

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, November 3, 2010

Members Present:

Jim Derocher, Negaunee
Scott Grimes, Grand Haven
Vic Michaels, Detroit
Dan Flynn, Escanaba
Rudy Godefroidt, Hemlock

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.

Kalamazoo Central, Kalamazoo-Loy Norrix and Kalamazoo-Phoenix High Schools (Regulation I, Section 1[F]) – The Executive Committee approved a cooperative program in girls lacrosse between these three schools of the same district whose combined enrollment of 2,972 students will place a new team in the Division 1 tournament. None of the schools sponsored girls lacrosse previously; Kalamazoo Central will be the primary school. Support from the Southwest Michigan Athletic Conference was received.

Iron Mountain and Kingsford High Schools (Regulation I, Section 1[F]) – On Sept. 9, 2010, the Executive Committee approved a cooperative agreement in boys and girls bowling between these two schools. The submission and approval were in error because the combined enrollment of 1,063 students exceeded the maximum for Class B (966 students). MHSAA staff informed the schools that the bowling agreement was to be rescinded and an application for a baseball agreement would not be advanced. Kingsford High School requested that the cooperative bowling agreement be allowed for one year.

Compounding the matter is the existence of a boys and girls cross country cooperative agreement approved and operating since 1998 between these two schools, also over the Class B limit at that time and at present. Research of all cooperative agreements found one other program approved over the Class B limit.

The Executive Committee reaffirmed approval of the cooperative program in bowling for the 2010-11 school year only. Should the schools' combined enrollment of February 2011 exceed the Class B maximum, the cooperative agreements in both cross country and bowling will not be allowed in 2011-12.

Pickford, Cedarville and Kinross-Maplewood Baptist Academy High Schools (Regulation I, Section 1[E]) – The Executive Committee tabled until not later than Dec. 7 a partially completed application for the addition of Maplewood Baptist Academy to a baseball cooperative agreement which previously existed between Pickford and Cedarville since 2004. The combined enrollment of 293 students would continue placement of one team in the Division 4 tournament. Pickford would remain the primary school. Support from three future opponents has been received. Cedarville High School's Board of Education meets in mid November.

Tekonsha and Marshall Academy High Schools (Regulation I, Section 1[E]) – The Executive Committee approved a cooperative program in baseball, softball and girls soccer between these two schools whose combined enrollment of 161 students will place teams in Division 4 tournaments. Tekonsha was previously in an agreement with Coldwater-Pansophia Academy which has been dissolved. Tekonsha will be the primary school in baseball and softball; Marshall Academy, which has sponsored girls soccer previously, will be the primary school for girls soccer. Support from the Southern Central Athletic Association was received.

Traverse City-Grand Traverse Academy and Traverse City Christian High Schools (Regulation I, Section 1[E]) – The Executive Committee approved the addition of boys and girls track & field to a cooperative agreement which already exists between these two schools in boys and girls cross country. The combined enrollment of 269 students will place teams in the Division 4 tournaments. Both schools sponsored track & field previously; Grand Traverse Academy will be the primary school. Support from the Cherryland Conference was received.

Utica and Sterling Heights-Utica Ford II High Schools (Regulation I, Section 1[F]) – On Oct. 4, 2010, the Executive Committee approved a request to waive the 3,500-student enrollment cap for these two high schools of the same district to sponsor a subvarsity non-tournament boys lacrosse cooperative program to generate greater interest. The Executive Committee approved the request for a non-varsity program for 9th through 11th graders for three years or until either school establishes a separate varsity boys lacrosse program, whichever occurs first, at which time the matter will be returned to the Executive Committee's agenda for further evaluation. A completed application was submitted and approved by the Executive Committee. Support from the Macomb Area Conference was received.

Vicksburg, Kalamazoo-Hackett Catholic Central and Three Rivers High Schools (Regulation I, Section 1[F]) – The Executive Committee approved a cooperative program in boys lacrosse between these three schools whose combined enrollment of 1,993 will place a new team in the Division 1 tournament. None of the schools sponsored boys lacrosse previously; Vicksburg will be the primary school. Support from the Southwest Michigan Men's Lacrosse League was received.

Wolverine and Vanderbilt High Schools (Regulation I, Section 1[E]) – The Executive Committee tabled until not later than Dec. 7 a partially completed application for the addition of softball to a cooperative agreement which already exists between these two schools in baseball. The combined enrollment would place one team in the Division 4 tournament. Both schools sponsored softball previously; Wolverine would be the primary school. Support from the Northern Lakes Conference has not been received. The Wolverine School Board meets Nov. 8, 2010.

Dearborn Heights-Robichaud High School (Regulation I, Sections 8 & 9) – A request to waive the current academic credit record and transfer regulations was made on behalf of an 11th-grade student who attended Detroit-Communication and Media Arts for the first semester of the 2009-10 school year before enrolling at the Robichaud Ombudsman Alternative School for the second semester of 2009-10. Based on Interpretation 47d, the student was not eligible. The student's base-original school was CMA which naturally did not list the Robichaud alternative education program on its Enrollment Declaration Form. To begin the 2010-11 school year, the student enrolled at Robichaud High School and is currently ineligible under the transfer regulation until Jan. 17, 2011. Note 2 of Interpretation 47 grants eligibility to students who transfer into their base-original school, which is not Robichaud High School for this student. The school requested that the period of ineligibility served at the alternative school in the second semester of 2009-10 provide immediate eligibility for winter sports.

The Executive Committee did not approve the request for waiver.

Birch Run High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who participated in cross country at Clio and intends to enroll at Birch Run, his school of residence, at the end of the first trimester. The student's mother, who previously worked for the Clio Public Schools, is on sick leave.

The Executive Committee did not approve the request for waiver.

Buckley High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 61 (public school of residence) was made on behalf of a 10th-grade student who lived with his father in Traverse City, attending Traverse City West High School. The father has recently remarried. The student and father moved into the stepmother's residence in Mesick. The student enrolled at Buckley High School because three step-siblings have been enrolled in Buckley Schools since Kindergarten.

The Executive Committee approved the request for waiver.

Burton-Madison Academy High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Madison Academy for the 9th grade before enrolling at Swartz Creek Academy because Madison Academy relocated 8.8 miles further from its previous location in Flint and several miles further from the student's residence in Swartz Creek. The student was not happy at the new school and reenrolled at Burton-Madison Academy (at its new location) on Oct. 18, 2010.

The Executive Committee did not approve the request for waiver.

Clinton Township-Clintondale High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who was the victim of assault in April 2010 by a Fraser High School classmate. The case is currently pending in the Macomb County Circuit Court. The student enrolled at Clintondale to begin the 2010-11 school year.

The Executive Committee approved the request for waiver.

Crystal Falls-Forest Park High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 61 (public school of residence) was made on behalf of an 11th-grade student who is a ward of the court and who was ordered to attend Forest Park High School which is not the school district the group home is located in (as called for under Exception 3). The group home is located in the Iron River-West Iron County School District where the student attended for 2009-10 before being ordered to change schools for 2010-11. The student participated while ineligible in two volleyball games which have been forfeited to opponents.

The Executive Committee approved the request for waiver.

Eastpointe-East Detroit High School (Regulation I, Section 9[D]) – A request to waive the transfer regulation was made to permit eligibility on the 91st school day of enrollment on behalf of an 11th-grade student who completed the 9th and 10th grades at East Detroit High School and began the 11th grade in the 2010-11 school year at Detroit-Loyola High School before reenrolling at East Detroit on Oct. 4, 2010.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at East Detroit High School starting Oct. 4, 2010.

Eau Claire High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who is a Benton Harbor resident who attended Eau Claire Schools since the 7th grade except for the beginning of the 2010-11 school year when the student enrolled at Benton Harbor High School in anticipation of a program designed to pay college tuition. The program did not come to be, and the student reenrolled at Eau Claire High School on Oct. 7, 2010.

The Executive Committee did not approve the request for immediate eligibility but approved the request for waiver effective with the student's 91st school day of enrollment at Eau Claire High School starting Oct. 7, 2010.

Essexville-Garber High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who resides in the Garber School District and has attended there from Kindergarten through 9th grade. The student found the block classes at Garber difficult. To begin the 10th grade in 2010-11, the student enrolled at Bay City-John Glenn High School which has six shorter class periods per day. The student has struggled at John Glenn and intends to reenroll at Garber High School on Nov. 8, 2010, after the first marking period.

The Executive Committee did not approve the request for waiver.

Fraser High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who attended Fraser High School for the 9th and 10th grades before his family moved to the Chippewa Valley School District. After two school days and no athletic participation at Chippewa Valley (Sept. 7 and 8, 2010), the student reenrolled at Fraser High School on Sept. 9, 2010.

The Executive Committee approved the request for waiver.

Grand Haven High School (Regulation I, Section 9[D]) – A request was made on behalf of a 9th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Spring Lake High School, participated in tennis and enrolled at his school of residence, Grand Haven High School, on Oct. 11, 2010.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Grand Haven High School starting Oct. 11, 2010.

Grand Rapids-Forest Hills Northern High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who previously attended Forest Hills Eastern High School and was diagnosed with a non-verbal learning disability, causing the student to struggle academically and enroll at Forest Hills Northern High School to begin the 2010-11 school year. The school requested eligibility in the hockey cooperative agreement between these two schools of the same district because the change of schools was to access the special education programs at Forest Hills Northern. The student did not participate in the cooperative program in the previous school year.

The Executive Committee did not approve the request for waiver.

Holland Christian High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student whose father died in an auto accident when the student was in the 8th grade. The student lived with his mother in Okemos for 9th grade, attending Okemos High School, and then lived in East Lansing with an older brother (an MSU graduate student at the time) for 10th grade at Okemos High School. For the 11th grade, the student attended a military school in Georgia. He has returned to the residence of his brother in Holland where his brother is employed. The student has not lived with his mother since the 9th grade due to her illness. Holland Christian High School is the closest nonpublic school to the brother's home in Holland.

The Executive Committee approved the request for waiver.

Kent City High School (Regulation I, Section 9) – A request to waive the transfer regulation and specifically Interpretation 61 (public school of residence) was made on behalf of a 10th-grade student who has changed residences between divorced parents, from his father in Kent City to his mother's residence in Grant, and changed schools from Sparta to Kent City. The student attended Sparta Schools from grades 2-9 while living with his mother in Sparta for grades 2-5, and the father's residence in Kent City for grades 6-9.

The Executive Committee did not approve the request for waiver.

Manistee High School (Regulation I, Section 9[D]) – A request was made on behalf of 9th and 10th grade brothers to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The students previously attended Brethren High School, participated in football and enrolled at Manistee High School on Oct. 13, 2010.

The Executive Committee approved the request for waiver effective with the students' 91st school day of enrollment at Manistee High School starting Oct. 13, 2010.

Portland-St. Patrick High School (Regulation I, Section 9[D]) – A request was made on behalf of a 10th-grade student to waive the transfer regulation to permit eligibility on the 91st school day of enrollment. The student previously attended Portland High School before enrolling at St. Patrick on March 8, 2010.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at St. Patrick High School starting March 8, 2010.

Saginaw High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student whose parents are deemed unfit and who has lived with his grandmother for the past three years. The student previously attended Saginaw-Buena Vista High School. On Aug. 25, 2010, the grandmother became ill and sent the student to live with an aunt and uncle in the Saginaw School District. The grandmother died on Sept. 9, 2010. The student enrolled at Saginaw High School to begin the 2010-11 school year.

The Executive Committee approved the request for waiver.

Stockbridge 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 Saranac High School before enrolling at Stockbridge on Oct. 7, 2010. The student lives in the Perry School District and has changed schools for unstated circumstances beyond the student's control.

The Executive Committee did not approve the request for immediate eligibility but approved the request for waiver effective with the student's 91st school day of enrollment at Stockbridge High School starting Oct. 7, 2010.

Wayland Union High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of an 11th-grade student who was attending a residential treatment program which allowed the student to reside partially at his home and partially at the program's facility. The student is preparing to reenroll at Wayland Union (his former school) but does not meet the specifics of Exception 2 as he has been partially residing with his parents.

The Executive Committee approved the request for waiver.

Wyoming Park High School (Regulation I, Section 9) – A request to waive the transfer rule and specifically Interpretation 61 (public school of residence) was made on behalf of a 12th-grade student who began the 9th grade at Wyoming Park before changing residence to Grandville for the 10th and 11th grades. The student and family have returned to reside in Wyoming but have moved into the Rogers attendance area. The student has returned to his former school but not his school of residence.

The Executive Committee approved the request for waiver.

Ypsilanti-Willow Run High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who previously attended Ypsilanti High School and participated in basketball in the 9th grade. The student enrolled at Willow Run on Oct. 19, 2010, due to transportation problems which arose when the Ypsilanti Public Schools discontinued bus service into the Willow Run School District.

The Executive Committee did not approve 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
Charlotte	9	DeWitt	Nov. 8, 2010	Remainder of 2010-11 school year
Flint-Powers Catholic	9	Fenton	Oct. 11, 2010	91 st school day of enrollment
Grand Rapids-Forest Hills Central	9	West Michigan Aviation Academy	Nov. 2, 2010	Remainder of 2010-11 school year
Howard City-Tri County	10	Cowden Lake Bible Academy	Sept. 7, 2010	Jan. 17, 2011
Paw Paw	9	Mattawan	Sept. 10, 2010	Jan. 17, 2011
Ravenna	9	Coopersville	Nov. 8, 2010	Remainder of 2010-11 school year
St. Joseph-Lake Michigan Catholic	10	Benton Harbor-Dream Academy	Sept. 20, 2010	Jan. 17, 2011
Traverse City Christian	10	Traverse City Central	Sept. 2010	Jan. 17, 2011

Flat Rock High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 233, a request to waive the three/four-player rule for the 2010-11 school year was made on behalf of the boys varsity bowling coach who is also the high school athletic director and who is a volunteer coach of a Saturday morning youth bowling program at Flat Rock Lanes. The program has been coordinated by family members and involves over 100 participants from age 4-21 from 11 school districts including Flat Rock (Huron, Airport, Gibraltar-Carlson, Monroe-Jefferson, Monroe, Brownstown-Woodhaven, Trenton, Wyandotte, Romulus-Summit Academy and Monroe-St. Mary Catholic Central).

The Executive Committee did not approve the request for waiver.

Grand Haven High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 233, a request to waive the three/four-player rule for the 2010-11 school year was made on behalf of the girls varsity assistant and girls middle school head swimming coach who is also the full-time head coach of the Grand Haven Swim Club. The program is open to students in grades 1-12 and has approximately 150 participants from six neighboring school districts including Grand Haven (Spring Lake, Fruitport, North Muskegon, Muskegon-Mona Shores and Muskegon Catholic Central). It is estimated that 40 of the participants are Grand Haven students in grades 7-12.

The Executive Committee approved the request for waiver for this coach for the 2010-11 school year.

Tecumseh High School (Regulation II, Section 11[H]) – Pursuant to Interpretation 233, a request to waive the three/four-player rule for the 2010-11 school year was made on behalf of the girls varsity swimming coach who is also the full-time director of the Tecumseh Community Pool. The non-school program is open to students from age 5-18 and has approximately 77 participants from five neighboring school districts including Tecumseh (Adrian, Britton-Macon, Clinton and Tipton). It is estimated that three of the participants are Tecumseh students in grades 7-12. Approximately 50 Tecumseh participants are under 12 years of age.

The Executive Committee approved the request for waiver for this coach for the 2010-11 school year.

Regulation III, Section 1(C) – Pursuant to 2010-11 *Handbook* Interpretation 258, waiver of the enrollment regulation was approved 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 2010-11 school year only.

Junior High/Middle School	Sport(s)	High School Enrollment	Middle School Enrollment
Burton-St. Thomas More Academy	boys & girls basketball	40	23 7 th & 8 th graders
Camden-Frontier	boys basketball	157	22 7 th -grade boys 16 8 th -grade boys
Lansing Christian	7 th grade girls basketball	180	16 7 th -grade girls

Perry and Morrice Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in girls competitive cheer between these two member middle schools. Perry sponsored the sport previously and will be the primary school.

Traverse City-Grand Traverse Academy and Traverse City Christian Middle Schools (Regulation III, Section 1[D]) – The Executive Committee approved a cooperative program in boys and girls track & field between these two member middle schools. Traverse City Christian was in an agreement with Traverse City-The Pathfinder School which has recently dissolved in boys and girls track & field and cross country but will continue in other sports. Grand Traverse Academy will be the primary school.

Homer High School (Regulation V, Section 3) – On Oct. 15, 2010, the varsity football coach removed his team from competition in protest with 8:04 remaining in the fourth quarter of a game against Springport High School. Springport was leading 50-30. The Officials Report, news clippings and a letter from Springport High School were provided for the Executive Committee's review, along with the response of Homer High School administration.

The Executive Committee placed the Homer High School football program on probation through the end of the 2011 football season, with the following conditions:

1. The varsity head football coach may not be in attendance for the school's first varsity football game of the 2011 season.
2. Prior to March 1, 2011, the school must provide:
 - a. detailed action plans to implement its proposals for (1) improved game management, (2) reconfiguration of its football facility, and (3) installation of leadership and management strategies from a coaching education program; and
 - b. a copy of the adopted policy for coaches' comments to media.

Committees – The Executive Committee approved appointments to MHSAA committees scheduled to meet after Jan. 1, 2011 (phase two).

Flexible Benefit Plan –The Executive Committee approved the Restated Summary Plan Description for the Michigan High School Athletic Association, Inc. Flexible Benefit Plan, effective as of Jan. 1, 2011.

IRS Form 990 – The Executive Committee reviewed and approved for filing the professional auditor's draft of the IRS Form 990 for the 2009-10 Fiscal Year.

Representative Council – The Executive Committee reviewed the schedule and draft agenda for the Dec. 9, 2010 Council meeting.

Next Meetings – The next meetings of the Executive Committee are scheduled for Wednesday, Dec. 8, 2010, at 1:30 p.m. in East Lansing (with Representative Council meeting Dec. 9); Wednesday, Jan. 12, 2011, at 8:30 a.m. in East Lansing; Wednesday, Feb. 23, 2011, at 8:30 a.m. in East Lansing; and Thursday, March 24, 2011, at 1:30 p.m. in East Lansing (with Representative Council meeting March 25).