



Ohio High School Athletic Association
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Situations Requiring Approval of the Commissioner's Office *As of August 1, 2009*

NOTE: In order to be declared eligible for interscholastic athletics in an Ohio member school, a student must comply with ALL requirements found in Bylaw 4 (4-1-1).

4-2-1-Exceptions 1 & 2-Age-High School-Student with a Disability; Student Retained in Grades K-3

If a student enrolled in high school attains the age of 19 before August 1, the student shall be ineligible to participate in high school interscholastic athletics for the school year commencing in that calendar year.

EXCEPTION 1: If the student is a "child with a disability" as that term is defined at 42 U.S.C. Section 12102 (ADA) and the Regulations promulgated there under, and the student's specific disability has contributed significantly to the student's inability to meet the requirements of this bylaw, that student **may be declared eligible by the Commissioner** if, in the Commissioner's sole discretion, the Commissioner determines that: (see criteria a-d below exception 2)

EXCEPTION 2: If a student has repeated any grade from Kindergarten through grade 3 at the recommendation of the student's teachers or other educational professionals and for purely academic reasons and, as a result of repeating any of these grades, the student cannot meet the age limitations of this bylaw in the student's senior year of high school, **the Commissioner's Office may declare the student eligible** notwithstanding this bylaw 4-2-1 if, in the sole discretion of the Commissioner's Office, the following criteria can be met:

- a) the student does not pose a safety risk to himself/herself or others; and
- b) the student does not enjoy any advantages in terms of physical maturity, mental maturity or athletic maturity over other student-athletes; and
- c) the student's participation does not affect the principles of competitive equity; and
- d) there is no evidence of "red-shirting" or other indicia of academic dishonesty.

Click here to view the checklist: <http://www.ohsaa.org/eligibility/forms/Disability.pdf>

4-2-2-Exceptions 1 & 2-Age-Grades 7-8-Student with a Disability; Student Retained in Grades K-3

If a student enrolled in grade 7 or 8 attains the age of 15 before August 1, the student shall be ineligible to participate in 7-8th grade interscholastic athletics for the school year commencing in that calendar year.

EXCEPTION 1: If the student is a "child with a disability" as that term is defined at 42 U.S.C. Section 12102 (ADA) and the Regulations promulgated there under, and the student's specific disability has contributed significantly to the student's inability to meet the requirements of this bylaw, that student **may be declared eligible by the Commissioner** if, in the Commissioner's sole discretion, the Commissioner determines that: (see criteria a-d below exception 2)

EXCEPTION 2: If a student has repeated any grade from Kindergarten through grade 3 at the recommendation of the student's teachers or other educational professionals and for purely academic reasons and, as a result of repeating any of these grades, the student cannot meet the age limitations of this bylaw in the student's eighth grade year with the 7th and 8th grade school, **the Commissioner's Office may declare the student eligible** notwithstanding this bylaw 4-2-2 if, in the sole discretion of the Commissioner's Office, the following criteria can be met:

- a) the student does not pose a safety risk to himself/herself or others; and
- b) the student does not enjoy any advantages in terms of physical maturity, mental maturity or athletic maturity over other student-athletes; and
- c) the student's participation does not affect the principles of competitive equity; and
- d) there is no evidence of "red-shirting" or other indicia of academic dishonesty.

Click here to view the checklist: <http://www.ohsaa.org/eligibility/forms/Disability.pdf>

4-3-3 - Eight Semesters

After a student completes the eighth grade, or is otherwise eligible for high school athletics pursuant to Bylaw 4-2-3, the student shall be eligible for a period not to exceed eight semesters taken in order of attendance, whether the student participates or not. A student in grade 7 or 8 who attains the age of 15 before August 1 shall be eligible only at the high school level for a period not to exceed eight semesters taken in order of attendance, whether the student participates or not.

4-3-3 – Exception 1 – Completion of a Sports Season

EXCEPTION 1: The Commissioner or the Board of Directors may permit a student who completes the eighth semester of eligibility during the season of a sport to complete the sports season of the sport in which the student is participating provided the student is enrolled in school. If such extension is granted, the student is ineligible for further interscholastic participation when the sports season, regular and tournament, has ended.

4-3-3 - Exception 2 – Eight Semesters – Student with a Disability

EXCEPTION 2: If the student is a “child with a disability” as that term is defined at 42 U.S.C. Section 12102 (ADA) and the Regulations promulgated there under, and the student’s specific disability has contributed significantly to the student’s inability to meet the requirements of this bylaw, that student may be declared eligible by the Commissioner if, in the Commissioner’s sole discretion, the Commissioner determines that:

- a) the student does not pose a safety risk to himself/herself or others; and
- b) the student does not enjoy any advantages in terms of physical maturity, mental maturity or athletic maturity over other student-athletes; and
- c) the student’s participation does not affect the principles of competitive equity; and
- d) there is no evidence of “red-shirting” or other indicia of academic dishonesty

Click here to view the checklist: <http://www.ohsaa.org/eligibility/forms/Disability.pdf>

4-3-4 – Semesters Disregarded

A student who is enrolled 15 or more school days in any semester, or who participates in an interscholastic contest prior to or in a semester, shall have that semester count as one semester of eligibility.

Exception: The Commissioner may, in the exercise of the Commissioner’s sole discretion, disregard a particular semester of “enrollment” if extenuating circumstances of such enrollment are presented and are shown to have existed through no fault of the student-athlete.

Such students are ineligible until the Commissioner has ruled on the circumstances.

1-6-4- Combining 7-8th Grade Schools

Member schools containing grades 7 and 8 may combine students from two or more schools within the school district to form one interscholastic team in a sport. Requests for permission to combine students from two or more schools in the same non-public or public school system must be submitted annually to the OHSAA in writing by the superintendent of the non-public or public school 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 — The name of the Principal, name of the School and the complete address of the Administrator responsible for the conduct and operation of the combined team or teams.

4-4-1 – Exception 1 – Waiver of Five-Credit Requirement for Seniors

The Commissioner’s office may waive the requirement of the senior student’s having passed five one-credit courses in the preceding grading period in the following circumstances:

- 1) Student has accumulated a sufficient number of credits to have graduated the preceding semester;
- 2) Student maintains a grade point average in the top 10% of the class;
- 3) Student can demonstrate that the underlying purposes of this bylaw have been otherwise fulfilled. This means that the student is not purposely choosing to select fewer than five courses in which to be enrolled in the preceding grading period.

4-4-1 – Exception 2 – Waiver of Preceding Grading Period Enrollment Requirements

The Commissioner’s Office may waive the enrollment requirements of Bylaw 4-4-1 (Scholarship) provided the student has been withdrawn or removed from school because of circumstances due to personal accident, illness or family hardship. An appeal for such waiver must come from the principal of the school and be in writing. The appeal for waiver shall contain documents with school and medical supporting evidence.

4-4-1 – Exception 3 – Restoration of Eligibility for an Incomplete

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 Commissioner’s Office once the “incomplete” has been changed to a passing letter grade provided:

- (i) the failure to complete the required course work during the grading period was due to calamity day(s), family tragedy, or illness or accident as verified by a physician; and
- (ii) 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
- (iii) 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
- (iv) 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 as a result of the extended time/additional work.

4-4-2 – Restoration of Scholastic Eligibility for Student with a Disability

If, either through the due process procedure or the direct mediation process established by the Ohio Department of Education in compliance with the Individuals with Disabilities Education Act, it is determined that a school has failed to provide all of the support services as identified in a student's IEP as necessary for the student to receive a "free and appropriate public education," AND the Commissioner's office determines that this failure to provide these necessary services caused the student to fail to meet the requirements of Bylaw 4-4-1, the student may be declared eligible by the Commissioner upon the student's successful completion of the appropriate compensatory education as ordered by the Independent Hearing Officer (I.H.O.) or through the mediation process. **Note: Student is ineligible until the compensatory work is satisfactorily completed and the OHSAA rules the student eligible.**

4-4-3 – Exception 2 – Ineligible Students may be declared eligible 24 hours after the school district's Mandatory Grade Reporting Date

Although this exception does not require OHSAA approval, the exception does require Board of Education action to adopt a mandatory credit reporting date after each grading period which is applicable to all students in all schools in the district. Click here to access a template that can be used by a BOE to adopt this policy http://www.ohsaa.org/members/4-4-3_Exception2_MandatoryGradeReport.doc

4-6-3 – Exception 1 – Parents who reside outside or Ohio but within the USA

The Commissioner's office may declare a student who is the subject of a custody order issued by a court of proper jurisdiction conferring custody upon a grandparent, aunt, uncle or sibling who resides in Ohio, if, in the sole discretion of the Commissioner's office, the Commissioner's office determines that the purpose of this change in custody was not for athletic reasons, but for purely the best interest of the student in terms of the student's mental, physical and educational well-being.

Note: Upon enrollment of a student whose parents live outside the State of Ohio but within the United States, 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 Commissioner's Office of said enrollment, and the facts and circumstances regarding any change of custody so that the Commissioner's Office can make an informed decision regarding the student's qualifications under this exception.

4-7-2 – Interdistrict Transfer – Note: In order to take advantage of any of the transfer exceptions, a student's parent(s) (biological or adoptive) must reside in Ohio (4-6-3) or meet one of the enumerated exceptions to Bylaw 4-6-3

If a student transfers 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 or regular season/tournament contest), the student will be ineligible for one year from the date of enrollment in the school to which the student transferred. A student is considered to have transferred whenever enrollment is changed from one school to another school, or whenever 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.

4-7-2 - Exception 1 – Parents' Bona Fide Move

If the parents or legal guardian have made a bona-fide legal change of residence from one public school district to another public school district, the student may enroll in either the public school within the boundaries of that public school district that includes the new residence of the parents or legal guardian or any non-public school. **The student is ineligible until ruled eligible by the Commissioners' office upon submission of an accurately completed Affidavit of Bona Fide Residence and accompanying guidelines.** Parents making a bona fide legal change of residence into the state of Ohio for the first time may enroll the student in any school that accepts that student. That student shall be eligible insofar as transfer is concerned in accordance with this bylaw. **Note 1:** These forms can be found at <http://www.ohsaa.org/eligibility/forms/Affidavit-BonaFideResidence.pdf> **Note 2:** See the definition of a bona fide residence in Bylaw 4-6-1.

4-7-2 - Exception 2 - Change of Custody

If the student is the ward of a court-appointed guardian, and there is a subsequent change in that guardian that **results in a change of school district**, the student shall be eligible in the district of residence of the new guardian or at any non-public school provided the student **lives with the guardian for a minimum of one year.**

Likewise, if the student is the child of parents who were never married or have had their marriage terminated and there is a court ordered change of custody, the student shall be eligible in the district of residence of the new custodial parent or at any non-public school provided the student lives with the new custodial parent. For purposes of this exception, the term "parent" means the biological or adoptive parents of the student or, as the case may be, the person to whom parenting rights and responsibilities have been allocated pursuant to court order. In

the event a student has been temporarily or permanently removed from the home, "parent" means the person or government agency with legal or permanent custody. **When a change of residential parent or legal custodian results in a change of school district, the student is ineligible until ruled eligible by the Commissioner.**

To receive a ruling the principal or athletic administrator shall send:

1. A copy of the court entry changing the custodianship signed by either a judge or magistrate (affidavits for school attendance are not acceptable)
2. Cover letter verifying that 1) the parent(s) of the student live in Ohio; 2) the person named in the custody document is a bona fide resident of the new public school district into which the student has transferred (or non-public school if that option is selected); and 3) the student will live with the custodian.

4-7-2 – Exception 3 – Shared Parenting

EXCEPTION 3 — If, and only if, either one of the parents in a Shared Parenting Plan, notwithstanding any provisions therein to the contrary, makes a bona-fide legal change of residence from one public school district into another public school district, the student shall be immediately eligible insofar as transfer is concerned in the public school located in the residential district of either parent or any nonpublic school. See Exception 2 for the requirements for completing the Affidavit of Bona Fide Residence.

Click here to retrieve Affidavit of Bona Fide Residence: <http://www.ohsaa.org/eligibility/forms/Affidavit-BonaFideResidence.pdf>

4-7-2 –Exception 5 – School Annexation or Consolidation

EXCEPTION 5 — If the bona fide residence of the student's parents is annexed to a different school district or consolidated within a school district, the student may be ruled eligible upon transfer to a school in the annexed or consolidated district subject to modification by formal action by the Boards of Education concerned. **A copy of such action by Boards of Education must be on file in the Association office before the Commissioner can rule the student eligible.**

4-7-2 –Exception 6 – Transfers into Public School in Parents' Residential District

EXCEPTION 6 — A student shall be entitled to one transfer into a public high school located in the public school district within which the student's parent residence is located regardless of from where the student is transferring except that such a transfer shall not be permitted if the student has previously utilized the superintendent's agreement which was previously set forth in exception 6 to transfer from that same public high school. Note 1: The highlighted text will be removed from the Bylaws in 2010-2011. **Note 2: Use of this exception requires the submission of the Exception Six Form to document the transfer as set forth in the exception.**

Click here to retrieve the Form: <http://www.ohsaa.org/eligibility/forms/Exc6.PDF>

4-7-2 – Exception 7 – Transfer to a Non-Public School

A student may return to non-public education by transferring from the public high school located in the district of residence of the parents to a non-public high school and have her/his eligibility restored at the discretion of the Commissioner's office provided the following conditions have been met:

1. That the transfer from the non-public high school to the public high school was not done for athletic reasons but for purely academic reasons or family circumstances beyond the control of the student and/or his/her parents; and
2. The student had been continuously enrolled in the same system of non-public education (e.g., Catholic Conference of Ohio, Ohio Association of Independent Schools, Association of Christian School International or other category as denoted by the State Department of Education) beginning in the 6th grade and continuing thereafter through and including the eighth grade **and either:**
 - a. The student began grade nine in a high school within the same non-public system and shall transfer back to that same non-public high school or
 - b. The student began grade nine in the public school located in the residential district of the parents and the transfer back to a high school within the same non-public school system in which the student was enrolled from grades 6-8 shall occur prior to the start of the student's tenth grade year.
3. The student has been ruled eligible by the Commissioner's office.

4-7-2 - Exception 8 – Self-Supporting Status

EXCEPTION 8 — A student who does not live in the same school district as parents or legal guardian (**Note: parents must reside in Ohio**) and who is financially self-supporting may be ruled eligible upon approval of the Commissioner at a school in the district where the student resides. The Commissioner is empowered to establish requirements for the student to be determined to be self-supporting. These requirements shall be established for each school year by May 15th of the preceding year. Self-support documentation must be submitted for approval every 30 days. **The student is ineligible until ruled eligible by the Commissioner.**

Click here to retrieve the form: <http://www.ohsaa.org/eligibility/forms/selfsupport.pdf> **Note: Living with and/or being employed by a relative does not qualify for self-support under this exception.**

4-7-2 – Exception 10 – Home not ready for Habitation

EXCEPTION 10 — The Commissioner shall have the discretionary power to waive the Residence requirements in only those cases of students whose parents live outside the school district and whose contracted domicile is not available for their habitation. **The students are ineligible until ruled eligible by the Commissioner.**

To receive a ruling the principal or athletic administrator shall send:

1. Copy of purchase or lease agreement indicating the prospective date of habitation. Note: site plans or zoning permits do not constitute purchase agreements.
2. Cover letter verifying that the person named in the agreement is currently an Ohio resident and will be a bona fide residence of the new public school district into which the student has transferred (or non-public school if that option is selected).

4-7-2 - Exception 11 – School District Completely Discontinues all Sports Programs

EXCEPTION 11 — If, and only if, a school district ceases to sponsor its interscholastic athletic program, a student may transfer to any other school and continue his/her eligibility provided the following conditions are met: a) The student had participated on the school sponsored team in the canceled sport during the entire previous sport season for that sport; and b) The transfer occurs at the beginning of the new school year (defined as the first day of school or when the student participates in the first contest for the school prior to the beginning of the school year) or, at the beginning of the next grading period following the school's decision to cancel its sponsorship of its interscholastic athletic program; and c) For a period of one year from the date of transfer, the student may only participate in that sport(s) in which the student had participated in the previous school year; and d) Evidence that all of the conditions for eligibility are submitted to the office of the Commissioner, which, upon review, may rule the student eligible. **No student transferring under this provision shall be eligible until declared so by the Commissioner's office.** In addition to the preceding conditions having been met, the following limitation shall apply: Any student transferring eligibility pursuant to this exception will not be able to take advantage of exception 6 (transfer into residential district) of this Bylaw at any time after the transfer becomes effective.

4-7-3 – Transfer during a sport's season

Although there is no approval process connected to this bylaw, members are reminded that a student who transfers schools during the season of the sport, after having participated in a contest in that sport, is ineligible to participate in the same sport at the new school unless the parents have made bona fide move into a new school district (Exception 1 of Bylaw 4-7-2), and the new school selected is more than 50 miles from the school from which the student has transferred as measured by www.mapquest.com.

4-7-4 – Intradistrict Transfer

The superintendent or person delegated by the superintendent of either a non-public or public school system may transfer students within the system without jeopardizing their eligibility only in the following circumstances. **Such transfers are eligible only after approval by the Commissioner's office.**

Requires a letter from the superintendent listing the students and the schools from which and into which they are transferring, as well as documentation as to the reason for the transfer in accordance with the provisions listed below.

- 1) *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 OR*
- 2) *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 OR*
- 3) *The school closes or there was a mistake made in the student's initial placement*
- 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*
- 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.*

4-7-5 – Transfer from Poor Performing Schools – Note: Student's parents must reside in Ohio.

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 Commissioner's office that the transfer is for purely academic reasons and not athletic reasons, the Commissioner's office may declare such transferring student eligible upon application to the Commissioner's office. **The student is not eligible until declared eligible by the Commissioner's office.**

Click here to retrieve the instructions: <http://www.ohsaa.org/eligibility/Bylaw4-7-5.pdf>

4-7-6 – Intradistrict Transfer at the beginning of the year – Public School Systems

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 Commissioner'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; and
- 2) **The transfer and the request for approval** takes place prior to the beginning of the school year; and
- 3) The District petitions the Commissioner's office for the restoration of eligibility for the student; and
- 4) The student is ruled eligible by the Commissioner's office **prior to the beginning of the school year.**

4-7-7 – Intradistrict Transfer at the beginning of the year – Non-Public Schools within a specific category

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 Commissioner'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; 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 and the request for approval** takes place prior to the beginning of the school year; and
- 3) The Superintendent or other administrative authority of the system petitions the Commissioner'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; and
- 4) The student is ruled eligible by the Commissioner's office **prior to the beginning of the school year.**

4-8-1- Students from outside the United States

Students from countries and provinces outside the United States are ineligible for interscholastic athletics.

4-8-1 – Exception 1 – Parents move to the USA

EXCEPTION 1: A student from a country or province outside the United States may be declared eligible if the student's parents move into and are legal residents of the Ohio school district in which the student is enrolled and attending. **The student is not eligible until declared eligible by the Commissioner's Office.**

Principal shall submit letter or request citing circumstances.

4-8-1 – Exception 2 – Foreign Exchange Program - CSIET

EXCEPTION 2: A student in an approved foreign exchange program contained in the Advisory List of International Educational Travel and Exchange Programs published by the Council on Standards for International Educational Travel (CSIET) may be eligible for interscholastic athletics. **The student is not eligible until declared eligible by the Commissioner upon submission of the exchange student form.** The following restriction applies: a. Students are eligible for a maximum of one school year.

Click here to retrieve the form: <http://www.ohsaa.org/eligibility/forms/FEelig.pdf>

4-8-1 –Exception 3 - Adoption

EXCEPTION 3: A student from a country or province outside the United States may be declared eligible for interscholastic athletics upon the submission of a court approved document certifying the student's adoption by a legal resident of the school district in which the student is attending. **The student is not eligible until declared eligible by the Commissioner upon submission of the appropriate court documents.**

To receive a ruling the principal or athletic administrator shall send:

1. Copy of the court entry approving the adoption and signed by either a judge or magistrate
2. Cover letter verifying that the person named in the adoption document is a bona fide resident of the new public school district into which the student has transferred (or non-public school if that option is selected) and the student will live with the adoptive parent.

4-8-1 – Exception 4 – Parents are USA Citizens living outside the USA

EXCEPTION 4: A student from a country or province outside the United States may be declared eligible for interscholastic athletics when the student's parents are citizens of the United States who reside outside the United States. **The student is not eligible until declared eligible by the Commissioner upon submission of the appropriate court documents.**

Principal shall submit letter or request citing circumstances.

4-8-2 – Return from Domestic or Foreign Exchange Program

An Ohio student returning from a domestic or foreign exchange program may resume interscholastic competition in an Ohio member school at the point of interruption provided the student did not receive credits toward graduation while participating in the exchange program and provided the student meets all requirements relative to age, semesters of eligibility as well as preceding grading period scholastic requirements in the exchange program. **Such a student is ineligible until ruled eligible by the Commissioner or Board of Directors.**

Principal shall submit letter or request citing circumstances.