



Student Eligibility Guidance for High School Principals and Athletic Administrators

Bylaw 4-7-2, Transfer – Summary

This document will focus on the primary language within Bylaw 4-7-2, Transfer. The bylaw reads as follows:

If it is determined that one or more of the exceptions that follow represents an event which creates the need to transfer, i.e., creates a cause and effect relationship, then one or more of the following exceptions may apply:

4-7-2

Definition of Transfer: *A student is considered to have transferred whenever a.) enrollment is changed from one school to another school and the student attends a new school, or b.) enrollment is changed from one school to become home schooled, or c.) the student participates in a practice, scrimmage or contest with a school-sponsored squad of a school in which the student has not been enrolled and attending, or d) the participation opportunities afforded a student pursuant to state law change. Notwithstanding (b) above, if a student is enrolled in a school located in his/her residential district and withdraws from the school for home education pursuant to division (A)(2) of O.R.C. §§ 3321.04, or vice versa, such a student shall not be considered a transfer student subject to the provisions of this section. Notwithstanding (c) and (d) above, if a non-enrolled student's participation is pursuant to O.R.C. §§ 3313.5311 (Ohio non-public school students) or 3313.537 (Ohio community/STEM school students), the non-enrolled student's participation opportunity shall transfer back and forth between the student's school of enrollment and the public school at which they are afforded a participation opportunity without transfer consequences based on sports offered at the school of enrollment. If the non-public school or Community/STEM school ever sponsors the sport/sports in which the non-enrolled student wishes to participate, the student's participation opportunity shall also be transferred back to the school of attendance without consequence. Furthermore, any in-season changes in the participation opportunities that may be afforded by state law shall be subject to Bylaw 4-7-3.*

Transfer Consequence: *If a student transfers at any time after commencing the ninth-grade year, the student shall be ineligible for all OHSAA tournaments in those sports in which the student participated during the 12 months immediately preceding this transfer. In addition, the student shall be ineligible for all contests at all levels AFTER the first 50% of the maximum allowable varsity regular season contests have been competed in those sports in which the student participated during the 12 months immediately preceding this transfer. The transfer consequence shall remain in effect until the one-year anniversary of the date of enrollment in the school to which the student transferred, at which time the student is no longer considered a transfer student. For purposes of the transfer bylaws, a student will be considered as having commenced the ninth-grade year by either attending five or more days of school as a ninth grader or by establishing eligibility at a school by having participated in a contest. Furthermore, the term "participated in a contest" for purposes of the transfer bylaw means to have played at least one play in a scrimmage, preview/jamboree, Foundation game or regular season/ tournament game or contest.*

A student who did not participate in an OHSAA recognized sport in the 12 months immediately preceding the transfer is not subject to the consequence of this transfer bylaw.



OHIO HIGH SCHOOL ATHLETIC ASSOCIATION

Doug Ute, Executive Director

Midseason Transfers: *Notwithstanding the above, if a student transfers during the season of a sport in which he or she has participated in a regular season contest, and if Bylaw 4-7-3 requires that the student is ineligible for participation in the remainder of the contests in that sports season, the student shall remain ineligible for the remainder of all regular season contests, as well as the OHSAA tournament, in that sport at the school into which the student has transferred (or at the school where the student is now permitted a participation opportunity). Furthermore, the student shall finish fulfilling his/her transfer consequence, for ONLY that sport in which the mid-season transfer occurred, at the start of the sport season during the next school year, unless an exception can be met to restore eligibility for the next sport season. This consequence requires that the student shall remain ineligible for all preseason contests (scrimmages, preview/jamboree, Foundation games) and all regular season contests until the total number of varsity regular season contests missed (including those missed during the previous season) equals 50 percent of the maximum allowable varsity regular season contests in that sport.*

Note 1: ORC 3313.5312 (Ohio home educated students) has been intentionally left out of the exclusions of subpart (b) addressing students participating in programs where they are not enrolled. Once a home-educated student, in accordance with state law, participates with a school sponsored squad of a school in which the student is not enrolled, the student's eligibility is established at that school. Participating on any other schools' sponsored squad will be considered a transfer for which the balance of this bylaw and its exception would be applicable.

Note 2: Whenever a student is considered a transfer, as defined in Bylaw 4-7-2, but is permitted a participation opportunity at a member school at which they are not enrolled in accordance with ORC 3313.5311, 3313.5323 or 3313.537, it is the responsibility of the member school where the student is participating to submit any applicable paperwork to waive the transfer consequence outlined above.

Note 3: The Executive Director's Office, in its sole discretion, is authorized to make certain equitable adjustments to the period of REGULAR SEASON ineligibility in cases when a student, through no fault of the athlete, is subject to documented, extenuating circumstances which prevent him/her from competing during all or part of the first 50% of the maximum allowable regular season contests in a sport. However, no such approval shall ever permit a student-athlete a participation opportunity in the OHSAA postseason tournament of a sport in which they are ineligible. If such an adjustment is granted, 1) the student must be physically attending the school at the start of the season for such an adjustment to be considered and 2) the student will only be eligible for those contests outlined in the Executive Director's Office's approval, which will never exceed 50% of the maximum allowable regular season contests regardless of whether the student participates in those contests. It is the sole responsibility of the school to which the student transfers to ensure a student granted such an adjustment participates only during the appropriate contests outlined in the Executive Director's Office's approval.



OHIO HIGH SCHOOL ATHLETIC ASSOCIATION

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Maximum Allowable Contests in All OHSAA-recognized Sports and Formula for Determining Eligibility under the 50% Transfer Consequence

Sport	Maximum # of Contests as adopted by the OHSAA Board of Directors	Transfer Student <u>BECOMES INELIGIBLE AT VARSITY:</u>
Baseball	27 Games	Game 15
Basketball (Boys and Girls)	22 Games	Game 12
Bowling	24 Matches	Match 13
Cross Country (Boys and Girls)	16 Meets	Meet 9
Field Hockey	16 Games	Game 9
Football	10 Games	Game 6
Golf	20 Matches	Match 11
Gymnastics	14 Meets	Meet 8
Ice Hockey	35 Games	Game 19
Lacrosse	18 Games	Game 10
Soccer (Boys and Girls)	17 Games	Game 10
Softball	27 Games	Game 15
Swimming and Diving (Boys and Girls)	16 Meets	Meet 9
Tennis (Boys and Girls)	22 Contests	Contest 12
Track and Field (Boys and Girls)	16 Meets	Meet 9
Volleyball	22 Matches	Match 12
Wrestling	20 Points/16 points (for those schools that do not field teams – 6 or fewer weight classes)	Point 11/9

Please note, each participation change will be considered a transfer.

This bylaw requires the administrator to determine the following:

1. Is the student a transfer student? In other words, did the student change schools/participation opportunity after establishing eligibility by attending five or more days of school as a 9th grader or by participating in a high school contest?
 - a. If the answer is NO, then the transfer consequence is not applicable, and the student is fully eligible insofar as this bylaw is concerned. If the answer is YES, proceed to step #2.
2. Did the student play an OHSAA sport at ANY high school in the 12 months immediately preceding the date of transfer into the new high school? Get this information in writing from an administrator at the previous school or schools.



OHIO HIGH SCHOOL ATHLETIC ASSOCIATION

Doug Ute, Executive Director

- a. If the answer is NO, the student is fully eligible insofar as transfer is concerned for that respective sport at the new school and no paperwork or ruling is necessary. **(Please note that if a student transfers back to a school in which they were previously enrolled, then their “lookback” review could include participation that took place at the same high school where they are now desiring a participation opportunity).** If the answer is YES, then please proceed to step #3.
3. **If the answer to both #1 and #2 is YES, then does the student meet the requirements of one of the 13 enumerated exceptions to this bylaw? Please note: Not all students will meet the requirements to an exception. Please refer to letter ‘b’ below for more information.**
 - a. If the answer is YES, the student meets an exception, then paperwork will be required, and the school administrator must seek a formal ruling from the OHSAA. The student may commence participation and is eligible, insofar as transfer is concerned, for all contests until the second 50% of the maximum allowable regular season varsity contests begin. Once the student is ruled eligible in accordance with an exception, the transfer eligibility is restored for as long as the student maintains enrollment and attendance at that school.
 - b. If the answer is NO, the student does not meet the requirements of an exception, the student may commence participation and is eligible, insofar as transfer is concerned, for all contests until the second 50% of the maximum allowable varsity regular season contests begin. At that point, the student becomes ineligible for the second 50% of those contests AND the OHSAA tournament in that respective sport. In such a situation, no paperwork or ruling is required from the OHSAA. The student simply participates until the ineligibility commences as prescribed within the transfer bylaw.
 - c. **Please review the guidance documents regarding each exception for more information and instructions on how to submit a request.**
- Note 3 Guidance:
 - o The note provides the E.D.’s Office the ability to “slide” the period of ineligibility anywhere within the REGULAR season.
 - o The language does NOT allow students to have eligibility adjusted for tournament play, only the regular season.
 - o The language would only permit adjustments during the same sports season. There would be no rollover into the next year’s sport season.
 - o Adjustments will only be applied/approved when the **documented** extenuating circumstances preventing the student from participating during the first half of the season are **through no fault of the athlete**.
 - Lack of medical clearance, evidenced by documentation, would represent the primary issue considered under this note. This may include quarantine situations if those continue to transpire.
 - If a student was ineligible for the first half of the season due to academic eligibility or if they miss contests due to a family vacation, then this would prevent the student from being able to use this adjustment.
 - Form:
<https://ohsaaweb.blob.core.windows.net/files/Eligibility/forms/ShiftOfPeriodOfIneligibilityForm.pdf>

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