



Student Eligibility Guidance for High School Principals and Athletic Administrators

Residence Bylaw Guidance

Bylaw 4-6-2, Exception 2 – Guardian/Custodian with custody or guardianship for at least one year prior to move into Ohio

This document will focus on Exception 1 to Bylaw 4-6-2, which read as follows:

Bylaw 4-6-2

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 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 varsity 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).

As noted, this exception can only be used when the student does not have a parent residing in Ohio and when that student makes a bona fide move into Ohio with a legal custodian/guardian who has had custody/guardianship of the student for a minimum of one year. **Please note that caretaker's affidavits or Power of Attorney's (POA's) do not grant custody/guardianship.**

To request a ruling under this exception, please complete the form found at this link:

<https://ohsaaweb.blob.core.windows.net/files/Eligibility/forms/4-6-2Exc2Form.pdf> and submit it to Kristin Ronai (kronai@ohsaa.org).

Please note the student is ineligible until a favorable ruling is issued by the Executive Director's Office. Furthermore, any student approved under Bylaw 4-6-2, Exception 2 may still be subject to the transfer consequence unless an exception can also be met to Bylaw 4-7-2.

Please feel free to contact Kristin Ronai (kronai@ohsaa.org) if you have any questions!