

# MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

## EXECUTIVE COMMITTEE MEETING

East Lansing, March 24, 2022

### Members Present:

Scott Grimes, Grand Haven  
Nicole Carter, Novi  
Vic Michaels, Detroit  
Kris Isom, Adrian  
Chris Miller, Gobles

### Staff Members Present:

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.

Big Rapids-Crossroads Charter Academy and Evart High School (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program between these schools in girls soccer (varsity only) for the 2022-23 school year. Crossroads Charter Academy sponsored the sport previously and will be the primary school. Support from the Northern Michigan Soccer League was submitted.

Harbor Springs, Harbor Springs-Harbor Light Christian and Petoskey-St. Michael Academy High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program between these three schools in 11-player football (varsity and JV) for the 2022-23 school year. Harbor Springs sponsored the sport previously and will be the primary school. The combined enrollment for 2022-23 will be 325. Support from the Northern Michigan Football Conference was submitted.

Ontonagon and Watersmeet High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a late request for a cooperative program between these two schools in baseball (varsity only) for the current school year. Ontonagon sponsors the sport and will be the primary school. The combined enrollment of 146 students will keep one team in the Division 4 tournament. Support from the Copper Mountain Conference was submitted.

Bloomfield Hills-Brother Rice 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 enrolled at Brother Rice on Aug. 17, 2021. The student had attended Royal Oak-Shrine High School during his 9<sup>th</sup> and 10<sup>th</sup> grade years while participating in football, basketball and lacrosse. Reasons noted for the transfer included harassment and bullying by staff, parents and students at Shrine toward the entire family which was entrenched within the Shrine community. Social media posts and online examples were provided. The family met with the administration at the former school to find a solution, but to no avail. The request was for eligibility in lacrosse this spring.

The Executive Committee did not approve the request for waiver.

Brighton-Livingston Christian High School (Regulation I, Section 9[B-3]) – A second request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade student who transferred on Nov. 1, 2021 from Dexter High School where it was feared that rising COVID cases would cause the school to return to virtual learning, which had caused the student to struggle previously. Both of the parents of this student worked in ICUs during the past 24 months with COVID and this increased the health struggles experienced by the student. The student's younger sister already attends Livingston Christian. The student participated in JV volleyball at her previous school, and the school requested that she be allowed to participate in that sport in the fall of 2022. The new information for the second request was for eligibility for the fall at the subvarsity level in volleyball.

The Executive Committee approved the request for waiver after 90 school days of enrollment at Livingston Christian High School, beginning Nov. 1, 2021.

Dearborn High School (Regulation I, Section 9) – A request to waive the transfer rule was made on behalf of a 10<sup>th</sup>-grade student who transferred on March 7, 2022 from Crestwood High School. The student attended Dearborn as a freshman and went to Crestwood because his father worked in that district. The student's return to Dearborn was not motivated by athletics, discipline or family finances. The school requested eligibility on the 90<sup>th</sup> school day as described in Section 9(B)3.

The Executive Committee did not approve the request for waiver.

Freeland 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 recently transferred from Freeland to Saginaw-Nouvel and now back to Freeland. In November of 2021, the Executive Committee approved a waiver for this student to continue to play ice hockey in the cooperative program that included both Freeland and Nouvel. It must be noted that due to emotional and family issues, the student transferred back to Freeland on Nov. 4, 2021, before any participation took place in ice hockey at Nouvel. The student played golf last spring at Freeland, and now wishes to play again this spring as he has returned to his original school.

The Executive Committee did not approve the request for waiver.

Gibraltar-O. A. Carlson High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12<sup>th</sup>-grade student who transferred from Monroe-Jefferson. It was noted the transfer was for better academic opportunities as well as because of bullying and harassment at the former school. The student has also suffered health challenges and requested immediate eligibility in softball for the spring of 2022.

The Executive Committee did not approve the request for waiver.

Goodrich 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 experienced trauma and bullying at his former school. The student transferred in February of 2022. A significant incident took place in which the student was a victim of a situation that was placed on social media, creating a number of health issues and challenges. The student is under the care of a therapist and medical doctor, both of whom submitted documentation. The student participated in cross country and track & field at the former school. The former school provided strong documents of support of the transfer with eligibility.

The Executive Committee approved the request for waiver.

Grand Rapids-NorthPointe Christian High School (Regulation I, Section 9) – A second request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade student who attended 9<sup>th</sup> grade at Grand Rapids Christian and participated in track & field. The student struggled with health issues, so it was decided to move him to the smaller school environment at NorthPointe Christian to begin the 2021-22 school year. The student participated in JV tennis in the fall and would like to participate in track & field this spring. A letter from the parents with medical documentation was submitted. The new information included additional, significant details from the parent.

The Executive Committee approved the request for waiver.

Grand Rapids-West Catholic 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 transferred from Rockford High School on Jan. 27, 2022. The student left Rockford due to harassment from a staff member at the former school which was confirmed following an investigation by district administration. A letter of support was received from the former school. The student requested eligibility in girls soccer for the spring 2022 season.

The Executive Committee approved the request for waiver.

Grosse Ile High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12<sup>th</sup>-grade student who transferred from Gabriel Richard to Grosse Ile on Nov. 17, 2021. The student underwent extensive surgery in December of 2020 and his mother was involved in a motor vehicle accident in August of 2021, leading to significant health issues. The student was in an abusive relationship with a girlfriend and was harassed in the fall of 2021 by coaches when he decided to no longer play football. Because of this harassment, the student transferred schools and requested eligibility in boys golf this spring of his 12<sup>th</sup>-grade year.

The Executive Committee did not approve the request for waiver.

Madison Heights-Bishop Foley Catholic 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 enrolled at Bishop Foley in January of 2022 from Royal Oak High School. The student was a virtual student at Royal Oak in 2020-21 which negatively impacted the student academically and emotionally. He continued to struggle in the fall of 2021 with in-person classes given he was overwhelmed with being in a large school with COVID cases increasing in the fall.

The Executive Committee did not approve the request for waiver.

Marcellus 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 Lawton as a school-of-choice student for the past two years. She participated in basketball and soccer at the former school and requested immediate eligibility at the new school because of bullying at the former school.

The Executive Committee did not approve the request for waiver.

Mattawan High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12<sup>th</sup>-grade student who transferred from Portage Central on Sept. 1, 2021. The student changed schools due to social issues and the opportunity to play non-school hockey which would have fit with the online curriculum offered at Mattawan. The student wants to play lacrosse this spring.

The Executive Committee did not approve the request for waiver.

Memphis 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 transferred from Memphis to Almont in February of 2021, and then returned to Memphis in October of 2021. The student changed schools due to health issues that were connected to the death of a grandparent who lived in the family home with the student. The student played baseball last spring at Almont.

The Executive Committee did not approve the request for waiver.

North Muskegon 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 transferred from Muskegon Catholic Central to North Muskegon. The student was identified by other friends at his former school as the informant regarding a party that took place on Feb. 10. Muskegon Police became involved, and the student's phone was searched as part of the investigation. The student was cleared of any wrongdoing but the fallout from other students and families at the former school necessitated the transfer to North Muskegon. The student sought eligibility in football for the fall of 2022.

The Executive Committee approved the request for waiver. The student will be withheld from the first football game of the 2022 season.

Novi-Detroit Catholic Central High School (Regulation I, Section 9[B-3]) – A second request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade, three-sport athlete (football, basketball and baseball) who had attended Plymouth High School for his 9<sup>th</sup> grade and first part of his 10<sup>th</sup> grade year. The student transferred because of concerns regarding school safety at Plymouth High School. The student was accepted as a student at Detroit Catholic Central but chose to attend Plymouth as a first-time 9<sup>th</sup>-grader and attended St. Edith Catholic grade school for five years prior to high school. New, additional information was submitted as the school and family believes this is an unprecedented situation.

The Executive Committee approved the request for waiver at the subvarsity level only in baseball and approved the request for waiver at the varsity level after 90 school days of enrollment at Detroit Catholic Central High School, beginning Jan. 4, 2022.

Pontiac-Notre Dame Preparatory 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 transferred to Notre Dame Prep from Regina High School in January of 2022. The student participated in two softball games last spring while at Regina, which was followed by an extended period of COVID and bullying during the remainder of the softball season. The student has experienced significant health challenges which have been documented by medical professionals. The student continues to receive medical treatment. The school requested full eligibility but would appreciate consideration of a subvarsity request as well.

The Executive Committee approved the request for waiver. The student will be withheld from the first two softball games of the current school year.

Reed City 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 played volleyball, basketball and softball during her freshman year at Reed City High School. This year she played volleyball but did not play basketball. The student and her mother lived in a rental home in Reed City and moved to a new rental home in Nunica and the student attended West Catholic High School for two days. The landlord of the Nunica home had a change of heart and the student and her mother moved back to the same home in Reed City after one week, reenrolling at Reed City on Feb. 2. The school requested eligibility in softball and volleyball.

The Executive Committee approved the request for waiver.

Saginaw-Swan Valley 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 transferred to Swan Valley in August of 2021 after spending her freshman year at Heritage High School. The student has experienced emotional stress and anxiety which stemmed from her sister's death years ago. She has been under the care of a therapist for these health struggles.

The Executive Committee did not approve the request for waiver.

Tekonsha 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 transferred from Centreville High School due to unsafe and toxic environments in both his mother's home in Niles and his father's home in Centreville. The district declared the student homeless under the McKinney-Vento Act, which requires the MHSAA Executive Committee to review each situation individually. The student sought eligibility in track & field and football at Tekonsha.

The Executive Committee approved the request for waiver.

West Bloomfield 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 transferred in August of 2021 from Cranbrook Kingswood. The student participated in cross country and track & field at her former school. Finances, academics and the pandemic were all cited as reasons for the transfer. The student missed the entire cross country season from the fall of 2021.

The Executive Committee did not approve the request for waiver.

Whitehall High School (Regulation I, Section 9) – A second request to waive the transfer regulation was made on behalf of a 10<sup>th</sup>-grade student who had attended Coopersville since Kindergarten before transferring to Whitehall on Jan. 24, 2022. The student experienced bullying during the 2020-21 school year which led to anxiety and depression issues. She transferred to Whitehall where her father is a faculty member. The student participated in JV tennis at the previous school in the spring of the 2020-21 school year and in JV volleyball during the current school year. She would like to be immediately eligible at Whitehall in both sports at the varsity level. New information regarding her mental health was submitted, along with a request for eligibility at the subvarsity level.

The Executive Committee approved the request for waiver at the subvarsity level only in tennis this spring. The student is not eligible for varsity volleyball in the fall of the 2022-23 school year.

Wyoming 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 previously attended Bryon Center High School. The student initially lived in a mobile home in Bryon Center with his mother and brother and were later joined by his aunt, cousin and cousin's father to also move into the mobile home, which led to an environment filled with abuse. The mother and her two children moved into a rental home in the Wyoming attendance area to escape the unsafe environment; the former home is in the process of foreclosure and all former occupants will be forced to move soon. The student wished to play baseball at Wyoming, which was the only sport he played at his former school.

The Executive Committee approved the request for waiver.

Zeeland West High School (Regulation I, Section 9) – A second request to waive the transfer regulation at the subvarsity level was made on behalf of a 10<sup>th</sup>-grade student who attended Holland-Black River as a 9<sup>th</sup>-grader. Due to the small size of the school and low participation numbers in baseball, the student played for the varsity baseball team during his 9<sup>th</sup>-grade year which was the only team available at the school. In an effort to gain additional academic support for a 504 Plan, the student transferred to Zeeland West to begin his 10<sup>th</sup>-grade year. His grades have improved significantly through one semester at Zeeland West. The additional information was provided by the parent and verification from Zeeland Middle School that bullying did take place in the 8<sup>th</sup> grade. The school requested subvarsity eligibility in baseball for the 2021-22 school year.

The Executive Committee did not approve the request for waiver.

Custer-Mason County Eastern and Manistee Catholic Central Junior High Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program between these two junior high schools in boys and girls cross country (6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades combined). Mason County Eastern sponsors the sports and will be the primary school. Manistee Catholic Central was previously in a cooperative program with Manistee Middle School which has dissolved.

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. 17, 2022. Practice is permitted on the 14th Monday before Thanksgiving (Aug. 22, 2022). 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. 17, 2022, and this would permit some time off between fall and winter seasons. The Executive Committee has approved this request previously.

The Executive Committee approved the request for waiver. Practice for the middle schools of this league may begin on Wednesday, Aug. 17, 2022.

Michigan High School Football Coaches Association – The MHSAA was asked to “sponsor” three days of the spring evaluation period for NCAA Division I football coaches in Michigan. In past years, Detroit area schools have organized combine-type workouts for students, and college coaches have rotated and visited these school sites over the 48-hour period. State association sponsorship is required for NCAA Division I coaches to be present. These workouts include combine-type drills (40 time, shuttle run, etc.) along with some position-specific drills with no equipment other than the currently allowed items in the off season (helmets, shorts, shoes). This three-day period would be coordinated by the MHSFCA and would include the first two days at a number of Detroit area schools and would conclude on Day three at Chelsea, Jackson and Battle Creek-Central. Staff requested the Executive Committee approve MHSAA sponsorship and waive the four-player rule for these three events on these dates that are coordinated by the MHSFCA.

The Executive Committee approved the request.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, April 20, 2022, at 9 a.m. in East Lansing (Audit and Finance Committee follows); Sunday, May 1, 2022, at 10: 30 a.m. in Gaylord (Representative Council meets at 1 p.m.); and Wednesday, June 15, 2022, at 9 a.m. in East Lansing.