



Ohio High School Athletic Association
4080 Roselea Place, Columbus, Ohio 43214
Telephone: 614-267-2502; Facsimile – 614-267-1677
www.ohsaa.org

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

Bylaw 4-6 - Residence

Overview 4-6-2 – Exception 12

There are just two bylaws in the section entitled “RESIDENCE. **Bylaw 4-6-1** denotes that the State Board of Education establishes all public school districts. In addition, every Ohio resident lives within the boundaries of one of those public school districts. The bylaw further defines what it means to be a bona fide resident of our state. Criteria, including but not limited to 1) where the parents and family members sleep the majority of the time; 2) where mail is received; 3) where meals are prepared and eaten; 4) where the parents are registered to vote; and 5) where important family activities take place a significant part of each day, **are just some of the factors** that the OHSAA will examine in determining whether a family’s residence in our state is bona fide. This bylaw also reminds members that if parents establish a bona fide residence under Bylaw 4-7-2 Exception one or Bylaw 4-7-4 criterion one to support a transfer, the residence must be maintained for at least one year from the date the transfer is approved. In short, to be a bona fide resident of Ohio, you must actually live here!

This guidance will also alert administrators to the fact that **in many cases, a student who meets a residence exception will also have to adhere to the transfer bylaw.** Those cases will be clearly identified within this series of documents.

This document will focus on **Bylaw 4-6-2 – Out of State Residence – Exception 12 – Student is a US Citizen; parents are non-citizens living outside the United States or any of its territories.** This bylaw reads as follows:

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.)

OHSAA Bylaws require that at least one parent reside in Ohio in order for the student to be compliant with this residency Bylaw 4-6-2.

This bylaw has 12 exceptions. This guidance will focus on Exception 12, Parents who are not US Citizens living outside the US or any of its territories.

EXCEPTION 12 – A student who is a United States citizen, and whose parents are non-citizens living outside the United States or any of its territories, may be eligible for interscholastic athletics subject to the restrictions and conditions set forth below:

- a. **The student may be eligible for a maximum of one school year**, which is the first year of enrollment at the Ohio member school.
- b. The student has not previously participated in any other visitor exchange program in Ohio or any other state within the United States or any of its territories or attended any other high school in the United States or any of its territories. The period of participation in another visitor exchange program or the period of attendance at another high school in the United States or any of its territories shall count against the one-year maximum eligibility set forth in (a) above.
- c. There shall be no evidence of a direct placement for athletic purposes into a specific member school in Ohio.

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- d. The member school at which the student wishes to be declared eligible for interscholastic athletic participation must submit the appropriate form(s) to the Executive Director's office, and the student and school must cooperate with the Executive Director's office in determining that all other requirements for eligibility have been satisfied, including the scholarship and age requirements.

Note: A student may travel freely back and forth between the United States or any of its territories and the home country with the proper U. S. passport. Thus, a student could have attended high school in the United States or any of its territories previously without being part of any International Exchange Program. It is the responsibility of the school administration to verify that the student in these circumstances meets all the requirements of eligibility expressed above.

Please be advised that students who transfer into an Ohio high school under this residence exception must also adhere to an exception to the transfer bylaw 4-7-2 if they participated in an interscholastic sport(s) in the 12 months immediately preceding the transfer. If the student does not meet a transfer exception and has participated in one or more sports, the student will be eligible, insofar as transfer, immediately and through the first 50% of the maximum allowable varsity regular season contests. The student will become INELIGIBLE at all levels at the start of the second 50% of the maximum allowable varsity regular season contests and including the OHSAA tournament in those sports in which the student participated in the 12 months immediately preceding the transfer..

To request a ruling, please submit the form, which is found here:
http://www.ohsaa.org/Portals/0/Eligibility/forms/Bylaw4-6-2_Exc12.pdf

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