School Year |
| Ovid-Elsie | 9 | St. Johns | Jan. 29, 2013 | Remainder of 12-13 School Year |
| Ovid-Elsie | 10 | St. Johns | Nov. 13, 2012 | Remainder of 12-13 School Year |
| Riverview-Gabriel Richard | 9 | Florida-Treasure Coast | Oct. 30, 2012 | Remainder of 12-13 School Year |

Regulation III, Section 1(C) – Pursuant to 2012-13 *Handbook* Interpretation 261, the Executive Committee approved waiver of the enrollment regulation for the following junior high/middle schools to permit 6th-grade students to participate with and against 7th and/or 8th graders for the sports listed in the 2012-13 school year only (unless otherwise indicated below).

| Junior High/ Middle School | Sport(s) | High School Enrollment | Middle School Enrollment |
|-------------------------------|--|---------------------------|--|
| Atlantic Mine- EB Holman | 2013-14 boys & girls basketball, 2013-14 boys & girls track & field | N/A | 36 7 th & 8 th graders |
| Hillman | boys & girls track & field | 146 | 92 7 th & 8 th graders |
| Pentwater | boys & girls track & field | 74 | 19 7 th graders 18 8 th graders |

Webberville High School (Regulation III, Section 1[C]) – A request to waive the enrollment regulation was made to allow 6th graders to participate with and against 7th and 8th graders in baseball and girls softball for the 2012-13 school year.

The Executive Committee did not approve the request for waiver.

Lapeer-Zemmer and Lapeer-Rolland Warner Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in baseball between these two schools of the same district. Neither school sponsored the sport previously. Zemmer will be the primary school.

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 school:

Grand Rapids-Ellington Academy of Arts and Technology is located in a former Grand Rapids Catholic school and is chartered by Lake Superior State University. The school plans to build a new facility on the current campus to open in the spring of 2014 and has a current enrollment of 57 7th graders and 48 8th graders. Its first 9th grade will begin in 2013-14. It anticipates capping its high school enrollment at 75 students per grade to a total of 300 students in four years. Its curriculum may be considered specialized as a performing arts and technology college prep school. Currently there is no athletic participation in the middle school beyond intramurals. The school has indicated plans to sponsor several sports in the future. A signed 2012-13 MHSAA Membership Resolution was received Dec. 17, 2012 for both a high school and middle school. The Preliminary Enrollment Declaration and Athletic Code of Conduct have also been received.

Because the resolution was received months after the fourth Friday after Labor Day and the school will only become a high school (with a 9th grade only) for the first time next school year, 2013-14 will be the school's first year of membership and without MHSAA tournament participation, provided a Membership Resolution is received prior to Sept. 27, 2013 and all other rules are complied with. Provided the 2014-15 Membership Resolution is received prior to Sept. 26, 2014, the school will be eligible for MHSAA tournaments for the 2014-15 school year.

Ypsilanti Community High School shall be named shortly from the newly created Ypsilanti Community School District (Ypsilanti Community High School, for the purpose of this writing). On Nov. 6, 2012, the citizens of both the Ypsilanti-Willow Run and Ypsilanti Public School Districts voted to consolidate into a new school district. Insofar as MHSAA regulations are concerned, effective with the end of the 2012-13 school year, both schools will have ceased to operate and a single new district formed. Normally, new schools are not eligible for MHSAA tournaments until their second year of membership. The consolidated school is forming from two former member school districts, at the same location and under similar staff, students, and administration. The Executive Committee approved the following actions with respect to the new high school emerging from the Ypsilanti Community School District:

- a. That Ypsilanti Community High School shall be placed on the MHSAA membership rolls and be permitted to participate in 2013-14 MHSAA tournaments.
- b. That the enrollment by which the new school shall be classified for 2013-14 shall be the sum of the figures submitted on the February 2013 Enrollment Declaration Forms from Willow Run (401 students) and Ypsilanti High Schools (998 students): 1,399 total. In addition, the listing of non-traditional schools or programs and counting of students in these programs will be carried forward and applied to the new Ypsilanti Community High School for the 2013-14 school year.
- c. That cooperative programs which existed prior to the opening of the new school may continue, provided they are within the regulations and limitations of enrollment. Agreements may also be dissolved as under the rules.

Next Meetings – The next meetings of the Executive Committee are scheduled for Thursday, March 21, 2013, at 8:30 a.m. in East Lansing; Wednesday, April 24, 2013, at 8:30 a.m. in East Lansing; Sunday, May 5, 2013, at 10:30 a.m. in Gaylord; and Wednesday, June 12, 2013, at 8:30 a.m. in East Lansing.