

TO: High School Principals and Athletic Administrators
FROM: Deborah Moore, Associate Commissioner and Roxanne Price, Assistant Commissioner
RE: Reminder about the *Affidavit of Bona Fide Residence* and **new requirements** of Bylaw 4-7-2, Exception 1

This memo is a repeat of information that was sent to all principals and athletic administrators in our high schools on June 25, 2009. As the time for beginning regular season competition is now here, we wanted to be sure that you were fully informed about this change which was adopted by our membership this past May. **Please insure that you do not permit a transfer student whose parents have moved into your school district to participate in a contest without an official ruling of eligibility from this office.**

In accordance with the new requirements found in Transfer Bylaw 4-7-2, Exception 1 – Parents Bona Fide Move into a New Public School District – we wish to inform you of the process you shall use when you have a transfer student who is changing schools due to a bona fide move of the student's parents into a new public school district. If you have a student seeking eligibility under this provision for the 2009-2010 school year, please follow these steps:

1. **Arrange for a conference** with both parents to complete page one of the OHSAA form which identifies the requirements for those parents to be able to send their child to a public school tuition free as a resident of a school district. Remember that this exception may be used to transfer a student's eligibility to either the public school in a new district or ANY non-public school.
2. **Insure that the parents** – both parents if there has been no divorce or legal separation – **understand the affirmations** expressed in the affidavit and realize that in order to maintain eligibility for their student, they must live in the new school district for at least one year. In addition, please note that a move into an apartment/residence by a parent that is not intended to be PERMANENT, as evidenced by the fact that the previous residence is maintained, belongings are still present and immediate family continues to live there shall not be considered a bona fide move.
3. **Instruct the parent to take the actual affidavit of bona fide residence** (pages 2 and 3 of the OHSAA form) to a notary public for completion. Note that they must produce driver's license, voter registration and all other documentation that will be requested by the notary. We have found that items #16 and #17 have been problematic. Please advise parents to obtain new driver's licenses with the correct address and register to vote in the new district. Failure to do these things will not permit us to approve the transfer.
4. **Please note that the affidavit has been revised** to include the student's name at the top directly below the name of the parent who is the affiant. In addition, items #2, the current legal address, and #7, the previous address, each require the full address including city, zip code and the designation of the public school district in which each residence is located. This information will help us to track the request and process it correctly.
5. **When all three pages have been completed** and checked by either the principal or another senior administrator in the district, please send them to the OHSAA to the attention of either Deborah Moore or Roxanne Price.
6. **Upon receipt of a complete and accurate affidavit**, the OHSAA will issue a letter approving the eligibility.
7. **Please remember that students who are seeking eligibility under this exception are ineligible** until approved in writing by the OHSAA. We will make every effort to expedite these requests, with the appropriate paperwork, as quickly as possible.

8. **Click here to retrieve the revised Affidavit of Bona Fide Residence** <http://www.ohsaa.org/eligibility/forms/Affidavit-BonaFideResidence.pdf> and please dispose of all outdated forms.
9. **Note that incoming 9th grade students are eligible** insofar as transfer is concerned at the school where they begin attending or where they begin participating in contests prior to the start of school. This exception does not apply to incoming 9th graders. In addition, parents who are moving into Ohio for the first time, regardless of their child's year in high school, have the same privileges as an incoming 9th grader in terms of athletic eligibility. **The affidavit is not necessary for those students who are new to Ohio by virtue of their parents' bona fide move.**

Please feel free to contact Debbie or Roxanne if you have any questions!