Ohio High School Athletic Association  
4080 Roselea Place, Columbus, Ohio 43214  

REFERENDUM ITEMS - HIGH SCHOOL  
2018-2019

**ISSUE 1B - Classification of Schools – Bylaws 2-1-4 and 2-1-5**

2-1-4 High schools in school districts that consolidate during the school year will be classified based on school enrollment of boys or girls in grades 9, 10, 11, and 12 as of September 10 of the effective year of consolidation, at the legal date of consolidation. In the event of the opening of a new high school or transfer of territory under Section 3311.38 of the Ohio Revised Code, member school classification assignments will be based upon actual number of boys or girls enrolled in grades 10, 11 and 12 as of September 10 of the current year.

2-1-5 In the case of the opening, merger or closing of a high school or schools in a multi-high school district or non-public school system, the member high school classification assignments for all high schools within the district/system shall be based upon the actual number of boys and girls enrolled in grades 10, 11 and 12 as of September 10 of the current year.

**COMMENTS:**

1. Bylaw 2-1-4 refers to consolidation between districts and/or new school openings in a single high school district or transfer of territory.
2. Bylaw 2-1-5 refers to openings, mergers or closings in multiple high school public school districts as well as non-public school systems.
3. These changes provide clarity in terms of the counting of students for classification purposes.
4. When a single gender school merges or closes, the only other schools within the system that are affected are schools of that gender.

**ISSUE 2B - Residence – Bylaw 4-6-3**

4-6-3 A student whose parents (biological or adoptive) reside outside the state of Ohio will be ineligible for interscholastic athletics in a member school. (See Bylaw 4-8-1 for eligibility requirements for international students.) whose parents live outside the United States.

**COMMENT:**

1. This amendment makes it very clear that there is no eligibility unless the student has a parent, who is either the biological or adoptive parent, residing in the state of Ohio.

**ISSUE 3B - Residence – Bylaw 4-6-3 – New Exception 4 - Renumber 5-11**

**EXCEPTION 4:** A student whose parent(s) has been continuously employed for a minimum of three years as a fulltime, licensed or classified employee in an Ohio school district or system, may be declared eligible in an Ohio school in that district or system where the parent is employed. Once eligibility is established at the
member school/district, the student shall remain eligible under this exception for as long as he or she maintains continuous enrollment in that school.

COMMENTS:

1. This exception is offered because of a member school district’s desire to extend eligibility to the children of long-term teaching employees who live across state lines, who have worked in the district as employees for many years, but do not qualify any residence exception such as exception 3 – enrolling their children at grade one.
2. The exception would require the parent or parents to have been continuously employed in a full-time capacity as a licensed professional or a classified employee for at least three years for the student to have residence eligibility in a member school.
3. The student would remain eligible under this residence exception for as long as the student maintains continuous enrollment in that school district or system where the parent is employed.

**ISSUE 4B - Bylaw 4-7-2 – Transfer – Effective for transfers that take place on or after May 16, 2018 for the 2018-19 school year.**

4-7-2 - 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.) 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 unless the 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).

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), until the one year anniversary of the date of enrollment in the school to which the student transferred, the student shall be eligible, insofar as transfer is concerned, for ONLY the first 50% of the maximum allowable regular season contests (including all scrimmages, preview/jamboree/Foundation games) 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 regular season contests have been competed, the student shall become ineligible INELIGIBLE for the remainder of the regular season contests. Furthermore, the no-transfer student who does not meet an exception to the transfer bylaw 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. **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 regular season contests missed (including those missed during the previous season) equals** up to the first 50 percent of the maximum allowable regular season contests in that sport. **The total number of regular season contests for which the student will be ineligible is a function of the number of regular season contests in which he or she was ineligible in accordance with 4-7-3.**

**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:** A student who did not participate in the sport in the 12 months immediately preceding the transfer is not subject to the consequence of this transfer bylaw.

**Note 2.3:** 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 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 exception would be applicable.

### Maximum Allowable Contests in All OHSAA-recognized Sports and Formula for Determining Eligibility under the 50% Transfer Consequence

<table>
<thead>
<tr>
<th>Sport</th>
<th>Maximum # of Contests as per the OHSAA Board of Directors Policy</th>
<th>Transfer Student BECOMES INELIGIBLE AT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseball</td>
<td>27 Games</td>
<td>Game 14</td>
</tr>
<tr>
<td>Basketball (Boys and Girls)</td>
<td>22 Games</td>
<td>Game 12</td>
</tr>
<tr>
<td>Bowling</td>
<td>24 Matches</td>
<td>Match 13</td>
</tr>
<tr>
<td>Cross Country (Boys and Girls)</td>
<td>16 (10) Meets</td>
<td>Meet 8 (6)</td>
</tr>
<tr>
<td>Field Hockey</td>
<td>16 Games</td>
<td>Game 9</td>
</tr>
<tr>
<td>Football</td>
<td>10 Games</td>
<td>Game 6</td>
</tr>
<tr>
<td>Golf</td>
<td>20 Matches</td>
<td>Match 11</td>
</tr>
<tr>
<td>Gymnastics</td>
<td>14 Meets</td>
<td>Meet 8</td>
</tr>
<tr>
<td>Ice Hockey</td>
<td>35 Games</td>
<td>Game 18</td>
</tr>
<tr>
<td>Sport</td>
<td>Games/Meets</td>
<td>Match/Point</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Lacrosse</td>
<td>18 Games</td>
<td>Game 10</td>
</tr>
<tr>
<td>Soccer (Boys and Girls)</td>
<td>16 Games</td>
<td>Game 9</td>
</tr>
<tr>
<td>Softball</td>
<td>27 Games</td>
<td>Game 14</td>
</tr>
<tr>
<td>Swimming and Diving (Boys and Girls)</td>
<td>16 Meets</td>
<td>Meet 9</td>
</tr>
<tr>
<td>Tennis (Boys and Girls)</td>
<td>22 Matches</td>
<td>Match 12</td>
</tr>
<tr>
<td>Track and Field (Boys and Girls)</td>
<td>16 Meets</td>
<td>Meet 9</td>
</tr>
<tr>
<td>Volleyball</td>
<td>22 Matches</td>
<td>Match 12</td>
</tr>
<tr>
<td>Wrestling</td>
<td>20 Points/16 points (for those schools that do not field teams – 6 or fewer wrestlers)</td>
<td>Point 11/9</td>
</tr>
</tbody>
</table>

**COMMENTS:**

1. For as long as the reduced transfer consequence, commonly known as the “50% rule,” has been in place – five years – debate has raged about the appropriateness of the consequence and its ability to stem the tide of transfers.
2. Many have argued that requiring a student to sit out of the first 50% of the regular season is not severe enough to dissuade transfers designed to “stack” teams or to discourage recruiting.
3. The OHSAA via survey information and feedback from regional meetings has learned that the members desire a more stringent consequence that will allow some participation but not impact the post season tournaments.
4. This amendment would permit the transfer student who does not meet any exception to commence participation immediately in all preseason contests and up through the first 50% of the maximum allowable regular season contests.
5. Commencing with the second half of the season and throughout the OHSAA tournament, such a student will no longer be eligible to participate.
6. This change could result in more litigation as the desire to play in the OHSAA tournaments is significant.
7. This change would become effective for any transfers who change their enrollment (See the interpretations on enrollment and attendance that precede Bylaw 4-3-1) to another member high school on or after May 16, 2018 for the 2018-19 school year. Students who transferred during this current 2017-18 school year prior to May 16, 2018 shall remain ineligible for the sports in question under the current bylaw consequence which requires them to sit out of all contests until the first 50% of the maximum allowable regular season contests have been competed even though those contests are during the 2018-19 school year.
8. The fourth and final paragraph of this bylaw more clearly explains how the consequence is applied for a mid-season transfer. The reader is referred to Bylaw 4-7-3 and its application which removes the student from further participation that season and then applies the remainder of the consequence, if there is any, at the beginning of that sport season in the following school year. This consequence ensures that a student will not have to sit out of two tournament seasons due to a mid-season transfer.

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<th>ISSUE 5B – Transfer – Bylaw 4-7-2 Exception 2</th>
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4-7-2 - EXCEPTION 2: If, as a result of a legal change of custody or guardianship as between a student’s parents, who live in two different school districts, the student is compelled to transfer from one school district to another school district, the Executive Director’s Office may waive all or part of the 50 percent period of ineligibility for one or more sport/sport seasons. If custody of a student is changed to a non-parent, who lives in a different school district than the previous custodian, as a result of allegations of abuse, neglect or delinquency/unruliness which allegations result in an adjudication of one or more of those allegations, the Executive Director’s Office may waive all or part of the 50 percent period of ineligibility for one or more sport/sport seasons. The granting of a change of guardianship to a non-parent will not comply with this exception.

The Executive Director’s Office, in its sole discretion, may waive the requirement of a court-ordered legal change of custody/guardianship for a student who is 18, when circumstances are presented that the student was compelled to transfer schools and reside with a parent who is a bona fide resident of the state of Ohio.

Note: By operation of statute, both parents in a Shared Parenting Plan are the residential and custodial parents of the child at all times under such Plan, there cannot be a legal change of custody so long as a Shared Parenting Plan as defined in ORC§3109.04 is in effect. Therefore, so long as a Shared Parenting Plan remains in effect, there can be no “change of custody” as contemplated by this Exception 2. However, in the event a Shared Parenting Plan remains in effect but a change in the designation of “residential parent” has been made by the court within that plan, the student who is the subject to the Shared Parenting Plan may apply one time to the Executive Director’s Office for a one time exception to the transfer bylaw under this provision. In order for there to be a change in custody, the Shared Parenting Plan must be terminated. Exception two permits the choice of a public high school in the legal custodian’s public school district of residence or any non-public high school.

COMMENT:

1. This amendment would permit the Executive Director’s Office to consider waiving the transfer consequence one time only when there has been a court-ordered reallocation of residential parent in a Shared Parenting Plan which compels a transfer of schools.

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<th>ISSUE 6B - International and Exchange Students – Bylaw 4-8-1 – Exception 1</th>
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EXCEPTION 1: An international student may be declared eligible if at least one of the student’s parents (biological or adoptive) has made a bona fide legal change of residence into reside in Ohio, and the international student is enrolled and attending an Ohio member school. The student is ineligible until ruled eligible by the Executive Director’s office. Note 1: This exception requires that both parents make the move into Ohio. If, however, the international student is moving with parents into Ohio from another high school within the United States, an affidavit of bona fide residence in support of transfer bylaw 4-7-2 exception one is required.
Note 2: Please be advised that Students who transfer into an Ohio high school under this international exception must adhere to an exception to the transfer bylaw 4-7-2. or be prepared to sit out of all contests until the first 50% of the maximum allowable regular season contests have been competed in any sport that they played in the 12 months immediately prior to the transfer.

COMMENTS:

1. This revision is designed to provide clarity on Exception 1, which addresses the international student whose parent or parents live in the state of Ohio.
2. Many international students are ruled eligible as a result of parents or one parent who has lived in Ohio for many years.
3. The Note simply describes the fact that the international student, who is in high school and is changing schools to an Ohio high school must also adhere to the transfer bylaw.

ISSUE 7B – International and Exchange Students - Bylaw 4-8-2

An Ohio student returning from an international exchange program may resume interscholastic competition in the same Ohio member school from which the student left provided the student meets all requirements relative to age, semesters of eligibility as well as preceding grading period scholastic requirements upon return to the member high school.

These requirements mean that the student shall be considered to have used semesters of eligibility while studying abroad, and shall have received passing grades which count toward graduation in a minimum of five one credit courses or the equivalent in the final grading period of the exchange program (Bylaw 4-4-1). Such a student is ineligible until ruled eligible by the Executive Director’s office.

However, if a student intends to audit all course work while engaged in the international exchange program and thus receive no credit for the experience, the Executive Director’s office may consider restoration of academic and/or semester eligibility upon return to the same high school under the following conditions:

1) An application for consideration, which clearly articulates the academic program the student will fulfill, is filed with the Executive Director’s office prior to commencing participation in the international exchange program. The application will specify the course work to be attempted and the fact that no credit will be earned for the experience.

2) The student will not participate in any sport in which he or she wishes to retain semesters of eligibility while engaged in the international exchange program. If the student participates in either an interscholastic or non-interscholastic program, the semesters during which such participation takes place shall count toward the total of eight which are permitted.

3) This waiver is available only for students who have completed their first or second year of high school.

COMMENTS:

1. This amendment is an example of a change that was recommended by the Appeals Panel and designed to address unusual situations concerning study abroad for domestic students.
2. This bylaw changed over a decade ago to require students to maintain an appropriate academic program while studying outside the USA and to be declared academically eligible upon return as well as recognize that they have used semesters of eligibility.
3. The change would permit the Executive Director’s Office to consider waiving both the scholarship and the semester requirements under the three conditions listed in the bylaw.