



News Release

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OHSAA Member Schools Pass All 25 Referendum Issues

Votes tallied from principals' voting for 2009-10 school year changes

COLUMBUS, Ohio – A vote of the 829 member schools resulted in all 25 proposed Ohio High School Athletic Association Constitution and Bylaw revisions passing, Commissioner Dr. Dan Ross announced Monday.

Principals voted on the recommendations – seven Constitution and 18 Bylaw – between May 1 and 15. The changes will become effective August 1, 2009, with the exception of the change to Bylaw 4-6-3, which adds an exception that can grant eligibility to students' whose parents live outside of Ohio but within the United States, and the change to Bylaw 4-7-2, Transfers, which clarifies the definition of a transfer student. Those changes became effective Monday (May 18).

More than 68 percent of the membership voted on the issues, with 559 ballots received (plus seven invalid ballots). For a link to the breakdown of the official voting results, view this release at ohsaa.org. The following is a summary of the 25 issues that passed:

Amendments to the OHSAA Constitution and Bylaws for the 2009-10 School Year:

- 1.) Constitution 3-1-1, Membership — Clarifies how enrollment is determined for new schools by noting that it will 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.
- 2.) Constitution 5-3-1, Qualification for Board of Directors Membership — Changes the rotation of Board of Directors members so that four members will be replaced in one year and five the next, rather than the current format in which three will be replaced in one year and six the next.
- 3.) Constitution 5-4-1, Selection of Members to the Board of Directors — Clarifies that when District Athletic Boards select the Class A, AA and AAA positions to serve on the Board of Directors, the deadline for such selections shall be no later than the May meeting of the Board of Directors.
- 4.) Constitution 5-6-1, Powers and Duties of the Board of Directors — Clarifies the powers and duties of the Board and adds the following: "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." Also clarifies that the Board of Directors establishes an appeals procedure.
- 5.) Constitution Items 7-3-2, Nomination, and 7-4-1, Elections — Changes the date for when petitions for those seeking election to an OHSAA District Athletic Board must be received by the OHSAA office from April 1 to April 30, and changes the date for when ballots for those voting on District Athletic Board elections must be received by the OHSAA office from April 30 to May 15.

Also clarifies to whom district athletic board ballots shall be sent and notes that this is based on the classification the voting member's school will hold during the subsequent school year.

6.) Constitution 7-6-2, Vacancies — Changes the notion of holding special elections each time a district athletic board vacancy occurs to the idea that the Board of Directors shall appoint an interim representative who meets all of the requirements of the position and who will serve until the newly elected representative, elected during the next regularly scheduled election, takes office.

7.) Constitution 8-1-10, Amendments to the Constitution and Bylaws — Clarifies that changes approved by the membership shall become effective August 1 unless the Board of Directors establishes another date, which will be indicated on the ballot.

1.) Bylaw 1-2-1, Sponsorship — With many member schools participating in contests that are developed and administered by non-school organizations, the bylaw has been modified to note that it is permissible to participate in these contests.

2.) Bylaw 2-1-1, Classification — Clarifies that when enrollments are calculated and classifications are determined, one-third or as near to one-third of the member schools will be assigned to each classification within each athletic district.

3.) Bylaw 2-1-4, Classification — Adds a clause that permits the Board of Directors to establish policy relative to students who are to be counted in the EMIS report but have not been assigned to any specific high school. The students are ones where there might be an opportunity for participation, and the policy will be published in the OHSAA Handbook and web site.

4.) Bylaws 4-2-1 and 4-2-2, Age — Adds an exception that would permit a student who has repeated a grade from kindergarten through grade 3, at the recommendation of educational professionals, and the student has turned 19 before the August 1 deadline of the senior year (or turned 15 before the August 1 deadline of the eighth grade year in accordance with Bylaw 4-2-2) to maintain eligibility provided certain criteria are met.

5.) Bylaw 4-3-4, Semesters — Adds a note that semesters of enrollment will count for 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).

6.) Bylaw 4-3-5, Graduate — Clarifies that students are considered graduates when they have completed work required for and are declared a graduate by the Board of Education or a similar board in another state/country.

7.) Bylaw 4-4-1, Scholarship, Exception 3; Delete Bylaw 4-4-8, Scholarship — Adds the concepts that have appeared in Bylaw 4-4-8 to Exception 3 of Bylaw 4-4-1 and adds clarity. The change extends permissible reasons for allowing an incomplete to be made up, notes that all circumstances will be evaluated by the Commissioner's office and reinforces the notion that once a grade is recorded it may not be changed and that only incompletes may be used to restore eligibility once work is made up.

Also adds the notion of "other educational options" in the language that "Tutoring, examinations or other educational options to complete the preceding grading period requirements is permissible provided the inability to complete the required work on time is due to illness or accident . . ." Also clarifies that an "incomplete" is not a passing grade and cannot be used to restore eligibility until it has been changed to a passing grade.

8.) Bylaw 4-6-3, Parents Reside Outside of Ohio within the United States — Adds an exception that would permit a student whose parents reside outside of Ohio but within the United States to be eligible provided court-ordered custody is granted to a grandparent, aunt, uncle or sibling who resides in Ohio. The student can only be declared eligible upon submission of documentation to and approval from the OHSAA Office. This change became effective May 18, 2009.

9.) Bylaw 4-7-1, Transfers — Clarifies that the transfer bylaw is referring to any high school student who is changing schools, regardless of the type of school from which they are transferring.

10.) Bylaw 4-7-2, Transfers — Clarifies what a transfer student is by saying that “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.” Also clarifies how eligibility is established. This change became effective May 18, 2009.

11.) Bylaw 4-7-2, Exception 1, Transfers — Adds to the regulation that a student whose parents or legal guardian have made a bona-fide legal change of residence from one public school district to another is ineligible until ruled eligible by the OHSAA office upon submission of an accurately completed Affidavit of Bona Fide Residence and accompanying guidelines.

The change also clarifies that parents making a bona fide legal change of residence in the state of Ohio for the first time may enroll the student in any school that accepts that student, and that that student shall be eligible insofar as transfer is concerned in accordance with this bylaw.

12.) Bylaw 4-7-2, Transfers, Exception 2 — Reaffirms that a change of custody must result in a change of school district in order for the student to be approved for eligibility at the district of residence of the new custodian or any non-public school. Also reinforces the interpretation that the student must live with that new custodian for a minimum of one year.

13.) Bylaw 4-7-2, Transfers, Exception 6, Transfer Into Residential Public High School
Adds a second note that “Use of this exception requires the submission of the Exception 6 Form (to the OHSAA office) to document the transfer as set forth in the exception.” This requirement also reinforces the concept that this exception is available one time.

14.) Bylaw 4-7-2, Transfers, Exception 7 — Modifies the exception by providing additional situations that would permit a student who was enrolled in a non-public education system in grades 6 through 8 to enroll in the public school located in the district of residence of the parents and not lose eligibility should he or she transfer to the same system of non-public education in which he or she was previously enrolled from grades 6 through 8.

15.) Bylaw 4-7-3, Transfer During the Season After Participation in a Contest — Clarifies that the transfer student in question must have participated in an interscholastic “contest” in a sport at another school before the transfer has occurred (practices or training do not constitute participation in a contest).

16.) Bylaw 4-7-6, Intradistrict Transfer - Public, and Bylaw 4-7-7, Intradistrict Transfer - Non-Public — Clarifies that the transfer “and the request for approval” takes place prior to the beginning of the school year. Also clarifies that the student must be ruled eligible by the OHSAA office “prior to the beginning of the school year.”

17.) Bylaw 9-2-1, Contests With Out-of-State Schools — Clarifies what “school time” means and provides a specific penalty for violation of the bylaw. An exception for this regulation is also provided.

18.) Bylaw 10-1-1, Member of a Squad — Moves the definition of “member of a squad” to Bylaw 4-1-3. In addition, Bylaw 10-2-1, Definition of Non-Interscholastic Teams; Bylaws 10-3-1, 10-3-2, 10-3-3, 10-3-4, 10-3-5, 10-3-6 and 10-3-7, Playing on Non-Interscholastic Squads, and Bylaws 10-4-1 and 10-4-2, Penalty, are deleted and rewritten as General Sports Regulations, which would allow the Board of Directors to make modifications as deemed necessary without having the membership vote on proposed changes through the referendum.

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