

# LHSAA reverses itself, allows sick teen to play baseball

By Joe Gyan Jr.

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It took a federal lawsuit against the Louisiana High School Athletic Association to help achieve it, but Family Christian Academy student Sean Thiel is now hearing the words he longed to hear: “Play ball!”

After initially declaring the Baton Rouge sophomore with a life-altering illness ineligible to compete on the baseball diamond because he missed too much school, the LHSAA — after the March 3 filing of the federal suit — decided to grant Thiel a hardship waiver that allowed him to take the field.

Thiel’s father, Michael Thiel, a lawyer, and Yigal Bander, an attorney for the Thiel family applauded the state high school athletics governing body for re-examining the case and reversing its earlier decision.

“I commend the LHSAA for taking another look at this. We have no ill will. We’re just happy they re-evaluated the situation,” Michael Thiel said, noting his son already has played in two baseball games since the reversal and has recorded a couple of hits. “It is a positive story for a change. It’s the right result,” he added. “It reinforces your faith in humanity.”

Thiel said his 18-year-old son, as part of an agreement reached with the LHSAA, must meet all future eligibility requirements to continue playing high school sports.

“We weren’t asking for a free ride,” Bander stressed. “To their (the LHSAA’s) credit, they took another look at it.”

Bander filed a notice of voluntary dismissal of the suit Tuesday in U.S. District Court in Baton Rouge.

LHSAA Executive Director Kenny Henderson declined Thursday to comment on the resolution of the case.

The Thiel family alleged in their suit the LHSAA discriminated against their son because of his disability and violated the Americans With Disabilities Act and

Sean Thiel's constitutional rights when it denied him a hardship waiver despite the fact the family said he met the requirements for the waiver.

Sean Thiel suffers from achalasia, a rare disease that affects the esophagus and the ability of the esophagus to move food to the stomach, and has missed school intermittently for several years. Achalasia is incurable, but Thiel's condition has been stabilized after surgery at the Mayo Clinic more than three years ago, his father said earlier this month.

Before the surgery, Michael Thiel said, his son was starving.

A student has eight semesters to play sports once that student enters the ninth grade, and the student is not allowed to play in the second semester of the school year if that student does not pass at least six units from the first semester, according to the LHSAA

A student, however, is eligible for a hardship waiver if "the condition that caused the student-athlete not to meet the basic eligibility requirements is involuntary, unforeseen, uncorrectable, and creates a unique situation concerning the student-athlete's educational, emotional, or physical status that is beyond the control of the school, the school system, the student and/or his/her parents or guardian," the LHSAA website states.

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