



Student Eligibility Guidance for High School Principals and Athletic Administrators

Transfer Bylaw Guidance

Bylaw 4-7-2, Exception 9 – Transfer Back to Same System of Education

This document will focus on Bylaw 4-7-2, Exception 9. 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 9 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 9: *If, as a result of a transfer/transfer of participation opportunity to a public high school located in the public school district within which the student's residential parent/legal custodian has resided for a minimum of one year, the Executive Director's Office may waive all or part of the period of ineligibility for one or more of the sport/sport seasons. This exception may be used regardless of whether the student is transferring from a public or nonpublic school but cannot be applied to transfers to and from high schools within a multiple high school district/system. (See Bylaws 4-7-4, 4-7-6 and 4-7-7 for the transfer rules which apply to intra-district or system transfers; See Note 1 below for transfers into a multiple high school district.) This Exception may be used only once during a student's four years of high school eligibility.*

Note 1: For transfers covered under this Exception into a multiple high school district, the Executive Director's authority to waive all or part of the period of ineligibility shall be applicable at only the member high school located in the parent's residential attendance zone or, if there are no defined attendance zones, at the member high school that is closest to the parent's residence unless the district superintendent makes a specific request, based upon objective educational criteria, for application of this Exception at another high school within the district. Such a request should accompany the Exception 9 application.

Note 2: A non-public student whose parents live in two different public school districts may have the option under this bylaw to transfer to the public high school in either public school district in which the student's parents reside provided the student has never established eligibility at a public school in a district in which a custodial parent resides.

Note 3: Exception 9 cannot be used to transfer from the public high school of the district in which one parent resides to the public high school of the district in which the other parent resides in a split-family situation. If a student establishes his/her eligibility at a public high school located within the district of one legal custodian and subsequently transfers to another public high school in a different district of a different legal custodian, the original school of enrollment shall remain the student's "residential district school" for the purposes of this exception until the student has been attending the new school for one calendar year. After one calendar year, the student will have reestablished his/her "residential district school" for the purposes of this exception and is no longer permitted to use this exception to transfer back to his/her original school using this exception.

Note 4: If, as a result of a transfer/change of participation opportunity in accordance with exception 9, a student is permitted a participation opportunity at a member school where he or she is not enrolled in accordance with Bylaw 4-3-1 exceptions 4 and/or 6, the Executive Director's Office may apply this exception 9 to restore full eligibility in regard to transfer/change of participation opportunity provided the student's participation is in accordance with OHSAA business rules and in accordance with Bylaw 4-7-3. Application of this exception as a non-enrolled student shall constitute the student's one time use of this exception.



OHIO HIGH SCHOOL ATHLETIC ASSOCIATION

Doug Ute, Executive Director

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 9:

- For this exception to apply, a parent(s) is required to have been a resident of the school district for a minimum of one (1) year.
 - o If the parent(s) has not been a resident for a minimum of one year at the time of transfer, then this exception will not be applicable until that one-year time frame has been fulfilled.
 - o It is the responsibility of a school administrator to independently verify the exact move-in date if the residency requirement is in question.

For transfers into a high school within a multiple high school district:

- For a district with defined attendance zones: Student may utilize this exception to transfer into the public high school located within their attendance zone.
- If the district superintendent makes a specific request for application of this Exception at another high school within the district based upon objective educational criteria the Executive Director's Office may consider such a request upon application of the Exception 9 application. Some examples of this "objective educational criteria" would include skipping over a poor-performing school, transferring to a trade-specific school, etc. The decision on whether to apply exception 9 to this transfer is left to the discretion of the Executive Director's Office and will be accompanied by requests for the student's transcripts, etc. For a district without defined attendance zones: Student may utilize this exception and be assigned to the closest high school to the parents' residence.
- If the district superintendent makes a specific request for application of this Exception at another high school within the district based upon objective educational criteria the Executive Director's Office may consider such a request upon application of the Exception 9 application. Some examples of this "objective educational criteria" would include skipping over a poor-performing school, transferring to a trade-specific school, etc. The decision on whether to apply exception 9 to this transfer is left to the discretion of the Executive Director's Office and will be accompanied by requests for the student's transcripts, etc.

When handling transfers that deal with community schools that are physically located within the boundaries of the parents' district of residence:

- If a student attends a community school physically located within the boundaries of the district where the parents reside, then that school, which is a public school, shall be considered the "public high school located in the parents' district of residence" for the purposes of this exception if that school sponsors sports. Similar to how a student is not permitted to utilize this exception to transfer between high schools within the same multiple high school district/system, a student attending one of these community schools (physically located within the boundaries of a school district), and who has participated in interscholastic athletics at that community school, cannot use exception 9 to transfer to another public school located in the parent's district of residence.
- Likewise, if a student attends a school located outside of the physical district where the parents' residence is located, then that student shall be entitled to use this exception to transfer either to a) a community school located within the physical boundaries of the parents' residential district or b) the appropriate public school located within the parents' district of residence as outlined above.

Please complete the exception 9 form found here (This form can be completed in its entirety by a school administrator): https://ohsaaweb.blob.core.windows.net/files/Eligibility/forms/Bylaw4-7-2_Exc9.pdf

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