



Ohio High School Athletic Association  
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Guidance for 2020-2021–High School Principals and Athletic Administrators

**Bylaw 4-3-1—Enrollment and Attendance**  
**Overview**

Section three of Eligibility Bylaw 4 “ENROLLMENT AND ATTENDANCE” contains seven (7) bylaws. **Bylaw 4-3-1** has been a gold standard rule since the inception of the OHSAA in 1908. The student **enrollment requirement** promotes loyalty and school spirit, which in turn assists in the establishment of a cohesive student body. Further the requirement helps promote amateurism by drawing athletes from the school’s population only; discourages an over-emphasis on sports; avoids “team shopping” which wrongfully skews the relationships among student athletes and coaches; secures role models for other students and, in some of our schools in accordance with Board policy, permits the earning of physical education credit required for graduation.

The attendance requirement helps ensure that students will adhere to the school’s attendance plan, which, in turn, prompts students to maintain the academic standards required for participation and promotes graduation in a common time frame – which is within eight semesters from matriculation into grade nine.

Interscholastic or education-based athletics has always been considered an extension of the programs that take place during the school day, and it has been the desire of educators that students in these after-school programs be under the supervision and direction of qualified individuals just as they are during the regular school day.

However, to respond to changes in education and school choice, the members have extended participation opportunities to students who may not be attending the member school as a full-time student, which the bylaw requires. Thus, in addition to the only two exceptions which were available 20 years ago – students educated in separate 9<sup>th</sup> grade schools and joint vocational schools - the members have authorized participation opportunities to students who have chosen the following educational options as codified in six exceptions.

Further changes in state law over the last six years have extended participation opportunities beyond the scope of this bylaw and created opportunities for students who are not enrolled in the member school sponsoring the sport. Currently there are four categories of non-enrolled (**our terminology**) students who have the privilege of an opportunity to participate at the **public school located in the parents’ district of residence**. Those students are 1) home educated students; 2) STEM school students who attend an Ohio school that does not sponsor the sport(s) in which the student wishes to participate; 3) students who attend one of Ohio’s over 500 community schools which do not sponsor the sport(s) in which the student wishes to participate; and 4) students in Ohio non-public schools – chartered or non-chartered (‘08 schools) that do not sponsor a sport(s) in which the student wishes to participate. Please note that due to recent legislative action, a non-public school student whose school does not sponsor the sport he or she wishes to play may have the option of the public school in the district of residence of the parents OR the public school in the district in which the non-public school is located subject to the approval of the superintendents of both the residential district and the district in which the non-public school is physically located. In this instance, the choice of schools shall be made annually. Guidance for these participation opportunities is found here: <http://www.ohsaa.org/eligibility/GuidelinesForNon-EnrolledStudents.pdf> and <http://www.ohsaa.org/eligibility/CommonlyAskedQuestions>

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Preceding all bylaws in Section 3 is this Note, which provides **operational definitions** of terms used within these bylaws.

**For purposes of this section and the interpretations there under:**

- 1. A student cannot attend a school without being officially enrolled;**
- 2. A student cannot be enrolled in more than one school at any given time;**
- 3. Once a student is enrolled and attending a new school, the OHSAA shall consider the student withdrawn from the former school;**

**Note: Notwithstanding these exceptions to Bylaw 4-3-1, all high school students must also comply with the transfer Bylaw 4-7.**

This document will focus on **Bylaw 4-3-1 – Enrollment and Attendance**. This bylaw and its seven exceptions read as follows:

**All students participating in a school-sponsored sport must be enrolled in and attending full-time in accordance with all duly adopted Board of Education or similar governing board policies of that school.**

**EXCEPTION 1:** A student enrolled in the **ninth grade separate** from the high school (grades 10- 12) is eligible to participate with the school squad of the high school the student will be assigned to attend.

**EXCEPTION 2:** A student enrolled in a **joint vocational school** is eligible at the high school where the students' records are maintained.

**EXCEPTION 3:** A student enrolled full time in a **postsecondary institution (now known as College Credit Plus – CCP)** is eligible to participate at the high school where the student's records are maintained, provided the student is **receiving high school credit** for a minimum of five one credit courses in the postsecondary institution.

**EXCEPTION 4:** A student enrolled in a non-traditional (alternative, magnet, career-oriented, digital, etc.) school that is sponsored by a Board of Education or similar governing board is eligible to participate at the member school operated by the district sponsoring the non-traditional school provided the non-traditional school does not sponsor interscholastic athletics. Each student will be counted on the EMIS report for the member high school where that student's eligibility is vested.

Students who attend non-traditional schools that are sponsored by a multiple high school public school district shall be assigned for interscholastic athletics to member schools within the district based on the business rules for participation that have been adopted by the Board of Directors.

The business rules for this exception are found at this link, <http://www.ohsaa.org/Portals/0/Eligibility/BusinessRulesMultiHSPublic.pdf> as approved by the Board.

**EXCEPTION 5:** A student who is receiving home instruction in accordance with division (A) (2) of section 3321.04 of the Revised Code and **is enrolled** in a **non-public member school in accordance with the partial enrollment policy** of the governing board of that non-public school, may be eligible at the non-public school where the student is enrolled and attending. Such partial enrollment policy requires that at least one of the courses be taken at the school's physical location **and that the course be an academic course.**

Note: State law permits home educated students in accordance with ORC 3312.04 (A)(2) to be afforded the opportunity to participate at the public school in the district of residence of the parents without any enrollment

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obligation. If the residential public school district does not offer the sport, the home educated student MAY participate at another non-residential public school provided the superintendent of that district permits such participation.

**EXCEPTION 6:** Unless otherwise mandated within the Ohio Revised Code.

Exception 6 was added to address any situations which might be mandated by the state legislature. To view the guidance regarding legislative changes for the non-enrolled student, click here:

<http://www.ohsaa.org/Portals/0/Eligibility/GuidelinesForNon-EnrolledStudents.pdf>

<http://www.ohsaa.org/eligibility/CommonlyAskedQuestions>

**EXCEPTION 7 (Note: This exception was formerly Bylaw 4-6-2): Student with a Disability** – A student who is a “child with a disability” as that term is defined at 42 U.S.C. Section 12102 (ADA) and the Regulations promulgated thereunder who is enrolled in a Special Education program at a school outside of the district of residence of parents is eligible at the school where the student attends classes or the school located in the district of residence of the parents, PROVIDED each of the following is met: (a) the student’s parents reside in Ohio; (b) the school district in which the parents reside does not provide the required programs to meet the student’s special education needs; and (c) there is a contractual agreement specifying the responsibility for educating a “child with disabilities” between the respective school boards or between the parents and the school the student with the disability will attend.

There is no ruling required for this exception under the enrollment and attendance Bylaw 4-3-1 for a student with a disability to access interscholastic athletics either at his or her residential school or the school where the special services are being received. Once having chosen the school for participation in athletics, however, the student would be subject to the transfer bylaw upon transfer to the other school or any other school.

**Note that none of these exceptions requires a ruling from the OHSAA; however, exception four requires significant diligence on the part of the administrator. Due to the number of questions received, this guidance is prepared to assist in the interpretation of these non-enrolled options.**

**Please feel free to contact Deborah Moore or Roxanne Price if you have any questions!**