



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

Bylaw 4-4 - Scholarship

Overview – Failure to Provide Services

Fundamental to the privilege of participation in interscholastic athletics is the notion that students are to be scholars first and athletes second. Thus, the members have adopted a series of bylaws that reinforce a minimum level of scholastic achievement that is required for a student to be eligible to participate in contests, **which are defined as any game, meet, competition, preview or scrimmage**. Practices and training are exempt from this prohibition, and schools **may** choose to allow students who are academically ineligible to continue to practice with their teams.

This section of the student eligibility bylaw represents the only required OHSAA academic standard. The required grade point average standard (G.P.A.) is mandated by state law for all schools in Ohio. The G.P.A. is established by the local Board of Education or governing board in a non-public school and is overseen exclusively by the member school. In addition, member schools may adopt more stringent standards and may review them more frequently; however, a student who is not compliant with this bylaw may not have his or her eligibility restored except at the beginning of the next grading period as stipulated in Bylaw 4-4-3.

Please note that students who are not enrolled in the member school are required to fulfill these scholarship requirements. That includes students who are home educated. Despite what some may contend, interscholastic athletics is a privilege to be accorded to those who meet the eligibility standards. Refusal to comply with this scholarship standard shall render the student ineligible

The intent of this series on the Scholarship Bylaw is to provide guidance as to the purpose behind each bylaw and any action required in support of adopted exceptions.

This document will focus on **Bylaw 4-4-2 – School Fails to Provide Required Services for a Student with a Disability**. Bylaw 4-4-2 reads as follows:

If, either through the due process procedure or the direct mediation process established by the Ohio Department of Education in compliance with the Individuals with Disabilities Education Act, it is determined that a school has failed to provide all of the support services as identified in a student's IEP as necessary for the student to receive a "free and appropriate public education," AND the Executive Director's office determines that this failure to provide these necessary services caused the student to fail to meet the requirements of Bylaw 4-4-1 or Bylaws 4-4-4 or 4-4-5, the student may be declared eligible by the Executive Director's office upon the student's successful completion of the appropriate compensatory education as ordered by the Independent Hearing Officer (I.H.O.) or through the mediation process.

The scholarship bylaws are consistent in the mandate that all students desiring the privilege of participation in interscholastic athletics fulfill the requirements found within the bylaws. Thus, a student with a disability is not exempt from those requirements. In fact, a student with a disability who has either an IEP or a 504 plan has received accommodations for the disability that are deemed reasonable and appropriate to the task of achieving the minimum standards found within Bylaw 4-4. However, if the school has failed to provide the services, which have been identified within the student's IEP, and the OHSAA determines that this failure caused the student to fail to meet the academic standards within the bylaw, the Executive Director's office may declare the student eligible.

In order to make this analysis, the OHSAA will need the following from the principal of the school:

3/19/2020

1. The specific determination made by the Independent Hearing Officer that indicates that the school failed to provide the required services.
2. A finding that this failure on the part of the school was directly related to the student's failure to meet the scholarship standard found in the applicable bylaw.
3. Identification of the compensatory services to be provided to the student.
4. Confirmation that the student has completed the compensatory education and has had the failing grade(s) restored to passing because of this education.

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