

**OHIO HIGH SCHOOL ATHLETIC ASSOCIATION**  
**4080 ROSELEA PLACE, COLUMBUS, OHIO 43214**  
**(614) 267-2502**

**OFFICIAL BALLOT FOR 2009 PROPOSED AMENDMENTS TO THE OHSAA CONSTITUTION AND BYLAWS**

**RESULTS:**

**829 SENT**  
**559 RECEIVED**  
**7 INVALID**

**BALLOT FOR PROPOSED AMENDMENTS TO THE OHSAA CONSTITUTION AND BYLAWS (GRADES 9-12) – NOTE: ALL ISSUES HAVE BEEN APPROVED FOR REFERENDUM BY THE BOARD OF DIRECTORS**

The Complete Text and Comments pertaining to each referendum issue were distributed at the Athletic Discussion Meetings and can be viewed at [www.ohsaa.org](http://www.ohsaa.org)

<u>FAVOR</u>	<u>OPPOSE</u>	<u>ISSUE</u>	
<u>496</u>	<u>46</u>	<u>1 C</u>	<p><b><u>CONSTITUTION 3-1-1-New Member Schools</u></b>  <b>Amend 3-1-1 as follows:</b>  d) If the school does not meet the provision found in 3-1-1 c), the school may be accepted as a member under the following conditions: ...</p> <p>2) Authorized for participation in the appropriate enrollment division of any OHSAA tournament without affecting the division dividing line. <i>The enrollment determination for the new school shall be based upon the actual number of boys and girls in grades 9-10 and 11 enrolled in that high school based on the October EMIS count from the preceding school year.</i></p> <p>If passed, effective date August 1, 2009</p>
<u>531</u>	<u>14</u>	<u>2 C</u>	<p><b><u>CONSTITUTION 5-3-1 – Board of Directors Membership Rotation</u></b>  <b>Amend 5-3-1</b> to insure that the rotation provides for either four or five members returning to the Board of Directors each year.</p> <p>If passed, effective date August 1, 2009</p>
<u>539</u>	<u>9</u>	<u>3 C</u>	<p><b><u>CONSTITUTION 5-4-1 – Deadline for appointment of Board of Directors Representative</u></b>  <b>Amend 5-4-1</b> to require the deadline for appointment to be no later than the May meeting of the Board of Directors.</p> <p>If passed, effective August 1, 2009</p>
<u>534</u>	<u>17</u>	<u>4 C</u>	<p><b><u>CONSTITUTION 5-6-1 – Powers and Duties of the Board of Directors</u></b>  <b>Amend 5-6-1 to:</b>  8. <i>Establish an appeals procedure, hear appeals of rulings made by the Commissioner's office. ...the Board of Directors may not alter, waive, or set aside a bylaw except as indicated and approved within the Constitution.</i>  11. <i>The Board of Directors may declare a position vacant on a District Athletic Board when an elected member fails to attend three consecutive meetings and/or fulfill the requirements of the position.</i></p> <p>If passed, effective August 1, 2009</p>
<u>538</u>	<u>5</u>	<u>5 C</u>	<p><b><u>CONSTITUTION 7-3-2 and 7-4-1 – Elections</u></b>  <b>Amend 7-3-2</b> to change the date for submission of nominating petitions to April 30 and <b>Amend 7-4-1</b> to clarify that a district athletic board member shall be certified for election in the appropriate athletic district for which the member will serve during the subsequent school year and that the election will take place during the second week of May with ballots due on May 15.</p> <p>If passed, effective date August 1, 2009</p>
<u>512</u>	<u>33</u>	<u>6 C</u>	<p><b><u>CONSTITUTION 7-6 – Vacancies</u></b>  <b>Amend 7-6</b> to require the Board of Directors to appoint an interim representative who meets all of the requirements of the position and who shall serve until such time as the newly elected representative, elected during the next regularly scheduled election, takes office when a vacancy occurs on a district athletic board for reasons other than expiration of term.</p> <p>If passed, effective date August 1, 2009</p>

<u>FAVOR</u> 496	<u>OPPOSE</u> 44	<u>ISSUE</u> 7 C	<p><b>CONSTITUTION 8-1-10 – Amendments to the Constitution and Bylaws</b></p> <p><b>Amend 8-1-10</b> to permit the Board of Directors to establish an effective date other than August 1 for implementation of any approved referendum item if so stipulated on the ballot.</p> <p>If passed, effective date August 1, 2009</p>
<u>FAVOR</u> 512	<u>OPPOSE</u> 29	<u>ISSUE</u> 1 B	<p><b>BYLAW 1-2-1 – Sponsorship</b></p> <p><b>Amend Bylaw 1-2-1:</b> All practices, games, previews and other interscholastic athletic contests must be under the direct <u>or indirect</u> control, sponsorship and supervision of schools involved and be the financial responsibility of such schools <u>except that high school contest sponsored by colleges and universities are exempt from this bylaw.</u></p> <p>If passed, effective date August 1, 2009</p>
<u>FAVOR</u> 525	<u>OPPOSE</u> 16	<u>ISSUE</u> 2 B	<p><b>BYLAW 2-1-1 – Classification</b></p> <p><b>Amend 2-1-1:</b> Add the words <u>in each athletic district</u> to clarify that the one-third divisions of schools in classifications refer to schools in each of the six athletic districts.</p> <p>If passed, effective date August 1, 2009</p>
<u>FAVOR</u> 483	<u>OPPOSE</u> 69	<u>ISSUE</u> 3 B	<p><b>BYLAW 2-1-4 – Classification</b></p> <p><b>Amend 2-1-4:</b> <u>The Board of Directors is authorized to adopt policy for assigning students, who are not specified as 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.</u></p> <p>If passed, effective date May 18, 2009</p>
<u>FAVOR</u> 377	<u>OPPOSE</u> 167	<u>ISSUE</u> 4 B	<p><b>BYLAWS 4-2-1 and 4-2-2 – Exceptions to the Age Requirement</b></p> <p><b>Add Exception 2 to 4-2-1 and 4-2-2:</b>  <u>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 (8<sup>th</sup> grade year in the 7<sup>th</sup>-8<sup>th</sup> grade school), the Commissioner's Office may declare the student eligible notwithstanding this bylaw 4-2-1 (4-2-2) if, in the sole discretion of the Commissioner's Office, the following criteria can be met:</u></p> <ul style="list-style-type: none"> <li>a) <u>the student does not pose a safety risk to himself/herself or others; and</u></li> <li>b) <u>the student does not enjoy any advantages in terms of physical maturity, mental maturity or athletic maturity over other student-athletes of her/his grade level; and</u></li> <li>c) <u>the student's participation does not affect the principles of competitive equity; and</u></li> <li>d) <u>there is no evidence of "red-shirting" or other indicia of academic dishonesty</u></li> </ul> <p>If passed, effective date August 1, 2009</p>
<u>FAVOR</u> 520	<u>OPPOSE</u> 25	<u>ISSUE</u> 5 B	<p><b>BYLAW 4-3-4 – Semesters</b></p> <p><b>Amend Bylaw 4-3-4 by adding Note 2:</b> <u>A student who does not attend school due to enrollment in a post secondary institution that is not a part of the Postsecondary Enrollment Option Part B (dual credit for both high school and postsecondary school) shall have that semester(s) count in the total of eight that are permitted.</u></p> <p>If passed, effective date August 1, 2009</p>
<u>FAVOR</u> 527	<u>OPPOSE</u> 18	<u>ISSUE</u> 6 B	<p><b>BYLAW 4-3-5 – Graduate of High School</b></p> <p><b>Amend 4-3-5 by adding:</b> A student is considered a graduate when the student has completed the work required for graduation and is declared a graduate by the Board of Education <u>or similar governing board or a similar governing board in another state/country. Notwithstanding the age and semester bylaws,</u> such a student is no longer eligible for interscholastic sports except for participation in the remaining contests of that semester.</p> <p>If passed, effective date August 1, 2009</p>

<p><b>FAVOR</b> <u>448</u></p>	<p><b>OPPOSE</b> <u>102</u></p>	<p><b>ISSUE</b> 7 B</p>	<p><b><u>BYLAW 4-4-1 - Scholarship – Add Exception #3 - Make up Work to Complete the Preceding Grading Period; Delete 4-4-8</u></b></p> <p><i>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></p> <ul style="list-style-type: none"> <li>(i) <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</i></li> <li>(ii) <i>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</i></li> <li>(iii) <i>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</i></li> <li>(iv) <i>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.</i></li> </ul> <p><i>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.</i></p> <p>If passed, effective date August 1, 2009</p>
<p><b>FAVOR</b> <u>463</u></p>	<p><b>OPPOSE</b> <u>87</u></p>	<p><b>ISSUE</b> 8 B</p>	<p><b><u>BYLAW 4-6-3 – Residence – Parents who reside outside of Ohio but within the USA</u></b></p> <p><b>Amend 4-6-3 and add Exception 1 to read:</b> A student whose parents reside outside the state of Ohio but within the United States will be ineligible for interscholastic athletics in a member school. (See Bylaw 4-8-1 for eligibility requirements for students whose parents live outside the United States). NOTE: A biological or adoptive parent must reside in Ohio. A change of custody/ guardianship does not satisfy the requirement of this bylaw.</p> <p><i>EXCEPTION 1 – 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.</i></p> <p><i>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.</i></p> <p><b><u>If passed, effective date May 18, 2009</u></b></p>
<p><b>FAVOR</b> <u>517</u></p>	<p><b>OPPOSE</b> <u>27</u></p>	<p><b>ISSUE</b> 9 B</p>	<p><b><u>BYLAW 4-7-1 – Transfer – Addition to Definition of Application of the Transfer Bylaw</u></b></p> <p><b>Amend 4-7-1 to read:</b> The transfer bylaws apply to all students enrolling in grades 9-12 <i>who are transferring high schools whether the schools are public or non-public, member or non-member or whether the high schools are within the same school system or district.</i></p> <p>If passed, effective date August 1, 2009</p>
<p><b>FAVOR</b> <u>496</u></p>	<p><b>OPPOSE</b> <u>39</u></p>	<p><b>ISSUE</b> 10 B</p>	<p><b><u>BYLAW 4-7-2 – Transfer</u></b></p> <p><b>Amend Bylaw 4-7-2 for clarification to read:</b> 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. <del>A student is considered to have transferred whenever the student changes from that school in which the student was enrolled as a ninth grader to any other school regardless of whether the school from which the student transferred or to which the student transfers is public or non-public, member or non-member or whether the high schools are within the same school district.</del> <i>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.</i> Subject to the specific provisions of this Section 7 – Transfer – the following exceptions to the general transfer bylaw may apply:</p> <p><b><u>If passed, effective date May 18, 2009</u></b></p>
<p><b>FAVOR</b> <u>459</u></p>	<p><b>OPPOSE</b> <u>86</u></p>	<p><b>ISSUE</b> 11 B</p>	<p><b><u>BYLAW 4-7-2 – Transfer – Exception 1 – Bona Fide Residence</u></b></p> <p><b>Amend Exception 1 to read:</b> 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, <del>and be immediately eligible insofar as transfer is concerned.</del> <i>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 <a href="http://www.ohsaa.org/eligibility/forms/Affidavit-BonaFideResidence.pdf">http://www.ohsaa.org/eligibility/forms/Affidavit-BonaFideResidence.pdf</a> Note 2: See the definition of a</i></p>

			<p>bona fide residence in Bylaw 4-6-1.</p> <p>If passed, effective date August 1, 2009</p>
<p><b>FAVOR</b></p> <p><u>495</u></p>	<p><b>OPPOSE</b></p> <p><u>47</u></p>	<p><b>ISSUE</b></p> <p>12 B</p>	<p><b><u>BYLAW 4-7-2 – Transfer – Exception 2 – Change of Custody</u></b></p> <p><b>Amend Exception 2 to read:</b> If the student is the ward of a court-appointed guardian, and there is a subsequent change in that guardian <u>that results in a change of school district</u>, 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. 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 <u>for a minimum of one year...</u></p> <p>If passed, effective date August 1, 2009</p>
<p><b>FAVOR</b></p> <p><u>502</u></p>	<p><b>OPPOSE</b></p> <p><u>38</u></p>	<p><b>ISSUE</b></p> <p>13 B</p>	<p><b><u>BYLAW 4-7-2 – Transfer – Exception 6 – Transfer into Residential Public High School</u></b></p> <p><b>Amend Exception 6 to read:</b> 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 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 <u>1</u>: The highlighted text will be removed from the Bylaws in 2010-2011  <u>Note 2: Use of this exception requires the submission of the Exception Six Form to document the transfer as set forth in the exception. The form can be found at <a href="http://www.ohsaa.org">www.ohsaa.org</a>.</u></p> <p>If passed, effective August 1, 2009</p>
<p><b>FAVOR</b></p> <p><u>413</u></p>	<p><b>OPPOSE</b></p> <p><u>128</u></p>	<p><b>ISSUE</b></p> <p>14 B</p>	<p><b><u>BYLAW 4-7-2 – Transfer – Exception 7 – Transfer into a Non-Public High School</u></b></p> <p><b>Amend Exception 7 to read:</b> If a student transfers from a non-public high school to the public high school in which the student's parents' residence is situated pursuant to Exception 6 above the student may transfer back to the same non-public high school <u>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</u> and have her/his eligibility restored at the discretion of the Commissioner's office provided the following conditions have been met:</p> <ol style="list-style-type: none"> <li>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</li> <li>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 as the high school in which the student enrolled as a ninth grader <u>and either:</u> <ol style="list-style-type: none"> <li>a. <u>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</u></li> <li>b. <u>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.</u></li> </ol> </li> <li>3. The student has been ruled eligible by the Commissioner's office.</li> </ol> <p>If passed, effective August 1, 2009</p>
<p><b>FAVOR</b></p> <p><u>510</u></p>	<p><b>OPPOSE</b></p> <p><u>41</u></p>	<p><b>ISSUE</b></p> <p>15 B</p>	<p><b><u>BYLAW 4-7-3 – Transfer – During the Season after Participation in a Sport</u></b></p> <p><b>Amend 4-7-3 to read:</b> If a transfer takes place during the sport season in which the student has participated in an interscholastic <u>contest in a</u> 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...</p> <p>If passed, effective August 1, 2009</p>
<p><b>FAVOR</b></p> <p><u>502</u></p>	<p><b>OPPOSE</b></p> <p><u>44</u></p>	<p><b>ISSUE</b></p> <p>16 B</p>	<p><b><u>BYLAW 4-7-6 and 4-7-7 – Transfer – Intradistrict/System Transfer – Public and NonPublic</u></b></p> <p><b>Amend both 4-7-6 and 4-7-7 to require that the request for approval and the eligibility ruling by the OHSAA take place prior to the beginning of the school year.</b></p> <p>If passed, effective August 1, 2009</p>

<p><u>FAVOR</u></p> <p><u>507</u></p>	<p><u>OPPOSE</u></p> <p><u>42</u></p>	<p><u>ISSUE</u></p> <p>17 B</p>	<p><b><u>BYLAW 9-2-1 – Contests with Out-of-State Schools</u></b></p> <p><b>Amend 9-2-1 read:</b> Schools may travel out of state to compete in contests in states or provinces in Canada that are contiguous to Ohio regardless of distance to travel. The states include Indiana, Kentucky, Michigan, Pennsylvania and West Virginia. The province includes Ontario. Additionally, schools may travel out of state one time per sport per interscholastic season to compete in contests in states or provinces in Canada that are not contiguous to Ohio provided there is no loss of school time. <u>“School time” is defined as any time during any day during which the school is in session as stipulated in its Board-adopted school calendar exclusive of contingency days. Penalty for violation: The school shall be ineligible for the OHSAA post-season tournament in the sport in which the out of state travel was involved and could be subject to additional penalties as referenced in Bylaw 12.</u></p> <p><u>Exception: If, because of missed school days due to calamity situations, an otherwise non-school day(s) becomes as school day(s) in order to make-up for the missed school day(s), the school may compete in a contest(s) outside the state of Ohio provided:</u></p> <p><u>1)The school had contracted for/committed to said trip/contest(s) at least three months prior to the contest(s) in question and;</u>  <u>2) the school receives written permission from the Commissioner’s office at least one week in advance of the scheduled event.</u></p> <p>If passed, effective August 1, 2009</p>
<p><u>FAVOR</u></p> <p><u>515</u></p>	<p><u>OPPOSE</u></p> <p><u>32</u></p>	<p><u>ISSUE</u></p> <p>18 B</p>	<p><b><u>BYLAW 10 – Non-Interscholastic Programs</u></b></p> <p><b>ReNUMBER Bylaw 10-1-1 (definition of a Member of an Interscholastic Squad) as Bylaw 4-1-3; Move the remainder of Bylaw 10 to the Sports Regulations and rewrite as Regulation #4.</b></p> <p>If passed, effective August 1, 2009</p>