



OHIO HIGH SCHOOL ATHLETIC ASSOCIATION

Doug Ute, Executive Director

Student Eligibility Guidance for High School Principals and Athletic Administrators

Transfer Bylaw Guidance

Bylaw 4-7-2, Exception 5 – Transfer Back to Same System of Education

This document will focus on Bylaw 4-7-2, Exception 5. For guidance on the full text of Bylaw 4-7-2, please visit (<https://ohsaaweb.blob.core.windows.net/files/Eligibility/4-7-2Guidance.pdf>). Exception 5 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:

EXCEPTION 5: *A student may return to non-public education and have his/her eligibility restored at the discretion of the Executive Director's Office provided the following conditions are met:*

- (a) the student had been continuously enrolled in a school within the same system of non-public education as the school into which the student is transferring (e.g., Catholic Conference of Ohio, Ohio Association of International Schools, Association of Christian Schools International or other category as denoted by the State Department of Education) beginning in the 4th grade and continuing consecutively through the entire eighth grade and;*
- (b) the student has not attended more than one other high school during the course of their high school enrollment and;*
- (c) the student returns to the same system of non-public education prior to the student commencing his/her first day of their senior year and;*
- (d) the student can demonstrate to the satisfaction of the Executive Director's Office that the transfer is not occurring/not taking place for athletic reasons.*

Furthermore, if the student commences attendance at any HIGH SCHOOL within the same system of non-public education then breaks enrollment for a period of time at a school located outside the same system of non-public education, this exception will only be available for use back to the same high school at which the student was previously enrolled, provided the aforementioned criteria are all met. Additionally, the Executive Director's Office may waive the timeline requirement of criteria (c) only if 1) the student transfers back to the same non-public high school in which they were previously enrolled and 2) the transfer back occurs within the same school year in which the student withdrew from that nonpublic high school and 3) the student did not participate in a practice, scrimmage or contest in any sport(s) at another school during the time they were withdrawn from the non-public high school.

Until a student is declared eligible by the Executive Director's Office in accordance with this exception, they 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.

Items to note within the language of exception 5:

- This is not a one-time transfer to a non-public school for all students. This is a narrowly crafted exception to allow for a reconsideration of high school selection for only those students who have previously shown a commitment to a certain type of non-public education.
- This exception is only available for transfers between schools of different systems (i.e. Public to Catholic, Lutheran to Independent, Christian to Catholic, etc.). The exception does not apply for transfers between



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schools located within the same system of education (i.e. Catholic to Catholic). Transfers between non-public schools of the same system of education need to review Bylaw 4-7-4 and Bylaw 4-7-7 to find any possible exceptions.

- A student must meet all criteria of the exception in order to obtain an approval (i.e. transfer back before the start of senior year, continuous enrollment in system of education between grades 4-8, can show it was not athletically motivated, etc.) Failing to meet any of the criteria outlined in the exception will result in a denial of application.

Please follow these steps to request a ruling under exception 5:

- School administrators, please complete the exception 5 form found here:
https://ohsaaweb.blob.core.windows.net/files/Eligibility/forms/Bylaw4-7-2_Exc5.pdf
- This form can be completed in its entirety by a school administrator.

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