

# 2022 OHSAA ATHLETIC DISCUSSION MEETINGS

**ATHENS (SE)- APRIL 6**

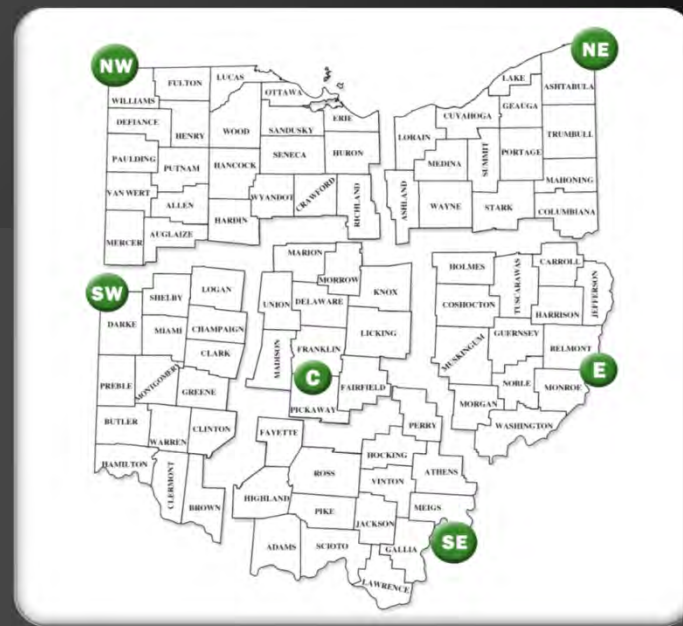
**WESTERVILLE/COLUMBUS (C)- APRIL 18**

**CLAYTON (SW)- APRIL 20**

**CUYAHOGA FALLS (NE)- APRIL 25**

**BLUFFTON (NW)- APRIL 26**

**CAMBRIDGE (E)- APRIL 28**



**Mission:**

*"To serve our member schools and enrich interscholastic opportunities for students."*

# WELCOME & INTRODUCTIONS

THANK YOU TO OUR HOSTS & WELCOME!

This meeting serves a dual purpose – to communicate important matters involving educational-based athletics in Ohio and to explain the referendum items which will be voted on by the member school principals in May.

## **INTRODUCTIONS:**

- Special Welcome to all school and athletic administrators, as well as any School Board members and/or professional organization members
- OHSAA Staff in attendance
- State Board of Directors and District Athletic Board Members



# ORGANIZATION & OVERSIGHT

OHSAA Board of Directors

OHSAA (Executive Director)

OHSAA Staff

District Athletic Boards

Bylaws & Specific Sport Regulations

Sectional & District Tournaments



# SOME QUICK HITTERS



Scholarship Reminder!  
Check Credits for Fall  
Eligibility NOW!



10 Total Summer Days  
Can still do individual  
skill instruction



New Logo Coming  
Heads up for gym signage



Legislative Update  
HB 492, Wellness Bill



2022-23 PPE Form  
Posted April 6th



Winter Financial Meeting  
Update... \$400,000 back  
to schools



EMIS Data Now Finalized  
June 2022= Fall/Winter Divisions  
August 2022= Spring Divisions



Surveys  
One school, One Voice





# REFERENDUM PROCESS



- Changes to Constitution and Bylaws outlined in Constitution Article 8. Become effective by a majority vote.
- This year there are 14 issues, and all were approved by Board of Directors for inclusion on the ballot (none from petition option).
- Referendum Issues are developed in several ways:
  - Feedback by member schools. Compliance staff committed to making conscious effort to listen and follow through with vetting process for suggestions from member schools about bylaw referendum ideas
  - Proactive action to prevent legislative intervention
  - Trends noticed within Appeals Panel hearings
- All items, if approved, become effective August 1, 2022, unless otherwise specified. (6)



# REFERENDUM PROCESS

## Ballots

Will be available on May 1, 2022, via each member school principal's myOHSAA account.

## High School Principals

Please complete the ballot no later than **Monday, May 16, 2022, at 4:00 PM** via the electronic protocol. **Voting is optional but return of the ballot is required to avoid a penalty.**

## 7th-8th Grade Principals

There are no issues this year dealing solely with 7-8 grade schools. Therefore, per Article 8-1-3, only high school principals are required to vote this 2022 cycle.

May 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				





# SPREAD THE WORD!

- Share this information with parents, booster members, other members of your administrative team, coaches, students, etc.
- Contact other school administrators to discuss topics and reach out to Executive Director's Office for any clarification.
- Remind everyone that the results of the referendum vote will be posted to the OHSAA website no later than Tuesday May 17, 2022.



# PLEASE NOTE...

- This presentation represents abridged referendum items and comments.
- To see the complete text of all referendum issues, please refer to the electronic copy which was sent to you in advance, or go to the website at:
- OHSAA.ORG -> SCHOOL RESOURCES -> REFERENDUM VOTING -> 2022 REFERENDUM VOTING INFORMATION
- <https://ohsaaweb.blob.core.windows.net/files/SchoolResources/refvote/FINAL-2022ReferendumItems.pdf>





# 2022 REFERENDUM ISSUES

## Issue 1C

Athletic District  
Transfer

## Issue 1B

Interscholastic  
Contest

## Issue 2B

Recognized &  
Emerging Sports

## Issue 3B

Compassion  
Rule

## Issue 4B

New Non-Enrolled  
Exception

## Issue 5B

18-yo Residency  
Provision

## Issue 6B

Shifting Sit Out  
Period

## Issue 7B

Bona Fide Move  
Changes

## Issue 8B

Remove Deaf/  
Blind Exception

## Issue 9B

Return to  
Non-Public

## Issue 10B

Adult Bad  
Behavior

## Issue 11B

Amateurism  
Clean Up

## Issue 12B

NIL

## Issue 13B

Awards/Gifts/  
Prizes



# ISSUE 1C: CHANGE PROCESS FOR SCHOOLS TO TRANSFER ATHLETIC DISTRICTS

**Effective Date: May 16, 2022**

*(Will apply to all requests for district transfers that are pending as of May 16, 2022)*

Amendment to Constitution Article 5-7-3 and create new Constitution Article 6-1-9

If passed, this amendment would:

- Provide clear factors for evaluating a request for a school to change athletic districts.
- Proposed amendment will:
  - Restrict requests to those that can meet “objective, published criteria.”
  - Restricts how frequently such requests/changes may occur for any school.
  - Removes the final decision-making authority from the Board of Directors, which is composed of Reps from the impacted districts, and instead places the decision-making authority with the Executive Director.
  - Any denied transfer request will then be appealable to the Appeals Panel.

**Issue 1C**

**Athletic District  
Transfer**



# ISSUE 1C: CHANGE PROCESS FOR SCHOOLS TO TRANSFER ATHLETIC DISTRICTS

## **“Objective, published criteria” include:**

1. If approved, will this be the first time that the school will transfer OHSAA districts?
2. If part of a public school district, does the school have territory within the receiving district?
3. If part of a public school district, does the school have territory adjacent to the receiving district?
4. What is the proximity of the school to the district border? Is it within 5 miles of the district border?
5. Does the school’s current athletic conference include team(s) that are in the receiving district?
6. Did the school articulate bona fide safety, athletic, academic, or community bases for transfer?
7. Is there an absence of evidence that the school’s request is motivated by an improper motive?
8. Has the releasing district failed to articulate a bona fide reason to oppose the transfer? If a bona fide reason was provided, did the school respond to those reasons?
9. Has the receiving district failed to articulate a bona fide reason to oppose the transfer? If a bona fide reason was provided, did the school respond to those reasons?
10. In the last five years, have three (3) or fewer school left the releasing district pursuant to OHSAA transfer requests?

*Proximity Questions*

<https://www.ohsaa.org/School-Resources/referendumvoting>

## Issue 1C

Athletic District Transfer



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# ISSUE 1B: AMEND BYLAW 1-4-1, DEFINITION OF INTERSCHOLASTIC CONTEST

Effective Date: August 1, 2022

If passed, this amendment would:

- Clean up the definition of an “interscholastic athletic contest”
- 1-4-1 *An “interscholastic athletic contest,” as used throughout the Bylaws and Sports Regulations of the OHSAA, is defined as a sports event which takes place during the defined sports season in which student-athletes from representing at least one school are engaged in sports-related activities with students from representing at least one or more schools or non-interscholastic programs. This includes, but is not limited to, scheduled contests/meets/matches, practices between two or more schools, sports day, previews, scrimmages, jamborees, electronic contests, invitational contests, and alumni games and interschool scrimmages. Practices involving two or more schools shall also count as a contest unless those squads share the same board-approved coach. See Bylaw 9 regarding contests requiring special attention.*
- *For purposes of this definition, “defined sport season” shall be determined by the sports regulations for that sport, beginning with the first date on which coaching may begin and concluding on the last date the school participates in a regular or postseason contest.*

**Issue 1B**

**Interscholastic  
Contest**

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# ISSUE 2B: RECOGNIZED & EMERGING SPORTS

Effective Date: August 1, 2022

Modify Bylaw 1-5-1 and create new Bylaw 1-5-2 and 1-5-3

If passed, this addition would:

- Remove the list of recognized sports from Bylaw 1-5-1 and move that list to the general sports regulations to be modified annually as needed by Board of Directors action.
- Create Bylaw 1-5-2 to provide clarity that emerging sports are also recognized sports that may have a different tournament structure due to number of participating schools, or lack thereof, etc. **This will ensure these athletes are covered under the OHSAA catastrophic insurance coverage.**
- Create Bylaw 1-5-3 for a “sponsored event” that the Executive Director’s Office can set up to provide opportunities for OHSAA member school students that do not participate in a recognized or emerging sport. Such an event will not follow traditional regular season and/or tournament format models required by “recognized sports.”
- Modify Bylaw 1-5-4 to reemphasize that ALL OHSAA recognized sports teams, including club teams, must abide by all OHSAA rules, including the transfer bylaw and residency bylaw.

## Issue 2B

Recognized &  
Emerging Sports

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## Issue 13B

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Prizes





# ISSUE 3B: ADD EXCEPTION TO BYLAW 4-1-1, MODIFY EXCEPTION TO BYLAW 2-2-2

Effective Date: August 1, 2022

If passed, this amendment would:

- Enable schools to reward and/or recognize a student manager or a student with an intellectual or physical disability for his/her special contributions to a team without requiring the school to verify certain aspects of eligibility.
- The proposed new exception is already conceptualized within the current exception to Bylaw 2-2-2 addressing the adding students to a Competitive Balance Roster.
- Remove the requirement that these students be required to be eligible under all aspects of Bylaw 4, specifically the scholarship bylaw (5 credits at HS level; 4 classes at 7/8 grade level).
- If passed, editorial change made to exception to Bylaw 2-2-2 which removes requirement for these students to be eligible in all respects.

**Issue 3B**

**Compassion Rule**



## **ACTUAL PROPOSED LANGUAGE**

EXCEPTION: A student who only participates in a **single contest** during a regular season is not required to meet all the requirements of Bylaw 4 but only if the following criteria are met:

1 — The participation happens **one time** during the regular season; and

2 — The student is **a manager/student assistant** or has an **intellectual or physical disability**; and

3 — The student **would not likely otherwise participate in a meaningful way** or have an

impact on the outcome of a contest; and

4 — **The opposing coach and/or officials are made aware of the student's participation before the student enters the contest and the playing time is agreed to by both coaches.**

The intent of this exception is to specifically reward and/or recognize a student manager or a student with an intellectual or physical disability for his/her special contributions to a team even if they fail to meet certain criteria within Bylaw 4.

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# ISSUE 4B: ADD EXCEPTION TO BYLAW 4-3-1

Effective Date: May 16, 2022, with tangible implementation for 22-23 school year

If passed, this amendment would:

- Allow students attending a member public schools which does not offer a certain TEAM sports to play that sport at a neighboring public school (*similar concept, but different than non-public school exception*) provided:
  - The neighboring district's Board of Education approves a Resolution permitting such participation prior to June 30 for the upcoming school year (*likely same time as membership renewal resolution*) and;
  - The Resolution is developed using the OHSAA-approved template and is on file with the OHSAA Office prior to June 30 and;
  - Would only apply to "TEAM sports" of baseball, basketball, field hockey, football, ice hockey, lacrosse, soccer, softball, and volleyball.
  - If no school which borders the district offers the team sport, or if the applicable Board of Educations do not approve a non-enrolled policy, then the student simply does not have a participation opportunity in that sport. Participation opportunities within a district with multiple high schools shall be governed by the applicable OHSAA business rules.

## Issue 4B

New Non-Enrolled  
Exception

# ISSUE 4B: EXCEPTION 8

EXCEPTION 8: A student enrolled **in an OHSAA member public school** that does not sponsor a **TEAM sport** in which the student desires to participate may petition to play that sport for a **public school located in a bordering public district** pursuant to the bordering district's duly adopted **Board of Education resolution**, using the required form\*, for **ALL team sports\*\*** which must be **executed prior to June 30** for the school year commencing in that calendar year. Such a resolution must be on file with the OHSAA and the non-enrolled student is not permitted to commence any participation with the team until approved by the Executive Director's Office. **If no school which borders the district offers the team sport, or if the applicable Board of Educations do not approve a non-enrolled policy in accordance with this exception, then the student simply does not have a participation opportunity in that sport.** Participation opportunities within a district with multiple high schools shall be governed by the applicable OHSAA business rules for non-enrolled students...

## Issue 4B

New Non-Enrolled  
Exception

\*Form will require Superintendent signature, in addition to BOD approval

\*\*Would only be applicable to teams sports which the bordering district does not offer





## EXCEPTION 8 CONTINUED...

...If the student is enrolled in a school within a **multi-high school public school district** that does not offer a TEAM sport in which the student desires to participate then the student **may petition to play that sport for a different public school LOCATED WITHIN THE DISTRICT\*** pursuant to the district's duly adopted Board of Education resolution, using the required form, which must be approved for ALL team sports and be executed **prior to June 30 for the school year commencing in that calendar year**. Such a resolution must be on file with the OHSAA and the non enrolled student is not permitted to commence any participation with the team until approved by the Executive Director's Office. Assignment of these students shall be governed by the applicable OHSAA business rules for non-enrolled students. **If no school within the multi-high school district sponsors the sport in which the student desires a participation opportunity, or if the multi-high school district's Board of Education does not approve a non-enrolled policy in accordance with this exception\*, only then the student is permitted to utilize the process outlined in paragraph one of this exception.**

For purposes of this bylaw, "TEAM sports" include baseball, basketball, field hockey, football, ice hockey, lacrosse, soccer, softball, and volleyball.

### Issue 4B

New Non-Enrolled Exception

\*The form will enable multi-HS districts to determine if they want a resolution for only students within their district, or if they want to extend it to neighboring districts as well.

# EXCEPTION 8 CONTINUED...

Member public school

Hello there this is [REDACTED] from [REDACTED] and we are struggling to have a softball team so I was wondering if a school can't have a season are they allowed to play for another school. Because this is not far for those who want to play. Also trying to get people to engage into its very hard because most teenagers just want to sit around and do nothing and it's bothering . Also covid took away my softball 10th grade year and it's like no one cares and I'm sick of y'all ridiculous rules so please allows students to play for another school if that student's school doesn't have a team.

Have a nice day

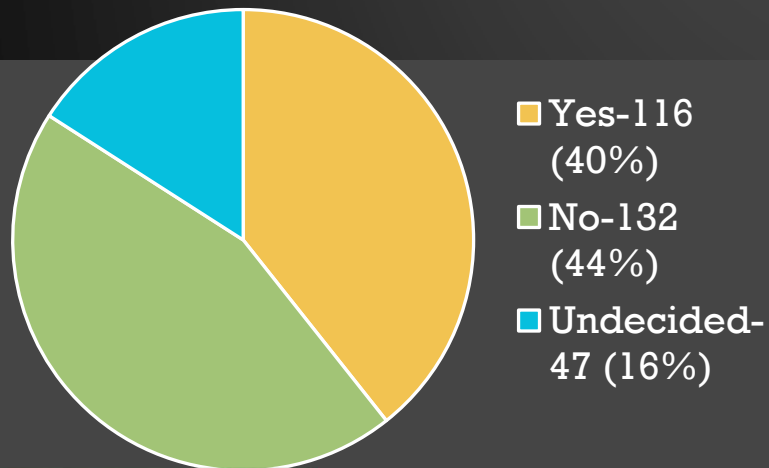
**Issue 4B**

New Non-Enrolled Exception

# SPRING 2022 PRINCIPAL SURVEY

## 295 RESPONSES

Would you support a new exception that would allow traditional public school students whose school does not offer a specific sport an option to play at a different high school where they are not enrolled?



### Issue 4B

New Non-Enrolled  
Exception

### FULL SURVEY RESULTS:

<https://ohsaaweb.blob.core.windows.net/files/SchoolResources/refvote/2022PrincipalSurvey.pdf>

- **Top concerns from principals...**
- 182/295- take away participation opportunities from students who actually attend a school (displacement)
- 178/295- be abused to create powerhouse teams
- 163/295- be difficult to manage on an administrative level
- 152/295- hurt participation levels in other sports at school where student attends
- 144/295- disincentivize schools from trying to offer a sport with low numbers since they know students can go elsewhere to play
- 143/295- take away value of education-based athletics & create non-interscholastic program atmosphere
- Several principals noted that they were concerned about being able to verify academic eligibility
- Several principals noted that they were concerned it would create a breeding ground for recruiting
- Several principals noted funding concerns

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Adult Bad  
Behavior

## Issue 11B

Amateurism  
Clean Up

## Issue 12B

NIL

## Issue 13B

Awards/Gifts/  
Prizes





# ISSUE 5B: ADD 18-YEAR OLD PROVISION TO BYLAW 4-6-2, EXCEPTION 1

Effective Date: August 1, 2022

If passed, this amendment would:

- Permit the Executive Director's Office to approve residency eligibility after considering extenuating circumstances that may compel a student who is 18 and no longer eligible for a legal change of custody/guardianship to transfer schools and move into a new residence with a primary relative while his/her parents are living outside of Ohio.
- This proposal is a mirror amendment to the 18-year old provision found within the change of custody exception under the transfer bylaw.
- If approved under this residency exception language, the student would still have to meet the requirements of a transfer bylaw exception in order to restore eligibility for the entire season. Approval under this provision only gives them eligibility for the first half of the season.

## Issue 5B

18-yo Residency  
Provision

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NIL

## Issue 13B

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# ISSUE 6B: ADD NOTE TO TRANSFER BYLAW

Effective Date: August 1, 2021

If passed, this amendment would:

- Allow the E. D.'s Office, **in it's sole discretion**, the ability to adjust (slide) when a student fulfills the regular season transfer consequence if they are **unable to compete during all or part of the first 50% of the season due to "extenuating circumstances."**
- **Does NOT allow students to have eligibility adjusted for tournament play, only the regular season.**
- **Only approved when the extenuating circumstances are through no fault of the athlete.** Ineligible due to grades for first half of season = no approval for shifting.
- Lack of medical clearance, evidenced by documentation, would represent the primary issue considered under the proposed language. Also cover quarantine situations.
- Only be applicable for a student who is physically attending the school during first half of the season and who is unable to play. Not applicable for midseason transfers.
- Only permit adjustments during the same sports season. There would be no rollover into the next year's sport season.
- NOTE: It may be difficult for ADs with multiple transfers if the period of ineligibility begins at different points.

## Issue 6B

Shifting Sit Out Period

Example Football Schedule	Transfer Student Status
Game #1	Played, but severe twisted ankle
Games #2-5	Eligible, <b>but unable to play due to injury</b>
Game #6	Ineligible, still unable to play
Game #7	Ineligible, still unable to play
Game #8	RECOVERED FROM INJURY. Normally ineligible, <b>but approved to play b/c of shift</b>
Game #9	RECOVERED FROM INJURY. Normally ineligible, <b>but approved to play b/c of shift</b>
Game #10	RECOVERED FROM INJURY. Normally ineligible, <b>but approved to play b/c of shift</b>
Tournament Game	ALWAYS INELIGIBLE

# ISSUE 6B: ADD NOTE TO TRANSFER BYLAW

Note 1: The Executive Director's Office, in its sole discretion, is authorized to make certain equitable adjustments to the period of REGULAR SEASON ineligibility in cases when a student, through no fault of the athlete, is subject to documented, extenuating circumstances which prevent him/her from competing during all or part of the first 50% of the maximum allowable regular season contests in a sport. However, no such approval shall ever permit a student-athlete a participation opportunity in the OHSAA postseason tournament of a sport in which they are ineligible. If such an adjustment is granted, 1) the student must be physically attending the school at the start of the season for such an adjustment to be considered and 2) the student will only be eligible for those contests outlined in the Executive Director's Office's approval, which will never exceed 50% of the maximum allowable regular season contests regardless of whether the student participates in those contests. It is the sole responsibility of the school to which the student transfers to ensure a student granted such an adjustment participates only during the appropriate contests outlined in the Executive Director's Office's approval.

## Issue 6B

Shifting Sit Out Period



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# ISSUE 7B: AMEND EXCEPTION 1 TO BYLAW 4-7-2

**Effective Date: May 16, 2022**

If passed, this amendment would do two things:

1. Allow families to pick ANY school under an Exception 1 approval if the family moves more than 80 miles (current rule requires move of 100 miles)
2. Set a new minimum 15-mile move requirement for a family who wants to utilize this exception and transfer to a non-public school (current rules have no mileage requirement, simply move between two different public schools)
  - *The concept which is still retained in the proposed amendments is the notion that the move must be the event which compels the transfer. Adding in these additional stipulations provide more safeguards against the exception being used as a loophole. The proposed language supports the intended purpose of the exception.*

**Issue 7B**

**Bona Fide Move  
Changes**

# ISSUE 7B: ACTUAL PROPOSED LANGUAGE

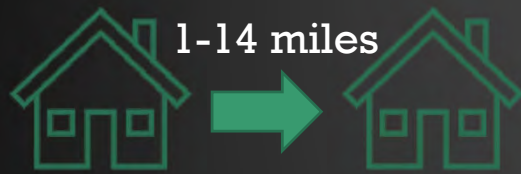
EXCEPTION 1: If a student is **compelled to transfer** to another high school **as a result of a bona fide legal change of residence** made by BOTH PARENTS (biological, adoptive or stepparents) from one public school district into another public school district, whether from outside the state of Ohio or within Ohio, the Executive Director's Office, in its sole discretion, may waive all or part of the period of ineligibility for one or more sport/sport seasons at:

- (a) *the public high school in which the new residence is physically located (or any school to which the student is placed and enrolled in a multiple high school district) or;*
- (b) *any non-public high school if family's new residences is at least 15 miles from their former residence, as determined by the most direct route when using google maps or other such navigational system, or;*
- (c) *any high school, public or non-public, if the new residence into which the family has moved is more than 80 miles from the residence from which the family moved, as determined by the most direct route when using google maps or other such navigational system, or;*

## Issue 7B

Bona Fide Move  
Changes

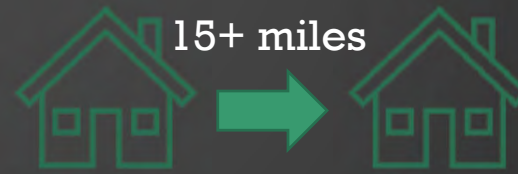
# ISSUE 7B: AMEND EXCEPTION 1 TO BYLAW 4-7-2



School  
District  
A

School  
District  
B

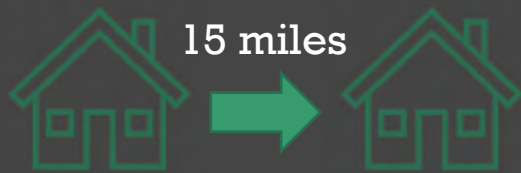
= Can only pick a  
Public School in  
District B, No  
options for non-  
public school



School  
District  
A

School  
District  
B

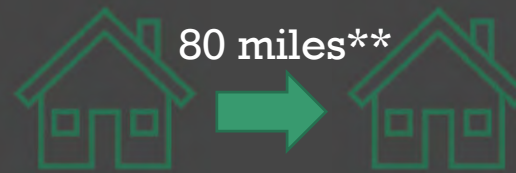
= Can pick a  
public School in  
District B or ANY  
non-public school



School  
District  
A

School  
District  
A\*

= Despite +15 mile  
distance, no use of  
Exception 1. Move  
not between two  
different school  
districts



School  
District  
A

School  
District  
B

= Can pick ANY  
public school or  
ANY non-public  
school

\*NO CHANGE

\*\*Current rule  
requires 100 miles



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# ISSUE 8B: REMOVE CURRENT TRANSFER EXCEPTION 5

Effective Date: August 1, 2022

If passed, this amendment would:

- Remove exception for two schools which are no longer OHSAA members
- If/when either of these schools would desire to become members again they would have to undergo a probationary year. If this would transpire, during this probationary year the office would intend to put this type of language/exception back up for a referendum vote for likely approval and application during the school's first full year of membership.
- ~~EXCEPTION 5: A student transferred to the State School for the Blind or State School for the Deaf shall be eligible upon enrollment.~~

## Issue 8B

Remove Deaf/  
Blind Exception

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# ISSUE 9B: ADD TRANSFER EXCEPTION FOR RETURN TO NON-PUBLIC SCHOOL

Effective Date: August 1, 2022

If passed, this amendment would:

- Allows students to have a one-time transfer back to a non-public school **BUT ONLY if they had maintained continuous enrollment in that same system of education in grades 4-8.**
- Similar version was previously in place during the 2012-13 school year but was removed when transfer consequence was reduced (1-year to 50%).
- E.D.'s Office has received feedback that students have a free pass to a public school (Exception 9) but that there is no comparable exception for non-public school student transfers. Proposed amendment would create a parallel exception.
- **NOT A ONE-TIME NON-PUBLIC TRANSFER FOR ANYONE.** Narrowly crafted to allow for a reconsideration of high school selection for only those students who have previously shown a commitment to a certain type of non-public education.

## Issue 9B

Return to  
Non-Public



# ISSUE 9B: EXACT LANGUAGE

## EXACT LANGUAGE:

A student may return to non-public education and have his/her eligibility restored at the discretion of the Executive Director's Office provided the following conditions are met:

- (a) the student had been continuously enrolled in the same system of non-public education (e.g., Catholic Conference of Ohio, Ohio Association of International Schools, Association of Christian Schools International or other category as denoted by the State Department of Education) **beginning in the 4th grade and continuing consecutively through the entire eighth grade** and;
- (b) the student **has not attended more than one other high school** during the course of their high school enrollment and;
- (c) the student returns to the **same system of non-public education prior to the start of the student's junior year** and;
- (d) the student can demonstrate **to the satisfaction of the Executive Director's Office** the **transfer is not occurring/not taking place for athletic reasons.**

### Issue 9B

Return to  
Non-Public

# ISSUE 9B: ADD TRANSFER EXCEPTION FOR RETURN TO NON-PUBLIC SCHOOL

## EXAMPLES OF APPROVALS:

Enrollment in Catholic school grades 4-8.  
Enrollment in local public school for 9th  
grade year due to financial concerns.  
Transfer back to Catholic school for 10th  
grade year.



St. Paul  
(Catholic)  
Grades 4-8



North HS  
(Public)  
Grade 9



Cathedral Prep  
(Catholic)  
Grade 10

Enrollment at Christian (ACSI) grade  
school grades 4-9. Transfer to public  
school grade 10. Transfer back to same  
Christian (ACSI) school for junior year.



Keene Christian  
(ACSI)  
Grades 4-9



South HS  
(Public)  
Grade 10



Keene Christian  
(ACSI)  
Grade 11

## Issue 9B

Return to  
Non-Public

# ISSUE 9B: ADD TRANSFER EXCEPTION FOR RETURN TO NON-PUBLIC SCHOOL

## EXAMPLES OF DENIALS:

Enrollment in public education grades K-9. Transfer to a non-public school in grade 10 = not compliant with exception due to lacking continuous enrollment in established non-public system of education in grades 4-8.



North HS  
(Public)  
Grades K-9



Cathedral Prep  
(Catholic)  
Grade 10

Enrollment in Catholic school grades 4-8. Enrollment in local public school for grades 9-11. Transfer back to Catholic school for senior year = not compliant with exception because transfer has to take place prior to student's junior year



St. Paul  
(Catholic)  
Grades 4-8



South HS  
(Public)  
Grade 9, 10 & 11



Cathedral Prep  
(Catholic)  
Grade 12

## Issue 9B

Return to  
Non-Public

## EXAMPLES OF DENIALS:

Catholic school grades K-6. Open enrollment to neighboring public school grades 7-10. Transfer back to catholic school for 11th grade year = **not compliant with exception due to lacking enrollment in non-public school system in grades 7 & 8**



St. Paul  
(Catholic)  
Grades K-6



North JH/HS  
(Public)  
Grades 7-10



Cathedral Prep  
(Catholic)  
Grade 11

Enrollment in Independent (OAI) grade school K-8 and entire 9th grade year. Transfer to online community school due to Covid concerns sophomore year. Transfer to different Independent (OAI) High School for junior year = not compliant with exception due to **transfer to different high school from where student was initially enrolled as a 9th grader**



Keene Academy  
(Independent)  
Grades K-8 & 9



Online School  
(Public)  
Grade 10



Warsaw  
Academy  
(Independent)  
Grade 11

Christian (ACSI) grade school grades 4-8. Enrollment at Independent school for grade 9. Transfer to local public school for grade 10. Transfer back to Christian (ACSI) school 11th grade = **not compliant with exception due to third high school**



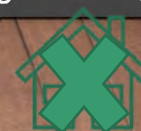
Holy Christian  
(ACSI)  
Grades 4-8



Keene Academy  
(Independent)  
Grades 9



South HS  
(Public)  
Grades 10



Holy Christian (ACSI)  
Grades 11



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NIL

## Issue 13B

Awards/Gifts/  
Prizes



# ISSUE 10B: CREATE NEW TRANSFER EXCEPTION FOR ADULT BAD BEHAVIOR

Effective Date: August 1, 2022

If passed, this amendment would:

- Allow students to transfer to a new school if subjected to “adult bad behavior.” Review criteria would include:
  - documented evidence the adult conduct was directed specifically towards the student; and
  - the adult conduct is of such a nature as to trigger a criminal investigation or an event which is otherwise a “reportable” event that would require a mandatory reporter to report to the proper legal authorities; and
  - the student suffered/suffers physical harm and/or severe emotional distress that required/requires medical treatment and/or mental health treatment, **which is contemporaneously documented**; and
  - there is no evidence the transfer is due to the student/family’s displeasure with a former coach’s training tactics and/or the student’s playing time.

## Issue 10B

Adult Bad  
Behavior



# ISSUE 10B: CREATE NEW TRANSFER EXCEPTION FOR ADULT BAD BEHAVIOR

- The Executive Director's Office believes the proposed amendment could dramatically increase the amount of students trying to transfer schools and attempt to use this exception to get away from a coach with which they are displeased.
- Despite this concern, the Executive Director's Office also recognizes the current codified bylaws provide no pathway for a student to transfer schools who may have been subject to the inappropriate adult behavior this proposed exception is intended to encompass. The lack of such an option leaves the E.D.'s Office subject to litigation.
- Criteria a, b and c can be substantiated through documentation. If such documentation does not exist then the exception will not be applied.

## Issue 10B

Adult Bad  
Behavior



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## Issue 10B

Adult Bad  
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## Issue 11B

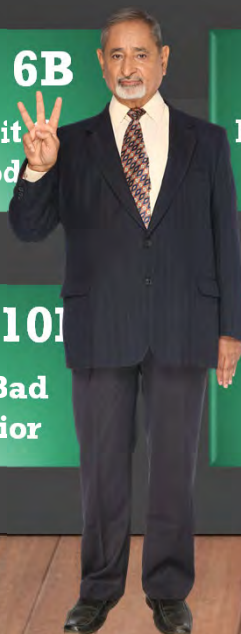
Amateurism  
Clean Up

## Issue 12B

NIL

## Issue 13B

Awards/Gifts/  
Prizes





# ISSUE 13B: AMEND BYLAW 5-1-1, APPROVED AWARDS/GIFTS/PRIZES

Effective Date: May 16, 2022

If passed, this amendment would:

- Increase permitted award/gift/prize amount from \$400 to \$500
- Clarify that “money/cash” is never permitted to be accepted and that:
  - gift cards/certificates which can only be used at specific businesses (local restaurant, retail stores, etc.) are not considered “money/cash”
  - Gift cards which can be used at various locations (i.e. “Visa gift cards”) are considered “money/cash” and are not permitted under this bylaw.
- Clarify that the approved limit is based “per competition,” not the total accumulated amount during the sports season.
- Clarify that graduating seniors who have completed their respective sport season are no longer subject to the award/gift/prize limitation for their participation in that respective sport, regardless of their future participation in any other OHSAA recognized sport(s).
- Clarify that OHSAA athletes are permitted to accept awards/gifts/prizes for participation in non-recognized sports/activities (chess, slam dunk contests, hole-in-one contests, etc.).

## Bylaw 5-1-1

An athlete may accept awards, gifts and/or prizes resulting from their participation/finish in athletic competition(s), in sports which they are an interscholastic athlete, from any entity provided:

- (a) the item award does not exceed \$500 in total value per competition and;
- (b) the award is not money/cash (See Bylaw 4-10-2 (a))...

## Issue 13B

Awards/Gifts/  
Prizes

# ISSUE 13B: AMEND BYLAW 5-1-1, APPROVED AWARDS/GIFTS/PRIZES

An athlete may accept awards, gifts and/or prizes resulting from their participation/finish in athletic competition(s), in sports which they are an interscholastic athlete, from any entity provided:

- (a) the item award does not exceed \$500 in total value per competition and;
- (b) the award is not money/cash (See Bylaw 4-10-2 (a))

For purposes of this bylaw, gift cards/certificates which can only be used at specific businesses (local restaurant, retail stores, etc.) are not considered “money/cash” and are permitted to be given provided the value of the item does not exceed \$500. Gift cards which can be used at various locations (i.e. “Visa gift cards”) are considered “money/cash” and are not permitted under this bylaw.

Graduating seniors who have completed their respective sport season are no longer subject to the award/gift/prize limitation for their participation in that respective sport, regardless of their future participation in any other OHSAA recognized sport(s).

NOTE: This bylaw has no application for events which are conducted outside a recognized sporting contest (i.e. slam dunk contests, homerun derby, etc.) or an event which is not identified as an OHSAA recognized sport (i.e. chess, etc.)

## Issue 13B

Awards/Gifts/  
Prizes

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NIL

## Issue 13B

Awards/Gifts/  
Prizes

Separate Issues!



# ISSUE 11B: AMEND BYLAW 4-10, AMATEURISM

Effective Date: May 16, 2022

If passed, this amendment would (3 updates):

- Add language to Bylaw 4-10-1 clarifying that an athlete is permitted to be a professional in one sport (*in which they do not participate interscholastically*) but still retain their amateur status in another interscholastic sport. Also add language to emphasize that an amateur athlete competes in events “*with no expectation of compensation for his/her participation.*”
- Modify Bylaw 4-10-2(a) and move prior “Request for Retention of Amateur Status” language into an exception.
- Add language to Bylaw 4-10-4 outlining objective criteria the E.D. Office should consider when determining whether or not to restore a student’s amateurism status if it had previously been forfeited. Considerations would include:
  - length of time student relinquished amateur status
  - any total monetary gains achieved and considerations if those monies can be returned
  - whether or not the student signed a contract.

**Issue 11B**

Amateurism  
Clean Up



# 2022 REFERENDUM ISSUES

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NIL

## Issue 13B

Awards/Gifts/  
Prizes



Separate Issues!

# ISSUE 12B: AMEND AND RENUMBER BYLAW 4-10, AMATEURISM (“NIL”)

Effective Date: May 16, 2022

If passed, this amendment would:

- Give student-athletes the option to use their “*Name, Image and Likeness*” for commercial purposes
- Though the exact phrase “*Name, Image and Likeness*” may not be used, there is a current “NIL” rule found in Bylaw 4-10-2(b), which prohibits it:

*Bylaw 4-10-2- An athlete forfeits amateur status, and thus interscholastic athletic eligibility, if any of the following standards of amateurism are violated: b) Capitalizing on the athlete’s fame by receiving money, merchandise or services of value. An athlete “capitalizes” on his/her “athletic fame” by accepting money, merchandise or services of value based in whole or in part upon the notoriety the athlete received through his/her athletic skills and achievements. This includes using the athlete’s skill, directly or indirectly, for pay in any form in that sport . “Pay” includes, but is not limited to, any direct or indirect remuneration, gratuity or other economic benefit in either the present or future, or any division or split of surplus (bonuses, games’ receipts, etc.).*



**Issue 12B**  
**NIL**

## ISSUE 12B: AMEND AND RENUMBER BYLAW 4-10, AMATEURISM (“NIL”)

- In light of the NCAA vs. Alston Supreme Court case ruling, and various legislative interventions taking place across the country (including here in Ohio for collegiate NIL deals), the Executive Director’s Office had concerns about being able to uphold and enforce the aforementioned language if challenged. This proposed issue before you is an attempt to “get ahead.”
- If NIL is going to enter the Ohio interscholastic landscape, the E.D.’s Office wants the member schools to be the ones with the final say on the issue, as opposed to judge or legislative intervention imposing the changes.
- The proposed changes outlined in new Bylaw 4-10-3 are similar to those that took place with the NYSPHSAA and contain language mirroring the Executive Order signed by Governor DeWine regarding collegiate NIL contracts. These changes would allow students to sign endorsement deals with six Ohio-specific safeguards in place. But before we get to the safeguards...

**Issue 12B**  
**NIL**

# ISSUE 12B: AMEND AND RENUMBER BYLAW 4-10, AMATEURISM (“NIL”)

What is NIL...

- An athlete capitalizing on his/her “athletic fame” by accepting money, merchandise or services of value based in whole or in part upon the notoriety the athlete received through his/her athletic skills and achievements.
- An athlete entering into an agreement/contract using their name, image, or likeness (NIL) **for a commercial purpose.**

What NIL is not...

- It does NOT allow for an athlete to be paid for playing a sport (i.e. being paid \$250/game). This is prohibited under Bylaw 4-10-2 (a).
- It does NOT allow an athlete to enter into an agreement/contract with a professional sports team in violation of Bylaw 4-10-2 (c).

**Issue 12B**

**NIL**



# ISSUE 12B: AMEND AND RENUMBER BYLAW 4-10, AMATEURISM (“NIL”)

## Proposed Bylaw 4-10-3 (Outlines 6 safeguards required for NIL deals)

Notwithstanding the provisions of section 4-10-2, a student-athlete is permitted to enter into an agreement/contract using their name, image, or likeness (NIL) for a commercial purpose provided the following conditions are met:

*A) The student-athlete does not utilize the name, logos, mascots, trademarks or other proprietary properties of any OHSAA school team, OHSAA school, or the OHSAA during any promotions and;*

**A. No logos,  
mascots,  
trademarks**



Name

*NOTE 1: For purposes of this bylaw, “the student-athlete” shall include the individual student-athlete or any other individual legally authorized to enter into a contract on the student’s behalf, such as a parent or legal guardian.*

# ISSUE 12B: AMEND AND RENUMBER BYLAW 4-10, AMATEURISM (“NIL”)

A. No logos,  
mascots,  
trademarks

## Proposed Bylaw 4-10-3

Notwithstanding the provisions of section 4-10-2, a student-athlete is permitted to enter into an agreement/contract using their name, image, or likeness (NIL) for a commercial purpose provided the following conditions are met:

*B) The student-athlete does not engage in any NIL marketing/endorsements during “official team activities” and;*

*NOTE 2: For purposes of this bylaw, “official team activities” include, but are not limited to, all interscholastic athletic contests, scrimmages, team appearances, team photograph sessions, sports camps sponsored by the school, and other team-organized activities, regardless of whether the activity takes place on or off school grounds, including individual photograph sessions and news media interviews.*

B. No official  
team  
activities



# ISSUE 12B: AMEND AND RENUMBER BYLAW 4-10, AMATEURISM (“NIL”)

**A. No logos,  
mascots,  
trademarks**

**B. No official  
team  
activities**

## **Proposed Bylaw 4-10-3**

Notwithstanding the provisions of section 4-10-2, a student-athlete is permitted to enter into an agreement/contract using their name, image, or likeness (NIL) for a commercial purpose provided the following conditions are met:

*C) The agreement/contract shall never require the student-athlete to display a sponsor's product, or otherwise advertise for a sponsor, during “official team activities” and;*

**C. No  
displaying/  
advertising**



# ISSUE 12B: AMEND AND RENUMBER BYLAW 4-10, AMATEURISM (“NIL”)

**A. No logos,  
mascots,  
trademarks**

**B. No official  
team  
activities**

**C. No  
displaying/  
advertising**

## **Proposed Bylaw 4-10-3**

Notwithstanding the provisions of section 4-10-2, a student-athlete is permitted to enter into an agreement/contract using their name, image, or likeness (NIL) for a commercial purpose provided the following conditions are met:

*D) The agreement/contract shall only impact the individual student-athlete with whom the contract is entered and shall never provide any money, merchandise, services of value or any other benefits directly to the student-athlete's school/team and;*

**D. No  
benefits to  
school team**





# ISSUE 12B: AMEND AND RENUMBER BYLAW 4-10, AMATEURISM (“NIL”)

## Proposed Bylaw 4-10-3

Notwithstanding the provisions of section 4-10-2, a student-athlete is permitted to enter into an agreement/contract using their name, image, or likeness (NIL) for a commercial purpose provided the following conditions are met:

*E) The student-athlete shall not receive compensation for use of the student’s name, image, or likeness involving the promotion of casinos, gambling, alcohol, drug use, or tobacco use and;*

A. No logos,  
mascots,  
trademarks

B. No official  
team  
activities

C. No  
displaying/  
advertising

D. No  
benefits to  
school team

E. No casinos,  
gambling, alcohol,  
drug use, or  
tobacco use



# ISSUE 12B: AMEND AND RENUMBER BYLAW 4-10, AMATEURISM (“NIL”)

## Proposed Bylaw 4-10-3

Notwithstanding the provisions of section 4-10-2, a student-athlete is permitted to enter into an agreement/contract using their name, image, or likeness (NIL) for a commercial purpose provided the following conditions are met:

*F) The student-athlete who intends to enter a verbal or written contract providing compensation to the student for use of their name, image, or likeness shall disclose the proposed agreement/contract to the member school at which the student is enrolled and/or participating. Each member school is encouraged to specify a specific school designee to whom such information should be reported. The extent of the disclosure shall be to the satisfaction of each member school but the school shall not advise the student-athlete against entering into the contract unless any of the stipulations in (a)-(e) appear to be violated.*

**F. School  
Disclosure**

**A. No logos,  
mascots,  
trademarks**

**B. No official  
team  
activities**

**C. No  
displaying/  
advertising**

**D. No  
benefits to  
school team**

**E. No casinos,  
gambling, alcohol,  
drug use, or  
tobacco use**

## TWO OPTIONS...

**PASS NEW BYLAW 4-10-3 AND ALLOW “NIL” WITH THESE SAFEGUARDS...**

**A. No logos,  
mascots,  
trademarks**

**B. No official  
team  
activities**

**C. No  
displaying/  
advertising**

**D. No  
benefits to  
school team**

**E. No casinos,  
gambling, alcohol,  
drug use, or  
tobacco use**

**F. School  
Disclosure**

**...OR REJECT PROPOSED BYLAW 4-10-3 AND RETAIN BYLAW 4-10-2 (b)...**

An athlete forfeits amateur status, and thus interscholastic athletic eligibility, if any of the following standards of amateurism are violated:

*b) Capitalizing on the athlete's fame by receiving money, merchandise or services of value. An athlete “capitalizes” on his/her “athletic fame” by accepting money, merchandise or services of value based in whole or in part upon the notoriety the athlete received through his/her athletic skills and achievements. This includes using the athlete's skill, directly or indirectly, for pay in any form in that sport . “Pay” includes, but is not limited to, any direct or indirect remuneration, gratuity or other economic benefit in either the present or future, or any division or split of surplus (bonuses, games' receipts, etc.).*

## ADDITIONALLY...

In addition to proposed language in 4-10-3, there would also be an accompanying change to the language in Bylaw 4-10-2 prohibiting a school/coach/booster from entering into an agreement on behalf of a student-athlete to benefit the school/team. We do not want member schools brokering deals on behalf of students to make participation on their sports teams more enticing. Member schools are still permitted to enter into contracts for their school use but would be prohibited from using their student's name, image and/or likeness.

### **Proposed changes to Bylaw 4-10-2 (b) which would accompany Bylaw 4-10-3, if passed:**

*4-10-2 An athlete forfeits amateur status, and thus interscholastic athletic eligibility, if any of the following standards of amateurism are violated:*

- a) See Bylaw 4-10-3 on regulations regarding "Name, Image and Likeness."*
- b) A member school/coach/booster entering into an agreement on a student-athlete's behalf where the student-athlete's name, image, or likeness is used to provide the school/team money, merchandise, services of value or similar such benefits.*

*And remove current Bylaw 4-10-2(b) and renumber accordingly...*



# QUESTIONS?

