Transfer During the Season After a Student Has Participated in a Regular Season Contest

The OHSAA receives more inquiries about the transfer bylaw than any other aspect of eligibility. Unfortunately, we perhaps should receive more, as invariably an administrator has made his/her own call that later results in forfeiture or worse. Reach out when in doubt!

NOTE: Students who change high schools (transfer) are reminded that they must meet all eligibility standards found in Bylaw 4. This includes meeting the out of state residency bylaw 4-6-3, which requires a student to have a parent residing in Ohio or to meet one of the exceptions to that residency bylaw.

A student is considered to have transferred whenever a.) enrollment is changed from one school to another school and the student attends a new school, or b.) enrollment is changed from one school to become home schooled, or c.) the student participates in a practice, scrimmage or contest with a school-sponsored squad of a school in which the student has not been enrolled and attending, or d.) the participation opportunities afforded a student pursuant to state law change. Notwithstanding (c) and (d) above, if a non-enrolled student’s participation is pursuant to O.R.C. §§ 3313.5311 (Ohio non-public school students) or 3313.537 (Ohio community/STEM school students), the non-enrolled student’s participation opportunity shall transfer back to the non-public school or Community/STEM school in which the student is enrolled without transfer consequences. If the non-public school or Community/STEM school ever sponsors the sport/sports in which the non-enrolled student wishes to participate, the student’s participation opportunity shall also be transferred back to the school of attendance without consequence. Furthermore, any in-season changes in the participation opportunities that may be afforded by state law shall be subject to Bylaw 4-7-3.

If a student transfers at any time after the fifth day of the student’s ninth grade year or after having established eligibility prior to the start of school by playing in a contest (scrimmage, preview/jamboree, Foundation game or regular season/tournament contest), the student shall be eligible, insofar as transfer is concerned, ONLY until the first 50% of the maximum allowable varsity regular season contests (including all scrimmages, preview/jamboree/Foundation games) have been competed in those sports in which the student participated (participation being defined as playing in a contest) during the 12 months immediately preceding this transfer. This transfer consequence shall remain in effect until the one-year anniversary of the date of enrollment in the school to which the student transferred, at which time the student is no longer considered a transfer student.

After the first 50% of the maximum allowable varsity regular season contests have been competed (regardless of the participation level of the student), the student shall then become INELIGIBLE for the remainder of the regular season contests at all levels. Furthermore, the student shall also remain ineligible to participate in the OHSAA sponsored tournament(s) in those respective sports until the one-year anniversary of the student’s date of enrollment. A student who did not participate in an OHSAA recognized sport in the 12 months immediately preceding the transfer is not subject to the consequence of this transfer bylaw.
Notwithstanding the above, if a student transfers during the season of a sport in which he or she has participated in a regular season contest, and if Bylaw 4-7-3 requires that the student is ineligible for participation in the remainder of the contests in that sports season, the student shall remain ineligible for the remainder of all regular season contests, as well as the OHSAA tournament, in that sport at the school into which the student has transferred. Furthermore, the student shall finish fulfilling his/her transfer consequence, for ONLY that sport in which the mid-season transfer occurred, at the commencement of the sport season during the next school year. This consequence requires that the student shall remain ineligible for all pre-season contests (scrimmages, preview/jamboree, Foundation games) and all regular season contests until the total number of varsity regular season contests missed (including those missed during the previous season) equals 50 percent of the maximum allowable regular season varsity contests in that sport.

Note 1: For purposes of this bylaw, a student is considered to have participated in a sport if he/ she has entered, if for only one play, a scrimmage or contests at any level of competition/contests (e.g. freshman, junior varsity and varsity).

Note 2: ORC 3313.5312 (Ohio home educated students) has been intentionally left out of the exclusions of subpart (b) addressing students participating in programs where they are not enrolled. Once a home-educated student in accordance with state law participates with a school sponsored squad of a school in which the student is not enrolled, the student’s eligibility is established at that school. Participating on any other schools’ sponsored squad will be considered a transfer for which the balance of this bylaw and its exceptions would be applicable.

Please note, each participation change will be considered a transfer.

In the event of a student transfer, no ruling is required from the Executive Director’s Office, and no paperwork is necessary if that student’s transfer does not meet an exception to the transfer bylaw or if the student did not participate in any OHSAA recognized sport at any high school in the 12 months immediately preceding the transfer into the new high school. Understanding that basic rule is fundamental to dealing with transfer students.

Of course, in our society today, students do indeed change schools for various reasons. The member schools have identified a few transfer scenarios that they recognize should be exempted from the general transfer bylaw. To deal with those limited scenarios our member schools have adopted 11 exceptions, one of which MAY apply to a student who changes high schools.

The use of the word MAY is instructive since not all transfer students can meet one of these exceptions and for each of these exceptions (unless no ruling is required as in exception 3), the transfer student is ELIGIBLE, insofar as transfer is concerned, for all pre-season contests and up through the first 50% of the maximum allowable varsity regular season contests. The period of INELIGIBILITY begins at the second 50% of the maximum allowable varsity regular season contests and continues through the OHSAA tournament OR until ruled eligible by the Executive Director’s Office. For a student to avail herself/himself of one of these exceptions, action on the part of the member school administrator as well as the OHSAA staff is required. The purpose of this series on the Transfer Bylaw is to provide guidance as to the required action on each of the exceptions, if applicable.

This bylaw requires the administrator to determine the following:

1. Is the student a transfer student? In other words, did the student change schools after establishing eligibility by playing in a high school contest prior to the start of the 9th grade or after the 5th day of the 9th grade year? If the answer is NO, then the transfer consequence is not applicable, and the student is fully eligible insofar as this bylaw is concerned. If the answer is YES, proceed to step #2.

2. Did the student play an OHSAA sport at ANY high school in the 12 months immediately preceding the date of transfer into the new school? Get this information in writing from an administrator at the previous school or schools. If the answer is NO, the student is fully eligible insofar as transfer is concerned for that respective sport at the new school and no paperwork or ruling is necessary. (Please note that if a
student transfers back to a school in which they were previously enrolled, then their “lookback” review could include participation that took place at the same high school where they are now desiring a participation opportunity). If the answer is YES, then please proceed to step #3.

3. If the answer to both #1 and #2 is YES, then does the student meet one of the 11 enumerated exceptions to this bylaw? If the answer is YES, the student meets an exception, then paperwork will be required, and the school administrator must seek a formal ruling from the OHSAA. The student may commence participation and is eligible, insofar as transfer is concerned, for all contests until the second 50% of the maximum allowable regular season varsity contests begin. Once the student is ruled eligible in accordance with an exception, the transfer eligibility is restored for as long as the student maintains enrollment and attendance at that school. If the answer is NO, the student does not meet the requirements of an exception, the student may commence participation and is eligible, insofar as transfer is concerned, for all contests until the second 50% of the maximum allowable varsity regular season contests begin. At that point, the student becomes ineligible for the second 50% of those contests AND the OHSAA tournament in that respective sport. In such a situation, no paperwork or ruling is required from the OHSAA. The student simply participates until the ineligibility commences as prescribed within the transfer bylaw.

This guidance will focus on Bylaw 4-7-3, Mid-Season Transfer.

If a transfer takes place during the sport season in which the student has participated in a regular season interscholastic contest in a sport, the student is ineligible in that sport for the remainder of that sport’s season in the school into which the student has transferred. A student may not use any of the exceptions to Bylaw 4-7-2 or 4-7-4 to circumvent this bylaw except if one of the following circumstances occurs:

1. If the parents make a bona fide move into a new public school district, the student is approved for transfer eligibility under the requirements of Exception 1 of Bylaw 4-7-2 AND the school building into which the student transfers is more than 50 miles from the school building from which the student transfers as determined by mapquest.com, or such other navigational system as adopted by the Board of Directors at its August meeting, using the most direct route.

2. As a result of a legal change of custody or a change in placement in which Children’s Services or a similar government agency is involved, the student may be approved for transfer eligibility provided the school building into which the student transfers is more than 50 miles from the school building from which the student transfers as determined by mapquest.com, or such other navigational system as adopted by the Board of Directors at its August meeting, using the most direct route.

For purposes of this bylaw, “sport season” shall be determined by the sports regulations for that sport, beginning with the first date on which coaching may begin and concluding on the date when the season ends.

In addition, if a student’s participation opportunity changes during the sport season in which the student has already participated in a regular season interscholastic contest in a sport at a school where they are not enrolled (pursuant to O.R.C. §§ 3313.5311 or 3313.537), the student is ineligible in that sport for the remainder of that sport’s season at the new school into which the student is now entitled a participation opportunity. A student may not use any of the exceptions to Bylaw 4-7-2 or 4-7-4 to circumvent this bylaw if the student is not transferring schools. If the student is transferring schools, then the same exceptions as outlined above apply.

Guidance for Administrators

1. If a transfer takes place during a sports season, please ascertain the following in writing:
   a. Do the student’s parents live in Ohio?
b. Did the student participate in a regular season contest this school season in the sport in which continued participation is desired?

c. Contact the school or athletic administrator of the former school in writing to get verification of the student’s playing status as stipulated in b. above.

d. Did the student transfer from a high school that is more 50 miles from your school due to his parents’ bona fide move into a new public school district? Note that “parents” means biological, adoptive or step parents – not any other relative unless legal custody has been established and disclosed to the OHSAA AND the parents, if still alive, also reside in Ohio.

e. If the answer to d. is yes, then please submit the Affidavit of Bona Fide Residence in support of Exception one of Bylaw 4-7-2 – see guidance here: http://www.ohsaa.org/Portals/0/Eligibility/4-7-2Guidance_Exc1.pdf and wait for approval by the OHSAA.

f. Did the student experience an emergency removal from the home, or a legal change of custody to either a parent or an agency based on an adjudication of neglect, abuse or delinquency which necessitated a transfer of schools?

g. If the student participated in a regular season contest at the former school and the parents are not making a transfer between two schools that are more than 50 miles apart, then this condition, sometimes referred to as a “prorating” of the 50% sit out for the next season, will apply as expressed within Bylaw 4-7-2 and listed below:

Please refer to the passage, which is highlighted in yellow above and contained within transfer bylaw 4-7-2, to ascertain how the student’s eligibility for the next school year is determined considering this during-the-season transfer.

Please feel free to contact Deborah Moore or Roxanne Price if you have any questions!