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RULES VERSUS REASON

By Phil Taylor

HIDEBOUND STATE OFFICIALS THREATEN TO KEEP A HIGH SCHOOL BASKETBALL PLAYER WITH DOWN SYNDROME OFF THE COURT.

No wonder the bureaucrats don't want to let Eric Dompierre to play high school basketball next year. Who authorized him to go around inspiring people? When Eric, who has Down syndrome, entered the game for Ishpeming (Mich.) High at the end of blowouts this season, his teammates worked to get him open for his lefty jumpers. Whenever he hit one-he scored a total of 11 points this season-everyone in the gym reacted as if he had just drilled a buzzer beater over Kobe Bryant. "Our fans, the other teams' fans, they were all so moved by him," says Ishpeming coach Bob Salisbury. "If they weren't cheering, they were crying." Well, there you go. Eric caused people to drive home with their eyes clouded by tears. Can't you see what a safety risk he is?

Not only that, but Eric gave Ishpeming a clear competitive advantage because of his height. "Well, he'll tell you he's 5'3", " says his dad, Dean, "but that might be stretching it." How were opponents supposed to find anyone short enough to match up against Eric for those few moments he was in the game?

Then there are the lessons that Eric taught other players about perseverance and getting the most out of your ability and embracing the differences in people. Obviously that kind of thing can't be permitted to go on unchecked. Somebody take a look at the bylaws. Is Eric allowed to do that without filing the proper forms?

O.K., those aren't the real reasons that Eric is ineligible to play as a senior next season, but they're only slightly more absurd than the Michigan High School Athletic Association's rationale for refusing to allow him to finish his careers in basketball and football. (He kicks extra points.) State high school rules require players to be 18 or younger as of Sept. 1 to be eligible. Eric, who started school late because of his disability, turned 19 three months ago. The rule book, and the officials who refuse to amend it, threaten to do what Down syndrome never could-keep Eric off the court.

"I'd be sad if I couldn't play," Eric says. "I like my teammates, and they like me. So I really hope I can be on the team again." Lots of other people hope so too. As of Sunday there were more than 64,000 signatures on a Change.org online petition urging the MHSAA to waive the rule for Eric. The accompanying statements of support have been heartening for Eric, even as his father tries to prepare him for the worst. "Lately he hasn't asked about the situation as much," says Dean, who teaches fifth- and sixth-grade science. "He understands there's a real possibility that this won't end the way we want it to. It's a shame because he's always loved sports and playing on teams has helped him so much with his social development and self-

confidence. I'm afraid he'll lose some of that if he's not allowed to play."

The MHSAA has twice rejected proposals from the Dompierre family to allow the rule to be rewritten or waived for athletes with certain disabilities. With the backing of the Ishpeming school district, Dean submitted a third, last-ditch proposal last week, which will be considered by the 19-member Representative Council of the MHSAA in May. It's up to the council to decide whether to put the proposal to a vote by the member schools. "Our requests have fallen on deaf ears," Dean says. "I can't understand how grown men and women can do that to kids like this. It's unconscionable."

MHSAA officials say they're not Grinches. "Our heart goes out to this young man and his family as it does to other students whose eligibility runs out for high school sports," Tom Rashid, associate director of the MHSAA, said in an e-mail. "The Representative Council ... prefers a maximum-age rule that applies to all students regardless of their ability or disability. Among the concerns expressed was the broad definition of disability and undue burden that is required to determine whether individual factors (e.g., height, weight, and maturity) render a student's age an unfair advantage or safety risk."

In other words, if an exception is made for Eric, eventually some unscrupulous school might try to take advantage of the precedent by claiming its 6'10" overage stud should get the same treatment because of a bogus disability. The MHSAA doesn't want to sift through claims to decide when to apply the waiver.

But according to Dean Dompierre's research, 23 other state high school associations allow for exceptions to their maximum-age rule. His latest proposal is modeled after the rule in Ohio, which considers granting age-limit waivers only to players who can provide documented proof of their disability and who do not create an unfair competitive advantage or a physical danger to themselves or other players. "The Ohio association processes four waiver requests a year, on average," Dean says. Not exactly an "undue burden."

Dean is overwhelmed by the nationwide support for Eric, but he knows that there's no guarantee public pressure will sway MHSAA officials. "I wish I could have them come to a game so they could watch what it does for Eric and what he does for the crowd," he says. "If they could just see." If the spirit of the law doesn't move them, surely the spirit of a young man would.

**WHAT IS YOUR REACTION?
SHARE WITH AT LEAST 5 CLASSMATES.**