



OHIO HIGH SCHOOL ATHLETIC ASSOCIATION

Doug Ute, Executive Director

2021 OHSAA Referendum Items Summary

Member high school principals will vote on the nine proposals beginning May 1 and ending at 4:00 p.m. on Saturday, May 15. If approved, all items become effective August 1, 2021, unless noted.

Constitution Article 8-1-8, Amendments to the Constitution and Bylaws, Voting (New Exception)

This proposed new exception would move the ballot deadline to 4:00 p.m. on the next business day should the May 15 deadline fall on a weekend or a holiday. (**Note:** If passed, becomes effective May 16, 2021.)

Bylaw 2-2-4, Tournament Assignments (Amended for Clarity)

This proposed modification would clarify the tiering of a student who lives within a district with a non-parent who has legal custody of the student. In reviewing past guidance, a change from “parent” to “legal custodian” more accurately reflects the intention of the Tier analysis. The alteration to the Tier 2 language is simply an editorial change to distinguish that there are two distinct ways a student in a multiple high school district can be coded as Tier 1: a.) If they live outside the district but have been continuously enrolled in the district since the start of the 7th grade OR b.) If they live inside the district but attend a school outside their assigned attendance zone. However, this proposed modification means there is NO change in application of the bylaw.

Bylaw 4-1-3, Eligibility (New Bylaw)

This proposed modification would clarify what an ineligible student is permitted or not permitted to do during her/his period of ineligibility.

Bylaw 4-3-1, Enrollment and Attendance, Exception 6 (Amended for Clarity)

This proposed modification would clarify that non-enrolled students (specifically those who start at a public school and transfer to home education or another school where they are afforded a participation opportunity at their residential public school {i.e. community/STEM/non-public schools}) are still subject to the transfer consequence unless an exception can be met to restore full athletic eligibility. It also notes that these students must be eligible in accordance with all other areas of student eligibility (age, semesters and scholarship).

Bylaw 4-7, Transfer (Amended for Clarity)

The proposed modification would clarify the penalty for students who do not meet an exception to the transfer bylaw. The language would be changed to reflect: a.) An ineligible transfer student shall not participate in any OHSAA tournament, and b.) It is permissible for the student to play the approved number of regular season games after the tournament has commenced. This proposed modification would also alter the note which precedes the exceptions in order to require a cause-and-effect relationship between the event and the transfer.

Bylaw 4-7-2, Transfers, Exception 9 (Modifications)

The first proposed modification would change language to more closely align with other transfer exceptions and gives the Executive Director’s Office some discretionary authority to waive all or part of the period of ineligibility. Also, “transfer of participation opportunity” would be added to the first sentence to clarify that non-enrolled students are also permitted to use this exception one time to restore their full athletic eligibility (the concept has also been added to Note 3). Additionally, new language would be added to Note 1 that would allow a multiple-high school district superintendent, or her/his designee, to request the application to Exception 9 at a high school outside the student’s assigned attendance zone (or at a school not closest to the parent’s residence, in districts that do not have defined attendance zones) if the transfer to the school can be supported by objective educational criteria. Examples of “objective educational criteria” include skipping over a poor-performing school or transferring to a trade-specific school. The decision on whether to apply Exception 9 to this transfer would be left to the discretion of the Executive Director’s Office and would be accompanied by requests for the student’s transcripts and/or other supporting material. (**Note:** If passed, becomes effective May 16, 2021.)

Bylaw 4-7-3, Transfers (Modifications)

The first proposed modification would remove the reference to the fact that the student is ineligible *at the school to which the student transferred*. There are occasions when a student transfers in the middle of a season and wants to resume participation at a school at which they are not enrolled in accordance with state law. However, removing this language would clarify that if a student transfers in the middle of a season, she/he is ineligible for

the rest of the season *regardless of where she/he desires a continued participation opportunity* (unless one of the enumerated scenarios occurs).

New language added to the bylaw, regarding application of the transfer consequence for the following season for a midseason transfer, has significant implications which has led to some forfeitures when applied incorrectly. This proposed modification would move this concept to Bylaw 4-7-3 rather than refer the reader to Bylaw 4-7-2 as is denoted in a note.

Bylaw 4-9, Recruiting (Amended for Clarity)

This proposed modification would clarify the recruiting bylaws. The new note to Bylaw 4-9-2, Exception 2, would be added to clarify that the non-public school boundaries used for Competitive Balance are not the same as those referenced in Bylaw 4-9-2. The language removed in 4-9-3 #3 would allow the Executive Director's Office to approve an offsite open house even if other on-campus facilities are available. This gives schools more options when deciding where to conduct such meetings. The option is also now presented as an exception. 4-9-3 #5 would add language to clarify that congratulatory billboards/newspaper ads are permitted as long as the marketing is congratulatory in nature and not used to promote the athletic program. 4-9-3 #6 would be modified to clarify that brochures for athletic camps are solely to be used to advertise for a specific non-interscholastic opportunity (camp or clinic). These brochures are not to be used to promote the school. Likewise, 4-9-4 #8 would be added to support this notion and clarify that admissions personnel/administrators are not permitted to be in attendance at these camps/clinics to answer questions about school enrollment. 4-9-4 #3, 4-9-4 #5 and 4-9-6 would be modified to provide further clarification on when a school and/or coach is permitted to have unobstructed communication with a student not presently enrolled in their school. This is intended to prevent prohibited "influence" before the student has made a final enrollment decision. 4-9-4 #8 would be added to clarify that athletic camps/clinics cannot be used as an admissions event for the school.

Bylaw 9, Contests Requiring Special Attention (Modifications)

The proposed modifications to 9-2-1 would require schools to obtain approval from the Executive Director's Office prior to traveling to any non-bordering state for competition. This would allow staff to better track a respective team's travel in order to comply with sanctioning requests from the National Federation of State High School Associations (NFHS) as outlined in 9-2-3. The proposed modifications to 9-2-3 are necessary to comply with current NFHS sanctioning requirements. Some of the highlights are:

1.) Whether a contest/event is in Ohio or outside of Ohio, schools must secure a sanction through the NFHS for competition by a member school in any of the following contests: a.) Any event which includes either an Ohio or an out-of-state school that is co-sponsored by or titled in the name of an organization outside the school community; b.) Events involving non-bordering states where five (5) or more states are involved; c.) Events involving non-bordering states if more than eight (8) schools are involved; d.) Events involving two (2) or more schools that includes a team from a foreign country, with the exception of Canada and Mexico. **Notes:** In b.) and c.) above, no sanction is required if the contest(s) only involve Ohio schools and/or schools which border Ohio. Schools desiring to participate in an event covered under the aforementioned scenarios must visit www.nfhs.org/Sanctioning in order to obtain the sanction.