



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 6 – Home Not Ready for Habitation

This document will focus on Bylaw 4-7-2, Exception 6. 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 6 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 6: *The Executive Director shall have the discretionary power to waive the residence requirements for a student who has been enrolled in the district in accordance with ORC §§ 3313.64 (F)(6) or 3313.64 (F)(7). The student is ineligible until ruled eligible by the Executive Director's Office.*

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.

Notes:

- This exception is designed to be used for a student whose family is building a new home in a different public school district or buying a new home in a different public school district and the Superintendent agrees to allow the student to enroll without yet being a resident in accordance with ORC §§ 3313.64 (F)(6) or 3313.64 (F)(7).
- A student who is open enrolled to a public school or who is enrolled at a non-public school shall not be permitted to utilize this exception. This exception is solely for students enrolled in a district under ORC §§ 3313.64 (F)(6) or 3313.64 (F)(7).
- Once the family has completed their move into the district, the student's parents will then have to complete an *Affidavit of Bona Fide Residence* in support of Bylaw 4-7-2, Exception one in order to maintain eligibility.
- In addition to completing the required OHSAA form (link below), a school administrator is also obligated to collect the three mandatory documents required to enroll a student under the applicable ORC.

For 3313.64 (F)(6)

- A sworn statement from the parent explaining the situation, revealing the location of the house being built, and stating the parent's intention to reside there upon its completion.
- A statement from the builder confirming that a new house is being built for the parent and that the house is at the location indicated in the parent's statement.
- Written documentation from the board of education of the school district where the student's parent resides that releases the student to participate in interscholastic athletics at the school where the student is attending while enrolled under 3313.64 (F)(6).

For 3313.64 (F)(7)

- A sworn statement from the parent explaining the situation, revealing the location of the house being purchased, and stating the parent's intent to reside there.
- A statement from a real estate broker or bank officer confirming that the parent has a contract to purchase the house, that the parent is waiting upon the date of closing of the mortgage loan, and that the house is at the location indicated in the parent's statement.
- Written documentation from the board of education of the school district where the student's parent resides that releases the student to participate in interscholastic athletics at the school where the student is attending while enrolled under 3313.64 (F)(7).

To request a ruling under Exception 6, the school Superintendent shall complete the Exception 6 form found here:

<https://ohsaaweb.blob.core.windows.net/files/Eligibility/forms/Exception6Form.pdf> Please feel free to contact Kristin Ronai (kronai@ohsaa.org), Ronald Sayers (rsayers@ohsaa.org), or Lizzy Wilson (lwilson@ohsaa.org) if you have any questions!