

SR-145, As Adopted by Senate, May 3, 2012

Senator Casperson offered the following resolution:

Senate Resolution No. 145.

A resolution to urge the Michigan High School Athletic Association to adopt a policy that allows an age eligibility waiver for students with disabilities.

Whereas, The Michigan High School Athletic Association (MHSAA) currently provides no waivers or exemptions to the maximum age eligibility requirement for students participating in athletics. Students cannot compete in high school sports if they are older than 19 years before September 1. This is the only rule that is not subject to a waiver; and

Whereas, Students with mental and physical disabilities are held back in school to ensure their academic success, not to provide a competitive advantage in sports; and

Whereas, At least 23 other states allow waivers for students with disabilities. Eight states, including Ohio, specifically provide for an age eligibility waiver for students with disabilities, while 15 additional states allow for waivers from any rule if undue hardship to the student would occur; and

Whereas, The current MHSAA policy, while well-intentioned, is no longer meeting its intended purpose, but rather is punishing students with disabilities who may reach high school at an older age. This rule unnecessarily denies them the opportunity to enjoy the camaraderie and competition of high school sports with their friends and teammates. It denies them a memory that they will cherish for a lifetime. In denying this honor, it deprives them of an opportunity to build self-esteem, self-confidence, and identity--lessons that cannot be learned elsewhere; and

Whereas, It seems reasonable that the MHSAA could adopt a policy that balances opportunities for special needs students with the need to protect the integrity of high school sports by permitting an eligibility waiver for students with disabilities in certain limited circumstances; and

Whereas, Such a revision would simply enable a small number of deserving students who have experienced hardship due to a disability to play a full four years of high school sports. It would in no way represent a threat to the safety of other competitors, give their team an unfair competitive advantage, or impose an undue administrative or financial burden upon the MHSAA. If other states can make this work, so can Michigan; and

Whereas, A revision that permits a case-by-case determination that would allow special needs students who meet certain criteria to compete addresses the No. 1 purpose of the MHSAA, which is to "increase and promote the educational value of interscholastic athletic programs through the state." It would also promote many of the very basic purposes of interscholastic athletics; and

Whereas, The need for this rule change is highlighted by the plight of Eric Dompierre, a junior at Ishpeming High School who has Down syndrome, which led to his being held back in junior kindergarten and first grade. Eric is doing well in school, in part, because of his love for and participation in basketball; now, therefore, be it

Resolved by the Senate, That we join with over 80,000 people who have signed an online petition in support of a rule change that would allow Eric Dompierre and other special needs students like him to compete in high school sports. We urge the Michigan High School Athletic Association to adopt a policy that allows an age eligibility waiver for students with disabilities; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan High School Athletic Association.