

MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

East Lansing, February 23, 2011

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.

Almont 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 foreign exchange student from a CSIET-approved program who enrolled Jan. 24, 2011 for the first of two consecutive semesters. The student's host family lives in the Imlay City School District but has had their own child attending Almont Schools for the past four years.

The Executive Committee approved the request for waiver.

East Jordan High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who resided with his grandparents in East Jordan from Kindergarten through the 6th grade and lived with an uncle from the spring of his 6th grade through the first semester of the 10th grade in the Johannesburg-Lewiston School District. The student has now returned to his grandparents in East Jordan, enrolling at East Jordan High School on Nov. 21, 2010. The student previously participated in high school athletics.

The Executive Committee did not approve 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 10th-grade student who attended Grosse Ile High School for the 9th grade while residing with both parents, who lost their jobs in 2010. The mother found employment in Pennsylvania where the student enrolled to begin the 2010-11 school year with the intention that the whole family relocate. The Grosse Ile residence did not sell and the father split time each month between Pennsylvania and Michigan. The student reenrolled at Grosse Ile High School on Feb. 1, 2011, and is now residing with his father. The mother and a 9th grade sister remain in Pennsylvania.

The Executive Committee approved the request for waiver.

Johannesburg-Lewiston 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 12th-grade student who has been living in Sault Ste. Marie and playing non-school hockey while living without his parents. The student is currently enrolled at Sault Area High School for the 12th grade. The student attended Johannesburg-Lewiston Schools through the 8th grade, Gaylord High School for the 9th grade and Houghton High School for the 10th and 11th grades, also playing non-school hockey. In March 2011, the student will be returning to the residence of his parents (Exception 2) in Gaylord and enrolling at Johannesburg-Lewiston where the student has a 10th grade brother in attendance and a long history of family attendance and involvement.

The Executive Committee approved the request for waiver.

Lansing Catholic 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 Traverse City-St. Francis High School until his mother died in December 2010. The student relocated to an aunt's home in Okemos, enrolling at Lansing Catholic on Jan. 3, 2011. The student's father lost his job and has been living and working in California for the past two years, visiting monthly. Lansing Catholic is the closest Catholic high school to the student's new residence.

The Executive Committee approved the request for waiver.

Lawton High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student who attended Lawton for the 9th grade before the family was evicted from their apartment and moved to a trailer in Paw Paw. Due to family issues, and after his 17th birthday, the student moved into the home of a family in Lawton and he reenrolled at Lawton High School on Jan. 21, 2011. The student participated previously in athletics.

The Executive Committee approved the request for waiver.

Madison Heights-Madison 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 Madison Schools her entire career through the 10th grade while living with her divorced father in the Madison School District. For the first semester of the 2010-11 school year, the student moved to Roseville to live with her aunt on school days and her father on weekends and breaks while attending Warren Mott High School. The student has returned to live full time with her father (Exception 2) and reenrolled at Madison High School on Jan. 20, 2011.

The Executive Committee approved the request for waiver.

Marine City High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 12th-grade student whose family was separated from an abusive home by Child Protective Services in April 2010 and who previously attended Marine City High School from grades 9-11. After living in a shelter and finding suitable housing in Port Huron, the student enrolled at Marysville High School to begin the 12th grade in the 2010-11 school year. In December 2010, the student reenrolled at Marine City High School in order to graduate with his classmates.

The Executive Committee approved the request for waiver.

Mattawan 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 12th-grade student who previously attended school in Colorado before enrolling at Mattawan High School on Oct. 18, 2010.

The Executive Committee approved the request for waiver effective with the student's 91st school day of enrollment at Mattawan High School starting Oct. 18, 2010.

Negaunee High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 9th-grade student who lived with both parents in Green Bay, Wisconsin and has moved to Negaunee with her father, who accepted employment in the area four months ago. The father has a one-year lease on an apartment in Negaunee while the mother remains in Wisconsin pending sale of the former residence. The student enrolled at Negaunee on Jan. 24, 2011. The student has not previously participated in athletics, but Negaunee does not have subvarsity softball.

The Executive Committee approved the request for waiver.

Norway High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a of an 11th-grade student who previously attended school in South Elgin, Illinois while residing with his parents. The student has moved into the residence of a teacher in Norway due to the environment at the former school. The student prefers a smaller school, was unmotivated and doing poorly academically in Illinois. The student enrolled at Norway on Jan. 24, 2011.

The Executive Committee did not approve the request for waiver.

Oscoda High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of a 10th-grade student originally from Honor, Michigan, who moved with his family to Oregon in 2008 when the father could not find work in Michigan. When the grandparents recently became ill, the student, his mother and a sibling returned to Oscoda to reside with the grandparents and the student enrolled at Oscoda High School on Jan. 5, 2011. The father is completing work in Oregon and will be joining the family when construction work is finished.

The Executive Committee did not approve the request for waiver.

Richmond High School (Regulation I, Section 9) – A request to waive the transfer regulation was made on behalf of two 11th grade sisters who previously attended St. Clair High School which has declined to sign an Educational Transfer Form. The students were living with their divorced mother in the St. Clair attendance area, and moved to the residence of their divorced father which is also in the St. Clair attendance area. The students enrolled at Richmond High School on Jan. 31, 2011.

The Executive Committee did not approve the request for waiver.

Troy-Athens 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 9th-grade student whose mother's business has failed and whose home is in foreclosure. The student has made a full and complete residential change from Clarkston, where he enrolled to begin the 9th grade and participated in athletics, to the Troy High School attendance area on Jan. 29, 2011, because no homes were available for rent or sale in the Troy-Athens attendance area. The student has numerous connections at Athens High School where the student enrolled to begin the second semester on Jan. 31, 2011.

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 |
|-------------------------|-------|--------------------------|--------------------|-----------------------------------------|
| Bloomfield Hills-Lahser | 10 | Birmingham-Roeper | Feb. 2, 2011 | Reminder of 10-11 school year |
| Bloomfield Hills-Lahser | 10 | Bloomfield Hills-Andover | Oct. 25, 2010 | Remainder of 10-11 school year |
| Dearborn-Divine Child | 9 | Farmington Hills-Mercy | Jan. 17, 2011 | Remainder of 10-11 school year |
| Farmington Hills-Mercy | 9 | Farmington | Jan. 18, 2011 | Remainder of 10-11 school year |
| Farmington Hills-Mercy | 9 | West Bloomfield | Jan. 18, 2011 | Remainder of 10-11 school year |
| Holland | 10 | Wavecrest Academy | January 2011 | Remainder of 10-11 school year |

Camden-Frontier High School (Regulation II, Section 8[B]) – A request was made to allow the varsity girls basketball coach, who is also the parent of a 12th-grade team member, to resign her basketball coaching position after the last regular season game and be permitted to attend the team's MHSAA Tournament basketball games as a spectator without penalty to the team.

For the second consecutive meeting, the Executive Committee reviewed the list of schools which had coaches who failed to complete the rules meeting requirement and the variety of reasons given for not completing the requirement. The situation of this coach was not significantly different from others. However, this is one of very few cases where the coach is also a parent of a player; and it is the only case in which the parent resigned as the coach in order to seek permission to attend the MHSAA Tournament contests in which the parent's child would be participating.

Because this person is a parent of a player on the varsity team, the Executive Committee determined that the resignation from coaching this team at the conclusion of its last regular season game is, in this case, an adequate consequence of the failure to complete the rules meeting requirement. This person may not be involved in any basketball coaching duties, including being present at practices.

This decision is made with the understanding that the resignation is permanent. This matter must be returned to the Executive Committee if the school district is interested in rehiring this person to coach basketball in the future, at which time additional consequences may be stipulated.

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 head boys and girls high school swimming coach who is a retired school teacher who generates non-retirement income through the Aquatics Center and would like to be the head coach of the Grand Haven Swim Club and the Coast Guard City Swimmers USA team. In addition, a request was made for the assistant coach of both high school teams, who is employed as an administrator for a nearby school district, to serve as an assistant coach of the Grand Haven Swim Club. The program is open to students in grades 7-12 and anticipates 45 participants from five school districts including Grand Haven (Spring Lake, Fruitport, Muskegon, and Holland). It is estimated that 12-18 of the participants are Grand Haven students.

The Executive Committee approved the request for waiver for the head coach and did not approve the request for the assistant coach.

Regulation III, Section 1(C) – Pursuant to 2010-11 *Handbook* Interpretation 258, waiver of the enrollment regulation has been 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 2011-12 school year only.

| Junior High/ Middle School | Sport(s) | High School Enrollment | Middle School Enrollment |
|-------------------------------|--------------------------------------------------------------------------|---------------------------|-----------------------------------------------------------------------------------------------------|
| Atlantic Mine-EB Holman | boys & girls basketball, boys & girls track & field | N/A | 29 7 th & 8 th graders |
| Engadine | Boys & girls basketball, boys & girls track & field, girls volleyball | 92 | 23 7 th & 8 th grade boys 18 7 th & 8 th grade girls |

Capac Middle School (Regulation III, Section 1[C]) – A request was made to waive the enrollment regulation on behalf of a 13 year old 6th-grade student who is eligible by age for the 7th- and 8th-grade wrestling team.

The Executive Committee did not approve the request for waiver.

New Member School – 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:

Detroit-Aisha Shule-W.E.B. DuBois Preparatory Academy is an independent charter school whose charter is held by the Detroit Public Schools. Currently there are 98 students in grades 9-12. The school is located in a former Detroit Public Schools elementary school building with a small gymnasium for practices, and competition expected to occur at other local facilities. The grounds are undeveloped but have space for outdoor game field and courts. In 2011-12, the school intends to sponsor boys and girls basketball. The Athletic Department Code of Conduct and Preliminary Enrollment Declaration were also received. A signed 2010-11 Membership Resolution was received after the fourth Friday after Labor Day 2010 on Jan. 4, 2011. If a 2011-12 Membership Resolution is received prior to Sept. 30, 2011 and a 2012-13 Membership Resolution is received prior to Sept. 28, 2012, the school could be eligible for MHSAA tournaments for the 2012-13 school year.

Representative Council – The Executive Committee reviewed a draft agenda for the March 25, 2011 Representative Council meeting.

Next Meetings – The next meetings of the Executive Committee are scheduled for Thursday, March 24, 2011, at 8:30 a.m. in East Lansing (with Representative Council meeting March 25); Wednesday, April 20, 2011, at 8:30 a.m. in East Lansing (with Audit and Finance Committee meeting to follow); Sunday, May 1, time to be determined, in Bellaire, with Representative Council meetings to follow); and Wednesday, June 15, 2011, at 8:30 a.m. in East Lansing.