



Ohio High School Athletic Association
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ohsaa.org

Guidance for 2020-2021—High School Principals and Athletic Administrators

Bylaw 4-3—Enrollment and Attendance

Overview - Semesters

Section three of Eligibility Bylaw 4 “ENROLLMENT AND ATTENDANCE” contains seven (7) Bylaws. **Bylaws 4-3-2, 4-3-3, 4-3-4 and 4-3-5 all relate to the semester eligibility standard** which, like the enrollment and attendance standards found in Bylaw 4-3-1, has been a foundational basis upon which education-based athletics have been built since their inception and the inception of the OHSAA in 1908. The semester standard is considered a “maximum participation opportunity” standard. Each student is permitted **up to eight semesters of high school athletic participation opportunity**, and each 7-8th grade student is permitted **up to four semesters of 7-8th grade athletic participation opportunity** whether the student is able to or chooses to participate in interscholastic athletics or not.

The **eight-semester standard** promotes timely progress toward graduation by discouraging students from delaying or interrupting their high school education; prohibits students from enrolling and withdrawing for any semester during a school year to increase athletic advantage; promotes equality of competition; diminishes risks stemming from unequal competition and places emphasis on the academic mission of the school. In addition, the assurance that each student is afforded the same number of semesters of athletic eligibility increases the number of students who will have an opportunity to participate for their schools.

Bylaw 4-3-4 was adopted in 2014-15 as the **four-semester standard** for students in grades seven and eight. **Members should note that this bylaw became effective for any 7th grade student entering grade seven for the first time in the 2014-2015 school year and was fully effective for all students commencing with the 2016-17 school year.**

This standard is conducive to preventing “red shirting;” helps avoid exploitation from coaches or boosters who otherwise might seek to obtain transfers or delay a student’s normal progress through school; prevents displacement of younger students by older students who wish to unfairly protract their middle school or high school athletic careers. The OHSAA has adopted four bylaws that define and clarify the eight-semester and four-semester participation standard. The guidance will discuss each of those bylaws.

Bylaw 4-3-2- For purposes of the semester bylaws 4-3-3 ,4-3-4 and 4-3-5, enrollment and attendance in a school shall be deemed continuous until such date when a student has been officially withdrawn from the school in accordance with that school’s policies.

This bylaw clearly stipulates that a student is still considered to be enrolled in a school, and accountable to the semester bylaws, even though he or she may or may not be attending regularly. Until formal withdrawal from a school, the student is considered to be enrolled unless that student has enrolled in another school at which time, according to the operational definitions which precede this Section 3, the student would then be considered withdrawn.

Bylaw 4-3-3 is the fundamental high school eight-semester bylaw in which it is clearly stipulated that once a student has completed grade eight or is otherwise eligible for high school athletics participation (for example, enters high school after the student has opted to skip grade seven and/or eight), each student has eight semesters of high school eligibility taken in order of attendance whether the student has participated or not. The accommodation for a student, whether disabled or not, and who is too old to participate in 7-8th grade athletics (age 15 prior to August 1) is to allow the commencement of the eight semesters for that student while still enrolled in the middle school. This accommodation permits the student the opportunity for eight semesters of high school eligibility, but such a student should be advised that he or she will be ineligible for the senior year of high school if he or she chooses to commence high school participation while still in grade 8.

Eight Semesters - High School

Bylaw 4-3-3 – *After a student completes the eighth grade **or is otherwise eligible for high school athletics participation** (such as in the examples of a student who skips grade eight and enrolls in high school or is too old for 7-8th grade participation), the student may be eligible for a period not to exceed eight semesters taken in order of attendance, regardless of whether the student participates or is even eligible to participate in accordance with these eligibility bylaws. 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 commencing with the semester of the student's first participation at the high school level.*

Note: See Bylaw 4-3-5 for further definition of what constitutes “order of attendance” as it relates to these semester bylaws.

EXCEPTION 1: The Executive Director's Office 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.

(See below for guidance on how to request exception 1)

EXCEPTION 2: If the student is a “child with a disability” as that term is defined within the Ohio Operating Standards for the Education of Children with Disabilities and Part B of the Federal IDEIA requirements; and the student's specific disability was diagnosed contemporaneous with the events which caused the student to be unable to meet the requirements of this bylaw; and whose disability is the primary reason for student's inability to meet the requirements of this bylaw, that student may be declared eligible by the Executive Director's office if, in the sole discretion of the Executive Director's office, the Executive Director's office 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 would not likely participate in any meaningful way in any contest or otherwise have any impact on the outcome of any contest in which the student does participate; and
- d) there is no evidence of “red-shirting” or other indicia of academic dishonesty.

(See below for guidance on how to request exception 2)

EXCEPTION 3: The Executive Director's Office, in its sole discretion, may permit a student who began high school in another country to have up to eight semesters of high school eligibility in the United States when evidence can be presented that the student's placement in high school outside the United States was inappropriate for the student's age and academic capabilities.

Note: If a student competes at the high school level as an ineligible student, that semester (s) of eligibility shall count toward the eight semesters permitted.

(See below for guidance on how to request exception 3)

GUIDANCE FOR REQUESTING A RULING

BYLAW 4-3-3 EXCEPTION 1 permits the completion of a sports season into the 9th semester for a student who completes the 8th semester during the fall. For example, a student who is a swimmer and is completing her 8th semester in the fall would be able to complete the swimming and diving season even though it extends into the second semester, but would be ineligible for a spring sport. This exception requires approval from the Executive Director's Office.

To receive a ruling on this exception, the principal or athletic administrator shall direct a letter to Dr. Moore or Ms. Price outlining the specific details of the student's situation.

BYLAW 4-3-3 EXCEPTION 2 is an exception for a **student with a significant disability who would not affect the outcome of any contest**. This guidance and the waiver process are discussed at this link. Please click here to retrieve that document: <http://www.ohsaa.org/Portals/0/Eligibility/forms/Disability.pdf>

BYLAW 4-3-3 EXCEPTION 3: The Executive Director's Office, in its sole discretion, may permit a student who began high school in another country to have up to eight semesters of high school eligibility in the United States when evidence can be presented that the student's placement in high school outside the United States was inappropriate for the student's age and academic capabilities.

To receive a ruling on this exception, the principal shall direct a letter to Dr. Moore or Ms. Price outlining the specific details that suggest the student's **original placement in high school outside the United States** was academically inappropriate. Some examples might include failing grades during those semesters outside the USA, test scores that might indicate the student should not have been placed in a particular grade level or any other academic evidence that would be persuasive.

Four Semesters - Grades 7-8

Bylaw 4-3-4 – After a student completes the sixth grade or is otherwise eligible for 7-8th grade athletics [an example would be a student who skips grade six and begins attending in grade 7] **and before the student enters the ninth grade, the student may be eligible for a period not to exceed four semesters taken in order of attendance, whether the student participates or not.**

Note: See Bylaw 4-3-5 for further definition of what constitutes “order of attendance” as it relates to these semester bylaws.

EXCEPTION: If the student is a “child with a disability” as that term is defined within the Ohio Operating Standards for the Education of Children with Disabilities and Part B of the Federal IDEIA requirements and the student's specific disability was diagnosed contemporaneous with the events which caused the student to be unable to meet the requirements of this bylaw; and whose disability is the primary reason for student's inability to meet the requirements of this bylaw, that student may be declared eligible by the Executive Director's office if, in the sole discretion of the Executive Director's office, the Executive Director's office 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 would not likely participate in any meaningful way in any contest or otherwise have any impact on the outcome of any contest in which the student does participate; and
- d) there is no evidence of “red-shirting” or other indicia of academic dishonesty.

The exception to Bylaw 4-3-4 is an exception for a student with a significant disability who would not affect the outcome of any contest. This guidance and the waiver process are discussed at this link. Please click here to retrieve that document: <http://www.ohsaa.org/Portals/0/Eligibility/forms/Disability.pdf>

Bylaw 4-3-5

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

- 1: A student who does not attend school in a semester due to a suspension or an expulsion shall have that semester(s) count in the total of **four**/eight that are permitted.
- 2: A student who does not attend school due to enrollment in a postsecondary institution that is not part of the Postsecondary Enrollment Program – College Credit Plus (dual credit for both **7-8th grade**/high school and postsecondary school) shall have that semester(s) count in the total of **four**/eight that are permitted.
- 3: A student who does not attend any school for a semester(s) due to truancy shall have that semester(s) count in the total of **four**/eight that are permitted.
- 4: A student who does not attend any school for a semester(s) due to withdrawal, **including a student who is excused from compulsory attendance to be home educated**, shall have that semester(s) count in the total of **four**/eight that are permitted.

Exception: The Executive Director may, in the exercise of the Executive Director’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.

Bylaw 4-3-5 establishes the criteria for when a semester counts as one of the **four or** eight permitted. Enrollment of 15 days or more in any semester or participation in an athletic contest either prior to or during the semester registers that semester as one of the eight permissible. Over the years several situations, which the members believed should constitute a semester, have been added based on attempts to circumvent this bylaw. Thus, the following situations will require a student to forfeit one or more semesters even though not enrolled in school:

1. Non-attendance due to suspension or expulsion
2. Withdrawal to College Credit Plus – **no 7-8th grade or** high school credit
3. Non-attendance due to truancy
4. Withdrawal from school

There is one exception that would permit the Executive Director’s Office to disregard a semester of enrollment – notice the use of the word “enrollment,” which means that the student has not been withdrawn but has simply not attended school - due to a set of circumstances that are no fault of the student’s and would be considered extreme and unavoidable. To receive a ruling on this exception, the principal shall direct a letter to Dr. Moore or Ms. Price outlining the specific details of the situation the student faced that caused him or her to be unable to attend school although still enrolled in the school.

Please see Bylaw 4-8-2 for information on how semester Bylaw 4-3-3 may impact a domestic student who is studying outside the United States in an international exchange program.

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