Ohio High School Athletic Association
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REFERENDUM ITEMS APPROVED—2019-2020
All issues, except as designated, become effective August 1, 2019

CONSTITUTION

ISSUE 1C – CONSTITUTION 3-2 — INITIAL MEMBERSHIP – ADD NOTE

Note: Requirements for initial membership may be waived in the event that a public school district closes a current member school(s) and then reopens that school or multiple schools under different names and IRN's. Participation opportunities for students attending the new school(s) shall be addressed within the business rules of the OHSAA as well as state law.

ISSUE 2C – CONSTITUTION 3-2-1, 3-3-1 — MEMBERSHIP – INITIAL AND CONTINUING

3-2-1 The Board of Education or similar governing body must adopt a resolution authorizing membership for all prospective 7th and 8th grade schools and/or high schools seeking membership under its jurisdiction. When a new school is opened in a multi-high school/7th-8th grade school district or system, the Board of Education or similar governing body may simply add that school to its membership card.

Conversely, when a non-member school in a multi-high school/7th-8th grade school district desires to seek membership in the Association after having been a non-member school for at least one year, that school shall follow the requirements of initial membership as outlined in Constitution Article 3-2-3 for a minimum of one year BEFORE the Board of Education or similar governing body is permitted to add that school to its membership card.

3-3-1 The Board of Education, or similar governing body, must adopt a resolution authorizing continuing membership in the OHSAA for all 7th and 8th grade schools and/or high schools wishing to continue membership under its jurisdiction, which resolution shall be submitted to the Executive Director’s office no later than June 30/July 31 of each year for the ensuing school year. When a new school is opened in a multi-high school/7th-8th grade school district or system, the Board of Education or similar governing body may simply add that school to its membership card.

NOTE: Schools whose membership has been suspended for a year or which have not been a member for a year shall be considered as initial members and shall follow the requirements of initial membership as outlined in Constitution 3-2-3 for a minimum of one year BEFORE the Board of Education or similar governing board is permitted to add that school to its membership card.

COMMENTS:

1. The editorial modification to Bylaw 3-2-1 and 3-3-1 clarifies that not all prospective schools under a Board of Education’s jurisdiction are required to be added to the membership card. Only those schools which the BOE desires to become members shall be listed on the membership card.
2. When a non-member school (which could be a non-traditional school) in a multi-high school/7th-8th grade school district becomes a member, the Executive Director’s Office has found that it seems to be a more difficult transition to compliance with student eligibility bylaws, as opposed to brand new member high schools. Because this situation deals with initial membership, it is better placed under 3-2-1 as opposed to 3-3-1.

3. Therefore, this one-year period of required compliance before the school’s name is added to the Board Resolution Card allows the district to ensure that the non-member school or the non-traditional school can effectively transition and ensure all students are eligible in accordance with Bylaw 4, Student Eligibility, during its first year of membership.

4. By changing the due date for the resolution card to June 30, as opposed to July 31, it gives the OHSAA office adequate time to prepare the benefits and logistics associated with schools whose membership will become active and/or continue August 1 of the new school year.

### ISSUE 3C - NOTIFICATION OF CHANGE IN SCHOOL’S IRN- ADDITION TO ARTICLE 3-3-2

3-3-2 Prior to the start of each school year, the superintendent (or person acting in a similar capacity on behalf of a non-public school) shall sign and file with the Executive Director’s office any and all required membership forms for the ensuing school year. **If, at any time, a school's Information Retrieval Number (IRN) changes, the Superintendent, or other administrative authority of that school system, is required to alert the Executive Director's Office of such a change.** Furthermore, the principal of each member school must sign and file with the Executive Director’s office the required sports registration forms.

**COMMENT:**

1. The OHSAA has encountered problems with schools combining with other non-traditional schools and/or changing their IRN which causes issues with their membership. This bylaw will require a Superintendent to notify the OHSAA Office whenever such a change occurs.

### ISSUE 4C – CONSTITUTION 3-3-4, 3-3-5, 3-3-6 — CLARIFICATION OF MEMBERSHIP REQUIREMENTS

3-3-4 Subject to Article 3-3-5 below, a member high school must continue to sponsor two varsity “recognized sports” (per Bylaw 1-5-1) per sport season in the school year in order to maintain membership in the OHSAA. **7th-8th grade schools must also sponsor two OHSAA recognized sports per season in the school year in order to maintain membership in the OHSAA.** Sponsorship of a varsity recognized sport or a 7-8th grade sport means that the school is encouraged to compete in a minimum of 50% of the maximum allowable regular season contests in each individual sport, is required to conduct competition in a minimum of 50% of the maximum allowable regular season contests in each team sport, (see General Sports Regulations 7.2.1 and 7.2.2 for the definition of individual and team sports) and at the high school level is required to participate in the OHSAA sponsored tournament for each of those sports.

**Exception:** Schools that have restricted enrollment due to geographic placement and single gender schools may request a written exemption from this sponsorship requirement prior to August 1 of the ensuing school year. The exemption may be granted solely at the discretion of the Executive Director’s office.

**Note:** Schools that were members as of the 2009-2010 school year and did not meet the two sport per season provision within this article are exempt from this two-sport per season requirement until such time when they do meet the two-sport per season requirement.

3-3-5 If, during the course of any given school year, a member school fails to sponsor a minimum of two varsity “recognized sports” in any sport season **or two OHSAA recognized sports per season at the 7-8th grade level, effective in the immediate ensuing sports season after immediately in the sport season in which the school fails to**
meet this minimum sponsorship obligation, the school’s membership shall be placed on probation, and the school’s remaining sports teams shall be ineligible for participation in any OHSAA sponsored tournaments at the high school and/or 7th-8th grade level during that probationary period. Furthermore, as a school on probation, the school will need to reapply for membership in accordance with the initial membership requirements found in Constitution 3-2-4, and failure to do so in a timely manner shall cause the school’s membership to be terminated.

Furthermore, that school’s probation shall remain in effect for the balance of that school year as well as the ensuing school year for three consecutive sports seasons, during which time the school must resume sponsorship of two sports per sport’s season. If the probationary school fails to sponsor two sports per sport’s season for a minimum of twelve consecutive months immediately preceding the expiration of during this probationary period, the school’s membership in the OHSAA shall be terminated.

Note: Probation has a different meaning than suspension as denoted in Constitution 3-3-6.

COMMENTS:

1. The Executive Director’s Office is not able to effectively audit whether a school competes in at least 50% of the maximum allowable regular season contests, especially in individual sports. Therefore, schools will be “encouraged” to compete in at least 50% of the maximum allowable regular season contests in those individual sports but will be required to maintain a schedule of at least half of the maximum allowable contests in a team sport. Team and individual sports are defined in GSR’s #7.2.1 and 7.2.2.

2. Due to the logistics of the reporting that can be accomplished by the Executive Director’s Office, there is currently no way to remove a team from a tournament during “the current sports season in which the school fails to meet this minimum sponsorship obligation.” By changing the consequence to be applicable for “the immediate ensuing sports season after the school fails to meet this minimum sponsorship obligation,” this language better represents what is currently being implemented.

3. Changing the probationary period to three consecutive sports seasons is fairer than the current consequence which unduly penalizes schools that cannot comply during a fall sports season. Such a penalty requires the school to forfeit just one school year of tournament privilege.

4. The note indicates that there is a difference between probation and suspension as reflected in Constitution 3-3-5 and 3-3-6.

ISSUE 5C- POWERS AND DUTIES OF THE BOARD OF DIRECTORS – AMEND 5-6-1

5-6-1 The powers and duties of the Board of Directors include but are not limited to:

1. Employ the Executive Director, Senior Directors, Assistant Directors and Coordinators.

2. Employ a Senior Director of Finance who shall render reports as requested by the Board of Directors and shall cause to be published annually the audited financial report for the past fiscal year.

3. Conduct an annual review and/or evaluation of the Executive Director and Senior Director of Finance.

Renumber 3-12 as 4-13.

COMMENTS:

1. The Board should be responsible for employing the Executive Director and Senior Director of Finance only.

2. All other employees shall be hired by the Executive Director.

3. The Board should be responsible for conducting the annual performance review of both the Executive Director and the Senior Director of Finance.
ISSUE 6C- EXECUTIVE DIRECTOR – NEW 6-1-2 AND 6-1-3 – RENUMBER ACCORDINGLY

6-1-2 – The Executive Director shall make recommendations to the Board of Directors for all appointments for all employees in the Association office.

6-1-3 – The Executive Director shall conduct an annual review and/or evaluation of all employees in the Association office or designate another administrative staff member to conduct said reviews and/or evaluations.

Renumber old 6-1-2 through 6-1-6 as new 6-1-4 through 6-1-8

COMMENT:

1. These changes represent current practice and should be codified in the Constitution.

BYLAWS

ISSUE 1B –BYLAW 2 – DELETE CLASSIFICATION AND MOVE THE EMIS SECTION OF 2-1-3 TO CONSTITUTION 5-7-4; MOVE ORGANIZATION TO BYLAW 1 AND RENAME BYLAW 2 - DIVISIONS AND TOURNAMENT ASSIGNMENTS

BYLAW 1 — COVERAGE AND ORGANIZATION OF SCHOOLS

Section 1. Application of Bylaws and Sports Regulations

1-1-1 The bylaws and sports regulations apply to all participants in interscholastic athletic contests involving students in grades seven through twelve and include matters of eligibility, contracts, qualifications, responsibility and behavior of various personnel.

1-1-2 Students enrolled below the seventh grade are ineligible for participation in interscholastic athletics. Students enrolled in grades 7 or 8 are ineligible for interscholastic competition on the same squad with students in grade 9 or higher. EXCEPTION: A student who attains the age of 15 prior to August 1 is eligible for interscholastic athletics only at the high school level not to exceed eight semesters.

2-3-2 1-1-3 Ninth grade students in all schools are high school students and shall compete in athletics in accordance with high school bylaws and regulations.

2-3-4 1-1-4 Four-year high schools may elect to have all students in grades 9-12 eligible to participate in varsity, junior varsity, reserve and class teams.

2-3-3 1-1-5 Ninth grade students are not permitted to compete in interscholastic competition on the same team or squad with students below ninth grade.

1-1-3 6 These bylaws cannot be waived, modified or amended by mutual consent between or among contesting schools. Likewise, these bylaws cannot be waived, modified or amended by the Executive Director’s Office except in accordance with Constitution 8-1-1 as authorized by the Board of Directors.

BYLAW 2 – DIVISIONS AND TOURNAMENT ASSIGNMENTS

Section 1 – Classification of Schools

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One third (1/3) or as near to one third (1/3) as possible of the member schools in each athletic district will be assigned to each classification.

Class A — Lower third of total
Class AA — Middle third of total
Class AAA — Upper third of total

All member schools within an athletic district shall be assigned one of three classifications (A, AA, AAA) based upon the school’s size of enrollment as provided by the State Department of Education. All boys and girls in grades 9, 10 and 11 included in the school’s October enrollment report shall be counted for enrollment purposes with the exception of students who are identified as children with disabilities as expressed within the OHSAA Business Rules for Obtaining Enrollment Data. The Board of Directors is authorized to adopt policy for assigning students, who are not specified as assigned to a particular high school, to the appropriate member high school and to publish the policy on the Association’s website.

Note: The policy, Business Rules for Obtaining Enrollment Data, was first prepared in April 2007, has since been modified, and is posted on the OHSAA website (www.ohsaa.org).

New Section 1 – Divisions and Tournament Assignments

School teams or individuals that wish to compete in OHSAA-sponsored tournaments may compete in only those in the tournaments to which assigned. Furthermore, by entering into an OHSAA sponsored tournament, schools, on behalf of their teams and individuals, agree to compete at the sites, dates and times assigned to them by the OHSAA. Note: In team sports, schools are permitted to enter only one team in OHSAA-sponsored tournaments. In individual sports, schools are only permitted to enter one team or the maximum number of individuals in OHSAA-sponsored tournaments as prescribed in the respective sports’ playing rules and/or tournament regulations.

Enrollment information used for classification assigning schools to divisions shall be provided by the State Department of Education’s enrollment report, as provided by the State Department of Education’s Education Management Information System (EMIS). All boys and girls in grades 9, 10 and 11 included in the school’s October EMIS enrollment report shall be counted for enrollment purposes except for students who are identified as children with disabilities within the multiple-handicap category within the OHSAA Business Rules for Obtaining Enrollment Data.

The Board of Directors is authorized to adopt policy for assigning students, who are not specified as assigned belonging to a particular high school, to the appropriate member high school and to publish the policy in the OHSAA Handbook and on the Association’s website. Note: The policy, Business Rules for Obtaining Enrollment Data, was first prepared in April 2007, has since been modified, and is posted on the OHSAA website (www.ohsaa.org).

High schools in school districts that consolidate will be classified and placed into divisions based on school enrollment of boys or girls in grades 10, 11 and 12 as of September 10 of the effective year of consolidation in accordance with the business rules, plus the real-time Adjusted Enrollment Count (outlined in Bylaw 2-2-1) in all applicable sports. 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 division 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 in accordance with...
the business rules, plus the real-time Adjusted Enrollment Count (outlined in Bylaw 2-2-1) in all applicable sports.

2-1-5 The in the case of the opening, merging or closing of a high school or schools in a multi-high school district or non-public school system, or in the case of a non-member comprehensive high school or non-traditional high school becoming a member, the member high school classification division 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 in accordance with the business rules, plus the real-time Adjusted Enrollment Count (outlined in Bylaw 2-2-1) in all applicable sports.

COMMENTS:
1. The first two sections of this Bylaw have been modified. Old Section 1 – Classification of Schools – contained just one bylaw (2-1-1) which pertained exclusively to classification which is used solely for governance purposes. Thus, this bylaw has been shifted to Constitution 5-7-4, which already exists and has added the pertinent information from Bylaw 2-1-4 which describes how these enrollment data are obtained.
2. The organization bylaws 2-3-1, 2-3-2 and 2-3-3 have been moved to Bylaw 1 where they are more appropriately placed in relation to those bylaws which address the application of bylaws and sports regulations.
3. Bylaw 2-Section 1 is now related exclusively to division assignments for tournaments.

### ISSUE 2B – CHANGE IN ADDITIONAL ROSTER COUNT MAKEUP – BYLAW 2-2-2, 2-2-6

2-2-2 The Additional Roster Count is determined by multiplying designated each student on the given sport’s Initial Roster (all students in grades 9-12 who were on the roster of the freshman team, junior varsity team, varsity team, etc., at any time during the course of the school year), by the specific factor or Tier and adding them together.

- In the sports of soccer, volleyball, basketball, baseball and softball – the designated students shall include students on a team’s tournament roster and anyone else who played in a varsity contest during the regular season.
- In the sport of Football – the designated students shall include students in grades 10-12 on any roster and any freshman who played in a varsity contest during the regular season.

Note: The annual submission of the Initial Roster Count for each respective sport shall be utilized to help determine the division to which that team shall be assigned the following school year.

2-2-6 The Tier 2, or Sport Specific Factors, shall be as follows:

—Two (2) Three (3) in the sport of football.

—Five (5) Seven (7) in the sports of soccer, volleyball, basketball, baseball, and softball.

—Six (6) in the sport of soccer.

COMMENTS:
1. Feedback has indicated that many believe the current system of counting all students on rosters in grades 9 through 12 is not a true representation of the actual students impacting OHSAA tournaments (i.e. many freshmen and/or underclassmen that are currently counted have no impact on tournament divisional assignments).
2. To compensate for a decrease in the number of students being submitted from rosters, the committee believes an increase in the Tier 2 factor is necessary to ensure there continues to be some movement of schools in tournament divisional assignments.

3. A modification could be helpful for smaller schools, where the variables in enrollment numbers and tiering of students can have a greater impact on Competitive Balance tiering/tournament divisional assignments. A modification could stop schools from ignoring the educational purposes of interscholastic athletics by making roster cuts of underclass students if they are perceived to impact Competitive Balance tiering/tournament divisional assignments. The OHSAA Office has heard of some instances of schools cutting students to try to ensure a lower tournament division. Submitting smaller Competitive Balance rosters would allow schools to not cut students from rosters.

4. A modification could stop schools from ignoring the educational purpose of interscholastic athletics by not fielding freshman and/or non-varsity teams if they are perceived to impact Competitive Balance tiering/tournament divisional assignments. The OHSAA Office has heard of some instances of schools not fielding teams to try to ensure a lower tournament division. Submitting smaller Competitive Balance rosters would allow schools to not drop freshman and/or non-varsity teams.

5. While not part of the Bylaw change proposal, the Competitive Balance Committee also recommends a modification in the roster submission timeframe to one six-week period. It will be recommended that athletic administrators, or their designees, input roster data at the beginning of the submission period and leave the end of the period strictly for making any updates.

6. Approval of this change will mean athletic administrators will need to maintain accurate accounting of specific students who participated in regular season contests (in soccer, volleyball, basketball, baseball and softball – students not included on the tournament roster but who play in any varsity regular season contest must be included; in football – freshmen who play in any varsity regular season contest must be included).

7. Following the recommendation of this proposal by the Competitive Balance Committee and approval to place this item for referendum by the OHSAA Board of Directors, further OHSAA staff and Board of Directors concerns have surfaced related to Comment No. 7. above. Specifically, there are concerns if accurate data will be submitted by schools regarding specific athletes’ participating in varsity contests. In football, for example, OHSAA regulations do not charge an athlete with a quarter of play if he/she participates in a kick formation or free kick. More clarity will need to be provided to school administrators on whether this regulation will pertain to Competitive Balance (i.e. whether kick formations or free kicks count as “participation”). Like football, soccer also does not have a scorebook. There is concern on whether administrators will be able to ascertain specific athletes’ participation information. This could especially be problematic for larger schools (although some could argue that the largest schools will be Division I regardless).

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**ISSUE 3B – CHANGE IN TIERING OF THE NON-ENROLLED STUDENT-BY-LAW 2-2-4**

Note: If passed, this issue becomes effective on May 16, 2019

2-2-4 For public member school, factors shall be assigned as follows:

—Tier 0 – the student and at least one parent currently reside within the school district/designated/assigned attendance zone (unless the student is participating as a non-enrolled student at the member high school and participating in accordance with state law).

—Tier 1 – the student and at least one parent currently reside outside the school district and/or designated/assigned attendance zone, but the student has been continuously enrolled in the district since the beginning of 7th grade (unless or the student is participating as a non-enrolled student at the member high school and participating in accordance with state law).
Tier 2 – the student and at least one parent currently reside outside the school district and/or designated/assigned attendance zone, and the student has not been continuously enrolled in the district since 7th grade, or the student is a non-enrolled student and participating in accordance with state law.

COMMENTS:

1. This revision would change the non-enrolled student who lives in the school district and attends a community, STEM or non-public school or is home educated from Tier 2 to Tier 1.
2. The Competitive Balance Committee, upon initial review, felt that Tier 2 assignment for these non-enrolled students who live in the public school district or attendance zone and are required to participate at the public school in that location is too punitive.
3. This issue has been separated from 3B which addresses the retirning for the J1 student so that members can vote on the concepts separately, which is from where this referendum item developed. With that later addition of 2B (reduction of students on the rosters), it should be noted that if 2B passed, there will be a significant reduction of students that are on a respective team’s roster and will be much more representative of students who have an impact on a contest. So, a consideration should be made about whether a non-enrolled student who is on a varsity basketball roster should be multiplied by Tier 1 or Tier 2.

ISSUE 4B – CHANGE IN COMPETITIVE BALANCE CLASSIFICATION FOR J1 VISA STUDENTS FOR BOTH PUBLIC AND NON-PUBLIC SCHOOLS -BYLAWS 2-2-4 AND 2-2-5

2-2-4 For public member school, factors shall be assigned as follows:

— Tier 0 – the student and at least one parent currently reside within the school district/designated/assigned attendance zone (unless the student is participating as a non-enrolled student at the member high school and participating in accordance with state law).

— Tier 1 – the student and at least one parent currently reside outside the school district and/or designated/assigned attendance zone, but the student has been continuously enrolled in the district since the beginning of 7th grade (unless the student is participating as a non-enrolled student at the member high school and participating in accordance with state law), or the student is participating on a J1 Visa.

— Tier 2 – the student and at least one parent currently reside outside the school district and/or designated/assigned attendance zone, and the student has not been continuously enrolled in the district since 7th grade or the student is participating as a non-enrolled student at the member school and participating in accordance with state law.

2-2-5 For non-public member schools, Factors shall be assigned as follows:

— Tier 0 – the student attended the same system of education continuously since the beginning of the 7th grade and attended one of the designated/assigned feeder schools continuously since the beginning of 7th grade.

— Tier 1 – the student attended the same system of education continuously since the beginning of 7th grade but did not attend one of the designated/assigned feeder schools continuously since the beginning of 7th grade or the student is participating on a J1 Visa.

— Tier 2 – the student did not attend the same system of education continuously since the beginning of 7th grade.
COMMENTS:

1. Many OHSAA member schools have expressed concern about foreign exchange students being Tier 2 rather than Tier 1.
2. The concerns have centered on Tier 2 being too punitive because: a) J1 Visa students are placed at these schools and are only at the school for one year; b) many schools have “no cut” policies and/or encourage these students to gain the benefits of involvement in education-based interscholastic athletics programs, and c) many of these students are limited contributors to their teams.
3. This change for J1 Visa student does NOT include students attending Ohio schools on an F1 visa who are in an Ohio school for longer than one year. Should the state legislators ever make a change and allow F1 Visa students a participation opportunity, the OHSAA Office and Competitive Balance Committee would have to strongly consider the appropriate Tier for those type of students.
4. In Bylaw 2-2-4, the changing of the language about non-enrolled students was done simply to provide more clarification about which non-enrolled students are being addressed (i.e. those participating at a member high school in accordance with state law).

ISSUE 5B – NEW EXCEPTION TO CHANGE HOW NON-PUBLIC SCHOOLS WITH DEFINED GEOGRAPHIC BOUNDARIES TIER STUDENTS – BYLAW 2-2-5

2-2-5 For non-public member schools, Factors shall be assigned as follows:

—Tier 0 – the student attended the same system of education continuously since the beginning of the 7th grade and attended one of the designated/assigned feeder schools continuously since the beginning of 7th grade.

—Tier 1 – the student attended the same system of education continuously since the beginning of 7th grade but did not attend one of the designated/assigned feeder schools continuously since the beginning of 7th grade.

—Tier 2 – the student did not attend the same system of education continuously since the beginning of 7th grade.

Exception: If a non-public school system assigns all students to a specific high school based on the geographic location of the student’s parents, Factors shall be assigned as follows:

—Tier 0 – the student attended the same system of education continuously since the beginning of the 7th grade and the student and at least one parent currently resides within the assigned attendance zone.

—Tier 1 – the student attended the same system of education continuously since the beginning of 7th grade but the student and at least one parent currently resides outside the assigned attendance zone.

—Tier 2 – the student did not attend the same system of education continuously since the beginning of 7th grade.

COMMENTS:

1. There are certain non-public school systems around the state which assign students to a non-public high school within their system based on the geographic location of the student’s parent’s residence, not based on the family’s personal selection. These student’s school assignments are more comparable to students in a multi-high school public school system.
2. Before looking at the student’s residence, the school administrator would still need to determine if the student has maintained continuous enrollment in the same system of education since the start of seventh grade. Regardless of the location of the residence, if the student attended a different system of education then he/she will still be coded as Tier 2.
3. After looking at the system of education history, the school administrator would then look at the student’s residence. Like multi-high school districts, if a student attends a school other than where he/she would normally be assigned, then the student would be Tier 1 or 2 depending on his/her educational history.

4. This exception would remove the “feeder school” analysis for impacted schools and instead make them look at the parent’s residence.

5. Approval of this exception would require these impacted schools/systems to submit to the OHSAA office attendance zones on a biennial basis during the spring that aligns with the collection of enrollment numbers (EMIS) from the Ohio Department of Education (ODE). These attendance zones will be used to assist non-public schools in identifying Tier 0 vs. Tier 1 students.

6. If, for any reason, including a waiver that may be available, a student who attends a different high school other than what he or she would otherwise be assigned based on the residence, and if the student has always maintained continuous enrollment in the same system of education, then he or she will be Tier 1.

7. Consequently, given students are assigned to a specific high school by parental residence as dictated by Diocesan Policy (#), these students should be assigned as a Tier 0 to remain consistent with the Ohio High School Athletic Association’s Multi-High School Public School System Policy.

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### ISSUE 6B – BYLAW 4-4-1, EXCEPTION 3 — HIGH SCHOOL SCHOLARSHIP

To be eligible in grades 9-12, a student must be currently enrolled and must have been enrolled in school the immediately preceding grading period...

**EXCEPTION 3:** If a student’s failure to meet the requirements of this bylaw are due to an “incomplete” given in one or more courses which the student was taking during the grading period in question, the student may have his/her eligibility restored by the Executive Director’s office once the “incomplete” has been changed to a passing letter grade provided:

a) the failure to complete the required coursework during the grading period was due to calamity day(s), family tragedy, or illness or accident as verified by a physician *contemporaneous at the time of the incident*; and

b) the “incomplete” was given in accordance with Board of Education/other governing board adopted policies and procedures and is applicable to all students in the school; and

c) the previously scheduled work and/or exams is/are completed within the time period provided in Board policy for completing work required to convert an “incomplete” into a letter grade; and

d) there is no evidence that the “incomplete” was given in order to afford the student extended time in order to provide the student tutoring or other educational services simply to avoid a failing grade.

Note: This exception only applies where an “incomplete” has been issued and not a letter grade that is subsequently changed because of the extended time/additional work. **If a high school district/system does NOT have a Board Policy on the Restoration of an Incomplete to a Grade or did not have a policy when this exception was requested, the student shall not be able to avail him or herself of this exception.**

**COMMENTS:**

1. The Executive Director’s Office has been presented with Bylaw 4-4-1 Exception 3 cases where the application submitted included letters from a physician that were issued weeks and sometimes months after the incident.

2. This addition clarifies that this exception can only be utilized when a physician issues a verification of the incident contemporaneous with the occurrence of the incident.

3. If a school or district has no Incomplete Policy, this exception shall not be applicable to the student.
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).

Note: Students affected by this out of state residence bylaw may still be affected by all other eligibility standards in Bylaw 4 including the transfer provisions in 4-7 and the international provisions in 4-8.

EXCEPTION 1: The Executive Director’s office may declare a student who is the subject of a custody or guardianship order issued by a court of proper jurisdiction conferring custody/guardianship upon a grandparent, aunt, uncle or sibling who resides in Ohio, if, in the sole discretion of the Executive Director’s office, the Executive Director’s office determines that the purpose of this change in custody/guardianship was not for athletic reasons, but purely for the best interest of the student in terms of the student’s mental, physical and educational well-being. Such a student is ineligible until declared eligible by the Executive Director’s office.

Note: Upon enrollment of a student whose parents live outside the state of Ohio but within the United States or any of its territories, or if the parents move outside the state of Ohio prior to or during the student’s high school career, the principal of that school in which the student is being enrolled shall notify the Executive Director’s office of said enrollment, and the facts and circumstances regarding any change of custody so that the Executive Director’s office can make an informed decision regarding the student’s qualifications under this exception.

Please be advised that students who transfer into an Ohio high school under this residence exception must adhere to an exception to the transfer bylaw 4-7-2 or be prepared to fulfill the transfer consequence in any sport in which they participated in the 12 months immediately preceding the transfer. After the first 50% of the maximum allowable regular season contests have been competed, the student shall then become INELIGIBLE for the remainder of the regular season contests. Furthermore, the student shall also remain ineligible to participate in the OHSAA sponsored tournament(s).

EXCEPTION 2: The Executive Director’s office may grant eligibility to a student who makes a bona fide move into Ohio with his/her legal custodian/guardian, and it can be shown that the individual has had legal custody/guardianship of the student for a minimum of one year. Such a student is ineligible until declared eligible by the Executive Director’s office.

Note: Upon enrollment of a student whose parents live outside the state of Ohio but within the United States or any of its territories, or if the parents move outside the state of Ohio prior to or during the student’s high school career, the principal of that school in which the student is being enrolled shall notify the Executive Director’s office of said enrollment, and the facts and circumstances regarding any change of custody so that the Executive Director’s office can make an informed decision regarding the student’s qualifications under this exception.

Please be advised that students who transfer into an Ohio high school under this residence exception must adhere to an exception to the transfer bylaw 4-7-2 or be prepared to fulfill the transfer consequence in any sport in which they participated in the 12 months immediately preceding the transfer. After the first 50% of the maximum allowable regular season contests have been competed, the student shall then become INELIGIBLE for the remainder of the regular season contests. Furthermore, the student shall also remain ineligible to participate in the OHSAA sponsored tournament(s).

EXCEPTION 10 11: A student may be declared eligible for interscholastic athletics when the student’s parent(s) are citizens of the United States who reside outside the United States or any of its territories. The student is not eligible until declared eligible by the Executive Director’s office upon submission of the appropriate documents.
Please be advised that students who transfer into an Ohio high school under this residence exception must adhere to an exception to the transfer bylaw 4-7-2 or be prepared to fulfill the transfer consequence in any sport in which they participated in the 12 months immediately preceding the transfer. After the first 50% of the maximum allowable regular season contests have been competed, the student shall then become INELIGIBLE for the remainder of the regular season contests. Furthermore, the student shall also remain ineligible to participate in the OHSAA sponsored tournament(s).

**EXCEPTION 1**

A student who is a United States citizen, and whose parent(s) are non-citizens living outside the United States or any of its territories, may be eligible for interscholastic athletics subject to the restrictions and conditions set forth below:

a. The student may be eligible for a maximum of one school year which is the first year of enrollment at the Ohio member school.

b. The student has not previously participated in any other visitor exchange program in Ohio or any other state within the United States or any of its territories or attended any other high school in the United States or any of its territories. The period of participation in another visitor exchange program or the period of attendance at another high school in the United States or any of its territories shall count against the one-year maximum eligibility set forth in (a) above.

c. There shall be no evidence of a direct placement for athletic purposes into a specific member school in Ohio.

d. The member school at which the student wishes to be declared eligible for interscholastic athletic participation must submit the appropriate form(s) to the Executive Director’s office, and the student and school must cooperate with the Executive Director’s office in determining that all other requirements for eligibility have been satisfied, including the scholarship and age requirements.

**Note:** A student may travel freely back and forth between the United States or any of its territories and the home country with the proper U.S. passport. Thus, a student could have attended high school in the United States or any of its territories previously without being part of any International Exchange Program. It is the responsibility of the school administration to verify that the student in these circumstances meets all the requirements of eligibility expressed above.

Please be advised that students who transfer into an Ohio high school under this residence exception must adhere to an exception to the transfer bylaw 4-7 or be prepared to fulfill the transfer consequence in any sport in which they participated in the 12 months immediately preceding the transfer. After the first 50% of the maximum allowable regular season contests have been competed, the student shall then become INELIGIBLE for the remainder of the regular season contests. Furthermore, the student shall also remain ineligible to participate in the OHSAA sponsored tournament(s).

**COMMENTS:**

1. The references to guardianship in Exception 1 have been added editorially to comply with the ORC upon which this exception was based.
2. The phrase “or any of its territories” has been added where applicable to Exceptions 1,10 and 11 to reaffirm the OHSAA’s long-standing interpretation, and that of our courts, that the “United States” refers to all 50 states, the District of Columbia and ALL United States territories.
3. Exception 1 has been split into two separate exceptions for clarity.
4. School administrators are advised that even though a student may meet a residence exception, the student must meet all eligibility requirements including transfer if necessary.

**ISSUE 8B – BYLAW 4-7-2 – INTER-DISTRICT TRANSFERS -- CLARIFICATIONS**

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 varsity maximum allowable 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 preseason 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 contests in that sport.

COMMENTS:

1. The definition of a transfer student in current subparagraph B has always been interpreted to allow a community or non-public school student to play sports at his/her school, go play sports at their respective public school if the school they attend does not offer the sport in accordance with state law, then go back to his/her school to play any other sports and not be held accountable to the transfer consequence. Its intention was never to allow students participating under O.R.C. §§ 3313.5311 (Ohio non-public school students) or 3313.537 (Ohio community/STEM school students) to avoid the transfer consequence. Changing the wording of the definition of a transfer student provides this clarification.

2. The OHSAA Office has received numerous inquiries about which schedule to use in determining what constitutes 50% of the maximum allowable regular season contests. This revision’s benefit is that every AD will need to look only at the varsity schedule to determine when students start “sitting.”

3. Adding varsity to the paragraph addressing Bylaw 4-7-3 clarifies that, regardless of the student’s participation level, the application of Bylaw 4-7-3 reviews how many varsity contests have been competed to determine when the student regains eligibility.
ISSUE 9B – BYLAW 4-7-2, EXCEPTION 9 — ONE TIME TRANSFER INTO THE RESIDENTIAL PUBLIC HIGH SCHOOL – ADDRESSING NON-ENROLLED STUDENTS

ADD NOTE PRIOR TO BYLAW 4-7 – 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.

EXCEPTION 9: A student shall be entitled to one transfer to the public high school located in the public school district within which the student’s parent residence residential parent/legal custodian has resided been located for a minimum of one year regardless of whether the student is transferring from a public or nonpublic school. The student is ineligible until declared eligible in accordance with the Note 1: Use of this exception requires the submission of the Exception 9 Form to document the transfer as set forth in the exception. The form can be found at www.ohsaa.org.

Note 1: **Bylaw 4-7-2** Exception 9 does not apply to transfers to and from high schools within a multiple high school district/system. Furthermore, for a student transferring into a multiple high school district from either a public high school in a different district or a non-public high school, in order to use this exception the student shall be assigned (in accordance with OHSAA business rules) or transferred to the high school located in the parents’ attendance zone, or, if there are no defined attendance zones, to the high school which is closest to the parents’ residence. Please see Bylaws 4-7-4, 4-7-6 and 4-7-7 for the transfer rules which apply to intra-district or system transfers.

Note 2: **Bylaw 4-7-2** Exception 9 cannot be used to transfer from the public high school of the district in which one parent resides to the public high school of the district in which the other parent resides in a split-family situation. Conversely, a non-public student whose custodial parents live in two different public school districts may have the option under this exception to transfer to the public high school in either public school district in which the student’s parents reside provided the student has never established eligibility at a public school in a district in which a custodial parent resides provided the student has never been enrolled in a public high school.

Note 3: If a student transfers and is permitted a participation opportunity at a member school where he or she is not enrolled in accordance with Bylaw 4-3-1 exceptions #4 and/or 6, the student is permitted to use this exception 9 to restore full eligibility in regard to transfer.

COMMENTS:

1. This exception has always required a one-year period of residency by the parents in order for it to apply for a student. Adding this language to the actual bylaw provides further clarification.

2. The addition to Note 1 clarifies that when a student transfers into a multi-HS district from a school outside the district, that this exception can only be used at the HS located in the attendance zone in which the parent resides, or at the closest school to the parent’s residence if there are no defined attendance zones. The Executive Director’s Office has continued to receive Exception 9 requests for students who are not enrolling to the actual high school at which they desire a participation opportunity. Note #3 provides clarification that when a student transfers to a STEM, community or non-traditional school sponsored by a district that he or she may this exception.
ISSUE 10B – BYLAW 4-7-3 — NEW CIRCUMSTANCE TO WAIVE THE CONSEQUENCE OF 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. 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.

COMMENTS:

1. This new exception will allow a student who experiences a legal change of custody or placement to resume participation in the same sport at a different school if the schools are more than 50 miles apart AND it can be determined that the change of custody/placement was necessary due to action by Children’s Services or another similar government agency which makes it very clear that the removal of the student from the current custodian/placement is necessary to protect the student.

2. The Executive Director’s Office has on occasion encountered instances of custody changes or changes in placement that occur in the middle of the season at no fault of the student-athlete. Currently, there is no way to waive application of 4-7-3 for a student who experiences an emergent custody or placement change. Adding this language will allow the Executive Director’s Office to examine a custody change or placement order and approve the transfer if the transfer is compliant with the 50-mile distance condition.

3. Due to the increasing number of students participating as non-enrolled students, this addition to 4-7-3 provides clarification that non-enrolled students are also subject to the consequences outlined in 4-7-3.
ISSUE 11B – BYLAW 4-7-4 – INTRA-DISTRICT TRANSFERS -- CLARIFICATIONS

The superintendent or person delegated by the superintendent of either a non-public system or public school district may transfer students within the system without jeopardizing their eligibility only in the following circumstances by using one of the following exceptions.

EXCEPTION 1: If, as a result of a bona fide legal change of residence made by BOTH PARENTS (biological, adoptive or stepparents) from one attendance zone into another attendance zone in a multiple high school public school district, the student is compelled to transfer to another district high school, 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 requirement that “both parents” make the move may be waived by the Executive Director’s Office if the marriage of the parents has been or is in the process of being legally terminated or if the parents were never married.

If the person(s) making the bona fide move is not the biological or adoptive parent or stepparent of the student, the school administrator must disclose the custodial relationship, provide the court ordered documents and advise as to the whereabouts of the student’s biological or adoptive parents.

An affidavit of bona fide residence in the form requested by the Executive Director’s Office shall be submitted along with any request for application of this exception.

Note: Please refer to Bylaw 4-6-1 for a definition of bona fide residence. Also, the student and the student’s parents must reside in this new residence for a period of one year from the date on which this exception was applied to a given student. The school district will have a continuing duty to monitor compliance with the residency requirements during this one year period. Exception one permits the choice of the public high school in the parents’ new attendance zone.

The parent(s) or legal custodian of the student have made a bona fide move from one attendance zone into a new attendance zone within the school district and such move entitles the student to attend another district high school (Note: parents refers to both parents in an intact marriage and includes biological, adoptive and stepparents) OR

EXCEPTION 2: If, as a result of a legal change of custody as between a student’s parents, who live in two different attendance zones within the multiple high school district, the student is compelled to transfer from one district high school to another district high school, 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 attendance zone 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. Likewise, a re-designation of residential parent within a Shared Parenting Plan will not comply with this exception.

There has been a court ordered change of legal custody from one individual to another individual living within a new attendance zone within the school district and the student shall live with the new custodian in the new attendance zone (Note: If the change of custody is to a non-parent, the custody order shall be accompanied by an adjudication of negligence, abuse or delinquency/unruliness) OR
EXCEPTION 3: The member school in the district closes, or there was a mistake made in the student’s initial placement. This exception has no application to the closing of any “non-traditional school” or a non-chartered non-public high school.

EXCEPTION 4: The student is a child with a disability whose program as prescribed by the student’s I.E.P. has been changed to another high school.

EXCEPTION 5: The student transfers pursuant to state or federal statutes addressing unsafe schools or academically poor performing schools, and the student can demonstrate to the satisfaction of the superintendent that the transfer is for purely academic reasons and not athletic reasons. (Note: This exception will not apply to transfers from one poor performing school to another poor performing school.) NOTE: The OHSAA uses the Ohio Department of Education’s List of Priority Schools as of the date the transfer request is received in the Executive Director's Office to denote academically poor-performing schools.

Such transfers are eligible only after approval by the Executive Director's office.

COMMENTS:
1. This bylaw is intended to track some of the inter-district exceptions outlined in Bylaw 4-7-2. Changing the use of “circumstance” to “exception” creates more consistent language.
2. By changing the language in 4-7-4 to track the language in 4-7-2 it makes the requirements of inter-district transfers and intra-district transfers more consistent.
3. Requiring the Affidavit of Bona Fide Residence makes sense for confirming a bona fide move and is consistent with the inter-district exception one under Bylaw 4-7-2.
4. These will be renumbered if 4-7-4 anti-bullying, harassment and intimidation exception is approved.

ISSUE 12B – BYLAW 4-7-4 – INTRA-DISTRICT TRANSFER – NEW EXCEPTION SIX - ANTI BULLYING, INTIMIDATION, HARASSMENT

The superintendent or person delegated by the superintendent of either a non-public system or public school district may transfer students within the system without jeopardizing their eligibility only in the following circumstances.

6) If a student is a victim of harassment, intimidation or bullying as those terms are defined at ORC §3313.666 (A)(2) which harassment, intimidation or bullying has been documented to the school district in accordance with the ORC, and as a result of this documented harassment, intimidation or bullying, the student is compelled to transfer, the Executive Director’s Office, in its sole discretion, may waive all or part of the 50% period of ineligibility for one or more sport/sports seasons provided:

1) The District’s Anti-Harassment, Anti-Intimidation, Anti-Bullying policies and procedures adopted in accordance with ORC §3313.666 have been substantially followed and complied with; and
2) The District provides the Executive Director’s Office with a copy of the duly adopted policies and procedures; and
3) The District secures the appropriate releases from the student/student’s parents authorizing the District to provide a complete record of the events and circumstances on which the policies and procedures were initiated including:

   a) A specific, detailed report of the prohibited incident(s);
   b) An outline of the procedures used to respond to and investigate the reported incident(s);
   c) A copy of the findings that were a result of the complaint process and investigation;
d) A specific, detailed disciplinary procedure for any individual found guilty of harassment, intimidation or bullying;
e) All reports of notification to parents or guardians of any student involvement in the incident(s);
f) A report of the intervention strategies and remedial action the school has undertaken to assist the student and redress the complaint.

4) The District provides the Executive Director’s Office with all of the above-referenced records.

5) In concurrence with ORC§3313.666 (A)(2), this exception cannot be used for any isolated incidents or alleged incidents of harassment, intimidation or bullying, nor can this exception be used in cases where there has been no contemporaneous reporting of the alleged bullying harassment or intimidation.

COMMENTS:
1. This exception tracks identically the exception found in inter-district bylaw 4-7-2 exception 7.
2. It has been determined that there is a need for a superintendent within a multiple high school district or system to have this authority to transfer a student when there has been documented bullying, harassment or intimidation.
3. The numbering may move to #5 if there is additional modification to 4-7-4 with the possible elimination of current exception 5.

ISSUE 13B – 4-7-5- TRANSFER – POOR PERFORMING SCHOOLS

Notwithstanding the provisions of sections 4-7-2 and 4-7-4, if a student transfers pursuant to state or federal statutes addressing unsafe schools or academically poor performing schools, and the student can demonstrate to the satisfaction of the Executive Director’s office that the transfer is for purely academic reasons and not athletic reasons, the Executive Director’s office may declare such transferring student eligible upon application to the Executive Director’s office. The student is not eligible until declared eligible by the Executive Director’s office. The OHSAA uses the Ohio Department of Education’s (ODE) List of Priority Schools, or other such ODE publication denoting poor performing schools, as of the date the transfer request is received in the Executive Director’s Office, to denote academically poor performing schools.

Note 1: The student shall be entitled to one transfer only under the provisions set forth in this bylaw. In addition, this bylaw shall not be used to establish eligibility at another high school if the student transfers into and then back out of the poor performing school in an attempt to circumvent the transfer bylaw.

Note 2: If a student has used this bylaw to transfer out of a poor performing school at any time during his or her high school career, the student shall not be permitted to transfer back to the same poor performing school and regain transfer eligibility.

COMMENTS:
1. This bylaw was adopted by the membership to permit a one-time transfer out of a poor performing high school.
2. It was never the intention of the membership to permit a student to use another exception to transfer back to the same poor performing high school that the student originally used this bylaw to leave.
3. This amendment makes it clear that transferring back to the same poor-performing school will not result in a waiver of the transfer consequence.
4. The use of ODE’s Priority School List is the current list of choice to denote a poor performing school.
ISSUE 14B – BYLAW 4-7-6 and 4-7-7 – INTRA-DISTRICT TRANSFERS -- CLARIFICATIONS

4-7-6 If a student transfers to a high school within the same public school district within which the school from where the student transferred is a part, the student may have his/her eligibility restored by the Executive Director’s office provided the following conditions have been met:
1) The student has been reassigned to the high school by the school district as a result of redistricting or a specific change of program the details of which shall be clearly stipulated in writing to the Executive Director’s office; and
2) The transfer reassignment takes place after the conclusion of the previous school year and prior to the beginning of the current school year, and the student commences enrollment and attendance on day one of the current school year; and
3) The District petitions the Executive Director’s office for the restoration of eligibility for the student no later than 15 school days after the beginning of the school year; and
4) The student is ineligible held accountable to the transfer consequence until ruled eligible by the Executive Director’s office.
NOTE: This exception will have no application for seniors who are requesting a "specific change of academic program."

4-7-7 If a student transfers to a high school located within the jurisdiction of a non-public multiple high school system (e.g., Catholic Conference of Ohio, Ohio Association of Independent Schools, Association of Christian Schools International or other category as denoted by the State Department of Education) from another high school within that same system, the student may have his/her eligibility restored by the Executive Director’s office provided the following conditions have been met:
1) The student has been reassigned to the high school by the superintendent or other administrative authority of that school system as a result of a specific change of academic program the details of which shall be clearly stipulated in writing to the Executive Director’s office; or a material change in economic circumstances so as to create a hardship; or a material change in transportation circumstances so as to create a hardship; and
2) The transfer reassignment takes place after the conclusion of the previous school year and prior to the beginning of the current school year, and the student commences enrollment and attendance on day one of the current school year; and
3) The superintendent or other administrative authority of the system petitions the Executive Director’s office for the restoration of eligibility for the student verifying in detail the specific reason for the transfer in accordance with item #1 and certifying that the transfer is not for athletic reasons no later than 15 school days after the beginning of the school year; and
4) The student is ineligible held accountable to the transfer consequence until ruled eligible by the Executive Director’s office.
NOTE: This exception will have no application for seniors who are requesting a "specific change of academic program."

COMMENT:
1. The change in item #2 in both 4-7-6 and 4-7-7 reflects the original intention of these bylaws as approved by the members over 10 years ago, i.e., that the student's reassignment shall result in enrollment and attendance at the new high school on the first day of school in the current school year.

ISSUE 15B – Delete 4-7-8- TRANSFER

4-7-8 – In order for a transfer student to be eligible for OHSAA tournament competition at a school, the student’s name must be listed on the eligibility certificate submitted at the first round tournament level in the sport.

COMMENT:
1. There is no need for this bylaw as the current transfer bylaws make it highly unlikely that a transfer student could play for one high school, transfer, and then play for another once the tournament has begun.
Forms of recruiting that are prohibited by this bylaw include but are not limited to:

8. If a coach leaves a school to pursue a coaching opportunity at another school, the coach shall refrain from any communication with any students at his or her former school. Further as it relates to any student who might transfer to or enroll at the school where the coach is now approved as a member of the coaching staff, said transfer or enrollment shall create a rebuttable presumption of recruiting and render the student ineligible for one year from the date of enrollment unless the recruiting can be rebutted. Once the coach has been employed by or appointed to his/her new school for one calendar year from the date of employment/approval, the coach is still prohibited from communication with any students at his/her former school, but there is no longer any obligation for the new school to rebut the presumption of recruiting unless specifically requested to do so by the Executive Director's Office.

COMMENTS:
1. Adding this sentence clarifies that a rebuttable presumption of recruiting is only presumed for the first calendar year the coach is with the new school. Once that calendar year has passed, the school is no longer obligated to refute the presumption of recruiting unless specifically requested to do so by the Executive Director’s Office.

Editorial Changes

1. 4-6-3 – Add the word “guardianship” to exception one to be compliant with state law.
2. Preamble to the Transfer Bylaw - 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 meet one of the exceptions to that residency bylaw.
3. 4-7-2 – In exception two, change to read:
   If because of a legal change of custody 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 to the other district where the parent resides... (this has always been the interpretation but reads better this way.

This language got dropped with the expansion of exception 2 and should be added back:
Exception 2 permits the choice of the public high school located in the residential school district of the new legal custodian or new residential parent, or any non-public school.
BYLAWS – 7-8th GRADE SCHOOLS ONLY

ISSUE 1B - BYLAW 1-6-4 — COMBINING 7/8 GRADE SCHOOLS

Interscholastic teams/squads sponsored by a member school may not consist of students from more than one school unless otherwise mandated within the Ohio Revised Code or in accordance with the exception below:

EXCEPTION: Member schools containing grades 7 and 8 may combine students from two or more schools within the school district/system to form one or more interscholastic team in a sport. Requests for permission to combine students from two or more schools in the same public district or non-public system must be submitted annually prior to the start of each sports season to the OHSAA in writing by the superintendent of the public district or non-public system. The written request must contain the following:

1 — Names of schools involved.
2 — Total number of students from each school involved in the sport.
3 — Total number of boys or girls in each grade of each school in the combination.
4 — Rationale for requesting the combination to form more than one team/squad in each sport.
5 — The name of the principal, name of the combined school (which must be the name of one of the member schools represented within the combination) for purposes of registration into the MyOHSAA system, and the complete address (including email) of the one administrator responsible for the conduct and operation of each combined team or teams.

For purposes of tournament assignment, eligibility and placement, the Board of Directors and the Executive Director’s Office of the OHSAA shall adopt and publish from time to time, such rules as deemed necessary and proper for the timely, accurate and transparent implementation of this bylaw so as to give effect and meaning to this section.

COMMENTS:

1. This amendment clarifies that this request to combine 7th-8th grade schools must be submitted annually prior to the start of each sports season.

ISSUE 2B – BYLAW 4-4-5, EXCEPTION 2 — 7th-8th GRADE SCHOLARSHIP

...Thereafter, in order to be eligible a student in grade 7 or 8 must be currently enrolled and have been enrolled in school the immediately preceding grading period and received passing grades during that grading period in a minimum of five of those subjects in which the student received grades.

EXCEPTION 2: If a student’s failure to meet the requirements of this bylaw are due to an “incomplete” given in one or more courses which the student was taking during the grading period in question, the student may have his/her eligibility restored by the Executive Director’s office once the “incomplete” has been changed to a passing letter grade provided:

a) the failure to complete the required coursework during the grading period was due to calamity day(s), family tragedy, or illness or accident as verified by a physician contemporaneous at the time of the incident; and

b) the “incomplete” was given in accordance with Board of Education/other governing board adopted policies and procedures and is applicable to all students in the school; and

c) the previously scheduled work and/or exams is/are completed within the time period provided in Board policy for completing work required to convert an “incomplete” into a letter grade; and

b) there is no evidence that the “incomplete” was given in order to afford the student extended time in order to provide the student tutoring or other educational services simply to avoid a failing grade.

Note: This exception only applies where an “incomplete” has been issued and not a letter grade that is subsequently changed because of the extended time/additional work. If a high school district/system does NOT have a Board
Policy on the Restoration of an Incomplete to a Grade or did not have a policy when this exception was requested, the student shall not be able to avail him or herself of this exception.

COMMENTS:
1. The Executive Director’s Office has been presented with Bylaw 4-4-1 Exception 3 cases where the application submitted included letters from a physician that were issued weeks and sometimes months after the incident.
2. This addition clarifies that this exception can only be utilized when a physician issues a verification of the incident contemporaneous with the occurrence of the incident.
3. If a school or district has no Incomplete Policy, this exception shall not be applicable to the student.