



Student Eligibility Guidance for High School Principals and Athletic Administrators

Age Bylaw Guidance Bylaw 4-2-2, Exception 2 – Student Retained in Grades K-3

This document will focus on Exception 2 to Bylaw 4-2-2, which read as follows:

Bylaw 4-2-2

If a student enrolled in grade 7 or 8 attains the age of 15 before August 1, the student shall be ineligible to participate in 7th & 8th grade interscholastic athletics for the school year commencing in that calendar year.

EXCEPTION 2: *If a student has repeated any grade from kindergarten through grade 3 at the recommendation of the student's teachers or other educational professionals and for purely academic reasons and, as a result of repeating any of these grades, the student cannot meet the age limitations of this bylaw in the student's eighth grade year with the 7th & 8th grade school, the Executive Director's office may declare the student eligible notwithstanding this bylaw 4-2-2 if, in the sole discretion of the Executive Director's office, the following criteria can be met:*

- a) the student does not pose a safety risk to himself/herself or others; and*
- b) the student does not enjoy any advantages in terms of physical maturity, mental maturity or athletic maturity over other student-athletes of her/his grade level; and*
- c) the student would not likely participate in any meaningful way in any contest or otherwise have any impact on the outcome of any contest in which the student does participate; and*
- d) there is no evidence of "red-shirting" or other indicia of academic dishonesty.*

The "age rule" is predicated on the notion that a student who has reached his/her 15th birthday in accordance with Bylaw 4-2-2 possesses certain advantages (such as physical and/or athletic maturity, life and/or sport experiences, knowledge of her/his sport, additional training and coaching, size and speed) over his/her younger competition that would be unfair, inequitable and, in some cases, unsafe. Notwithstanding these fundamental principles of the "age rule," the member schools have identified scenarios under which the age limitations might be waived. However, as one Ohio court noted, "*the exception to the age rule [is] intended to allow for the participation of a young person with a disability who would not impact the outcome of an event and probably under most circumstances would not be allowed to compete. It is a rule of compassion but was not intended to give the top athletes another year of eligibility*".

In order to obtain a ruling on this exception, the school principal or another senior level administrator will need to complete the required form (<https://ohsaaweb.blob.core.windows.net/files/Eligibility/forms/AgeSemesterWaiver.pdf>) and address the student's ability to meet the requirements of each of the categories outlined within the exception, as follows:

- a. **Safety risk to self or others** - This item means that the student is not of the size, physical and/or developmental maturity that might predispose him or her to place others at risk or him or herself at risk if an additional year of participation were granted. Please include information about the student's physical characteristics including height and weight when addressing this issue.
- b. **Advantage as to physical, mental or athletic maturity** –This item means that the student does not have physical, mental and athletic maturity similar to students who have achieved significant development as athletes and who have shown prowess and impact in their selected sport or sports.

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Doug Ute, Executive Director

- c. **Impact on outcome/meaningful participation** – This concept refers to the notion of keeping the playing field as even as possible by preventing students who have had an additional year of experience in a sport or who have had the advantage of age and maturity from participating against students who have had neither of those advantages. A student approved under this exception would not likely participate in any meaningful way and would certainly not have an effect on the outcome of any contests in which the student did participate. The OHSAA will not grant exceptions to students whose past performance in a sport or sports has been of such a caliber that further eligibility would be unfair to the opponents of the member school the student in question attends. To this end, the applicant shall provide **statistical information about the student's playing time, honors achieved, places in competition earned and varsity letters earned in each sport.**
- d. **Red shirting** – This item means a student is not seeking to utilize this exception in a deliberate attempt to retain a student in a grade for the purpose of gaining an extra year of eligibility and thus obtaining an athletic advantage. Students who are identified as a "child with a disability" during their last year of eligibility at the high school or 7-8th grade level will most likely not qualify for this waiver.

Once the form is completed, please send the form and evidence of the student's need to be retained in grades K-3 to Kristin Ronai for a ruling. The student is not permitted to participate until an approval is obtained by the Executive Director's Office.

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