



Ohio High School Athletic Association  
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## **Guidance for 2020-2021 – Superintendents of Ohio’s Multiple High School Districts/Systems - Bylaw 4-7-4 – Intra-District/System Transfer – Exceptions 1 and 2**

The superintendent or person delegated by the superintendent of either a non-public system or public school district **may** transfer students within the system/district without jeopardizing their eligibility by using one of the following exceptions. Please note that the use of the word “may” is most important. **There is nothing in this bylaw which compels a superintendent to grant a transfer if, in the superintendent’s sole discretion, the student is using a provision to circumvent the transfer bylaw consequence which renders a student ineligible for all contests that remain after the first 50% of the maximum allowable varsity regular season contests have been competed plus the OHSAA tournament in any sport in which the student participated at ANY school in the 12 months prior to the transfer.**

The superintendent or person delegated by the superintendent of either a non-public system or public school district **may** transfer students within the system without jeopardizing their eligibility only **by using one of the following exceptions.**

**EXCEPTION 1:** If, as a result of a bona fide legal change of residence made by BOTH PARENTS (biological, adoptive or stepparents) from one attendance zone into another attendance zone in a multiple high school public school district, the student is compelled to transfer to another district high school, the Executive Director’s Office may waive all or part of the period of ineligibility for one or more sport/sport seasons. The requirement that “both parents” make the move may be waived by the Executive Director’s Office if the marriage of the parents has been or is in the process of being legally terminated or if the parents were never married.

If the person(s) making the bona fide move is not the biological or adoptive parent or stepparent of the student, the school administrator must disclose the custodial relationship, provide the court ordered documents and advise as to the whereabouts of the student’s biological or adoptive parents.

An affidavit of bona fide residence in the form requested by the Executive Director’s Office shall be submitted along with any request for application of this exception.

Note: Please refer to Bylaw 4-6-1 for a definition of bona fide residence. Also, the student and the student’s parents must reside in this new residence for a period of one year from the date on which this exception was applied to a given student **in order to maintain eligibility at the school into which the student’s transfer has been approved.** The school district will have a continuing duty to monitor compliance with the residency requirements during this one-year period. Exception one permits the choice of the public high school in the parents’ new attendance zone.

EXCEPTION 2: If, as a result of a legal change of custody as between a student's parents, who live in two different attendance zones within the multiple high school district, the student is compelled to transfer from one district high school to another district high school, the Executive Director's Office may waive all or part of the period of ineligibility for one or more sport/sport seasons. If custody/guardianship of a student is changed to a non-parent, who lives in a different attendance zone than the previous custodian/guardian, **which custody/guardianship change is a result of the death or incarceration of the prior custodian/guardian, the intervention of child protective services, social services or similar agency**, the Executive Director's Office may waive all or part of the period of ineligibility for one or more sport/sport seasons. A re-designation of residential parent within a Shared Parenting Plan will not comply with this exception.

Students transferring under one of the exceptions within this bylaw shall become ineligible beginning with the second 50% of the maximum allowable varsity regular season contests plus the OHSAA tournament until declared eligible by the Executive Director's Office.

#### **TO REQUEST A RULING:**

EXCEPTION ONE: The superintendent, or his/her designee, wishing to request a transfer under exception one shall submit the Affidavit of Bona Fide Residence located here, <https://www.ohsaa.org/Portals/0/Eligibility/forms/Affidavit-BonaFideResidence.pdf> , to Kristin Ronai at [kronai@ohsaa.org](mailto:kronai@ohsaa.org)

EXCEPTION TWO: The superintendent, or his/her designee, wishing to request a transfer under exception two shall submit the form, located here, <https://www.ohsaa.org/Portals/0/Eligibility/forms/Exception2Form.pdf> and the required court order(s) to Kristin Ronai at [kronai@ohsaa.org](mailto:kronai@ohsaa.org).