Ohio High School Athletic Association  
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Columbus, Ohio 43214  
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www.ohsaa.org

REFERENDUM ITEMS APPROVED— 2019-2020  
February 15, 2019

CONSTITUTION

ISSUE 1C – CONSTITUTION 3-3-1 — MEMBERSHIP

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 high schools under its jurisdiction, which resolution shall be submitted to the Executive Director's office no later than 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.

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.

COMMENTS:

1. 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.
2. 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 is able to effectively transition and ensure all students are eligible in accordance with Bylaw 4, Student Eligibility, during its first year of membership.

ISSUE 2C- 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 3C – 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. **7-8th grade schools must also sponsor two 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 a 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 an **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 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.

**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

2-1-1 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.

<table>
<thead>
<tr>
<th>Classification</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class A</td>
<td>Lower third of total</td>
</tr>
<tr>
<td>Class AA</td>
<td>Middle third of total</td>
</tr>
<tr>
<td>Class AAA</td>
<td>Upper third of total</td>
</tr>
</tbody>
</table>
MOVE TO CONSTITUTION 5-7-4

**Const. 5-7-4** 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**

2-1-2 All school teams or individuals that wish may 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.

2-1-3 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)

2-1-4 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 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 in reality have no impact on tournament divisional assignments).
2. In order 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. Likewise, due to the fact that a smaller number of athletes are being captured, non-enrolled students participating on a varsity roster in accordance with state law will maintain a Tier 2 Non-Enrolled status, as opposed to being changed to Tier 1 Non-Enrolled as was previously recommended.
4. 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.
5. 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.

6. 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.

7. 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.

8. 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).

9. It is possible that schools could circumvent the intention of this change by holding students out of regular season varsity competition and then adding them to the tournament roster without being counted.

### ISSUE 3B – 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 high 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.

**Exception: If a non-public school system assigns students to a certain 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 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).
5. Conversely, some believe that these international students should remain as Tier 2 as they impact competitive equity in the same way as domestic students.

### ISSUE 4B – 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 students to a certain 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, then the school administrator would then look at the student’s residence. Similar to multi-HS systems, 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.

ISSUE 5B – 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.

ISSUE 6B – BYLAW 4-6-3 – RESIDENCE- EXCEPTIONS 1, 2, 11 & 12 – ADD EXCEPTION 2 AND RENUMBER

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, pursuant to a court order, 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 #2 and have been under the custody/guardianship of the individual who is now an Ohio resident for less than two years, 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).

EXCEPTION 10: 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 11: 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 7B – 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 has resided 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:** 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. The student is permitted to use this exception 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.

3. 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.
4-7-3 - 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 thesport 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.
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.
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 11B – 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.

**ISSUE 12B – BYLAW 4-9-4 #8 – ADDING A TIMELINE FOR REBUTTABLE PRESUMPTION**

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.
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
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.