



2024 REFERENDUM ISSUES

as of March 23, 2024



At the March Board of Directors special meeting, the Board approved one additional referendum item and modified an existing approved item that will go to the member schools for voting during the May referendum period, bringing the total for the 2024 voting period to five (6) ballot issues. Prior to the vote, all issues will be explained in a public platform at the upcoming Athletic Discussion Meetings in April 2024.

****NOTE:** All issue numbers (1C, 1B, 2B, etc.) are subject to change pending approval of additional items at future meetings.

BYLAWS (6)

ISSUE 1B – MODIFY BYLAW 2-1-1, CREATE EXCEPTION REQUESTING DIVISIONAL CHANGE If passed, effective August 1, 2024.

Initial Review- 12/20/2023

Approved for Referendum- 2/15/24, Updated 3/23/24

2-1-1 School teams or individuals that wish to compete in OHSAA-sponsored tournaments may compete in only those tournaments to which assigned. Furthermore, by entering into an OHSAA-sponsored tournament, schools, on behalf of their teams and individuals, agree to compete at the sites, dates and times assigned to them by the OHSAA. **By entering into an OHSAA sponsored tournament, schools, on behalf of their teams and individuals, agree to compete at the sites, dates and times assigned to them by the OHSAA. Schools that enter into an OHSAA sponsored tournament shall compete in only the division to which they have been assigned for the applicable sport.**

Note: In team sports, schools are permitted to enter only one team in OHSAA-sponsored tournaments. In individual sports, schools are only permitted to enter the maximum number of individuals in OHSAA-sponsored tournaments as prescribed in the respective sports' playing rules and/or tournament regulations.

EXCEPTION: Schools may request an alternative divisional assignment to participate in the highest division of a respective sport on a sport-by-sport basis. Such a request must be submitted to the Executive Director's Office by the deadline to be published on the OHSAA website on an annual basis. Requests to participate in any division other than the highest division shall NOT be considered.

NOTE: Any requests for reassignment in the sports of boys and girls bowling, boys and girls cross country, boys and girls golf, gymnastics, boys and girls swimming and diving, boys and girls tennis, boys and girls track and field and boys and girls wrestling (i.e. individual sports) shall result in the entire team moving up to the highest division, not just individual athletes.

COMMENTS:

1. The first proposed change within Bylaw 2-1-1 is editorial in nature.
2. The second proposed change would create a new exception and would allow teams to request to move up to the top division in a given sport by a published deadline on the OHSAA website.
3. The proposed note specifies that any such approval will only be given for entire school teams, not just individual athletes.
4. A modification was made at the March special board meeting to remove the timeline criteria with plans to place that issue as a business rule for flexibility within the Executive Director's Office.

ISSUE 2B – MODIFY BYLAW 4-6-2, RESIDENCY REQUIREMENTS FOR FOSTER STUDENTS

If passed, effective August 1, 2024.

Initial Review- 3/23/2024

Approved for Referendum- 3/23/2024

4-6-2 A student whose parents, (biological or adoptive), reside outside the state of Ohio will be ineligible for interscholastic athletics in a member school. (See Bylaw 4-8-1 for eligibility requirements for international students).

If/when a student is/has been subject to a custody order in accordance with Chapter 2151 of the Ohio Revised Code, the student shall no longer be subject to the provisions of this section of the residency bylaw.

Note: Students affected by this out of state residence bylaw may still be affected by all other eligibility standards in Bylaw 4 including the transfer provisions in 4-7 and the international provisions in 4-8.

COMMENTS:

1. The Executive Director's Office has consistently interpreted that for children within the foster care system, that the state of Ohio is "their parent." This prevents member schools from having to track where their biological parents are. The proposed language codifies that interpretation.
2. Additionally, it the proposed language also covers students who are eventually removed from the foster care system and when custody of them are given to another individual, regardless of whether the person is a primary relative, as recognized under Bylaw 4-6-2, Exception 1.
3. In short, once a student is subject to involvement of child protective services, social services or a similar state agency, administrators will be absolved from having to worry about where their biological parents are.

ISSUE 3B – MODIFY BYLAW 4-4-3, REMOVE CALAMITY DAYS

If passed, effective August 1, 2024.

Initial Review- 2/15/2024

Approved for Referendum- 2/15/2024

4-4-3 The eligibility or ineligibility of a student continues until the start of the fifth school day of the next grading period, at which time the grades from the immediately preceding grading period become effective. For the purposes of this bylaw, "school day" includes faculty in-service days, ~~calamity days~~ and regular school attendance days but not holidays, calamity days or school breaks.

EXCEPTION 1: Eligibility or ineligibility for the first grading period commences with the start of the fall sports season.

EXCEPTION 2: A student coming off the "ineligible status" may become eligible after the fifth calendar day immediately following the end of the grading period provided those grades can be obtained and verified by a school administrator.

COMMENTS:

1. Currently, calamity days are indicated to count as "school days" for the purposes of the 5-day review window in between grading periods. The E.D.'s Office was faced with several situations this past winter where teachers were not required to work on calamity days, which made it difficult for AD's to collect grades before the conclusion of the 5-school day window.
2. Removing calamity days as a "school day" ensures that teachers have five days of either in-service or regular school attendance days to get their grades finalized and reported.
3. Removing calamity days as a "school day" will potentially push back the date that the new grades become effective, but Exception 2 will still allow a student coming off the ineligible status to regain eligibility after the fifth calendar day immediately following the end of the grading period, provided grades can be obtained and verified by a school administrator.

ISSUE 4B – MODIFY BYLAW 4-7-3 RE: CHILDREN’S SERVICES INTERVENTION

If passed, effective August 1, 2024.

Initial Review- 12/20/2023

Approved for Referendum- 1/11/2024

4-7-3 If a transfer, as defined in Bylaw 4-7-2, takes place during the sport season in which the student has participated in a regular season interscholastic contest in a sport, the student shall be ineligible in that sport for the remainder of all regular season contests, as well as the OHSAA tournament, in that sport at the school into which the student has transferred (or at the school where the student is now permitted a participation opportunity). Furthermore, the student shall finish fulfilling his/her transfer consequence, for ONLY that sport in which the mid-season transfer occurred, at the start of the sport season during the next school year, unless an exception can be met to restore eligibility for the next sport season. This consequence requires that the student shall remain ineligible for all preseason contests (scrimmages, preview/jamboree, Foundation games) and all regular season contests until the total number of varsity regular season contests missed (including those missed during the previous season) equals 50 percent of the maximum allowable regular season contests in that sport.

An in-season transferring student **may not** use any of the exceptions to the transfer bylaw to restore full athletic eligibility EXCEPT if one of the following circumstances occurs:

1) — The parents make a bona fide move into a new public school district, the student is approved for transfer eligibility under the requirements of Exception 1 of Bylaw 4-7-2 AND the school building into which the student transfers is more than 50 miles from the school building from which the student transfers as determined by mapquest.com, or such other navigational system as adopted by the Board of Directors at its August meeting, using the most direct route.

2) — As a result of a legal change of custody or a change in placement in which **is a result of the death or incarceration of the student's parent(s) or the intervention of** Children's Services or a similar government agency is involved, the student may be approved for transfer eligibility **regardless of the distance between the two schools**, provided the school building into which the student transfers is more than 50 miles from the school building from which the student transfers as determined by mapquest.com, or such other navigational system as adopted by the Board of Directors at its August meeting, using the most direct route.

3) – The student transfers and their participation opportunity remains at the school from which they transferred. If so, the student is permitted to continue participation for the remainder of the season at that school ONLY IF they can meet the requirements of an exception to the transfer bylaw in order to restore their full athletic eligibility.

If none of the aforementioned situations transpire, or if the student's transfer no longer leads to a participation opportunity at the school from which they transferred, then the student shall become ineligible for the remainder of the season during which the transfer occurred.

For purposes of this bylaw, "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 into which the student transferred (or at the school where the student is now permitted a participation opportunity) participates in a contest (regular season or postseason).

NOTE: In addition, if a student's participation opportunity changes during the sport season in which the student has already participated in a regular season interscholastic contest in a sport at a school where they are not enrolled (pursuant to O.R.C. §§ 3313.5311 or 3313.537), the student is ineligible in that sport for the remainder of that sport's season at the new school into which the student is now entitled a participation opportunity. A student may not use any of the exceptions to the transfer bylaw to circumvent this bylaw if the student is not transferring schools. If the student is transferring schools, then the same exceptions as outlined above apply.

COMMENTS:

1. The proposed change came about due to several Appeals Panel hearings where a student was forced to change schools midseason, but the schools were not more than 50 miles apart.
2. The proposed change would remove the 50-mile requirement between schools if there is a student who is forced to transfer midseason due to the death or incarceration of the student's parent(s) or the intervention of Children's Services or a similar government agency.
3. This new language DOES NOT include standard custody (Exception 2) transfers and would only be reserved for situations involving foster children, etc.

**ISSUE 5B – MODIFY BYLAW 4-7-3, MIDSEASON TRANSFERS RE: SUB VARSITY TRANSFERS
If passed, effective August 1, 2024.**

Initial Review- 12/20/2023

Approved for Referendum- 2/15/2024

4-7-3 If a transfer, as defined in Bylaw 4-7-2, takes place during the sport season in which the student has participated in a regular season interscholastic contest in a sport, the student shall be ineligible in that sport for the remainder of all regular season contests, as well as the OHSAA tournament, in that sport at the school into which the student has transferred (or at the school where the student is now permitted a participation opportunity). Furthermore, the student shall finish fulfilling his/her transfer consequence, for ONLY that sport in which the mid-season transfer occurred, at the start of the sport season during the next school year, unless an exception can be met to restore eligibility for the next sport season. This consequence requires that the student shall remain ineligible for all preseason contests (scrimmages, preview/jamboree, Foundation games) and all regular season contests until the total number of varsity regular season contests missed (including those missed during the previous season) equals 50 percent of the maximum allowable regular season contests in that sport.

An in-season transfer student who only participated in sub varsity events at the former school prior to his/her transfer may use any of the OHSAA Transfer Bylaws/exceptions to restore his/her full athletic eligibility for participation in ONLY sub-varsity regular season contests at the new school into which the student transferred. If the sport in question does not have varsity/sub-varsity classifications at either the former school or the new school, then this option shall not be available. Furthermore, any such approval for sub varsity participation would only be extended for regular season participation (no OHSAA tournament competition).

An in-season transferring student **may not** use any of the exceptions to the transfer bylaw to restore full athletic eligibility **for participation in varsity regular season contests or the OHSAA tournament** EXCEPT if one of the following circumstances occurs:...

COMMENTS:

1. The proposed change to this bylaw attempts to address an issue that has come about as a result of the OHSAA Appeals Panel process.
2. The proposed change would allow for ONLY sub varsity transfers to restore their full athletic eligibility at the new school after a midseason transfer if they meet the requirements of an exception, regardless of the distance between the two schools involved
 - a. In order for this to apply, the student must have only played the sport in question at the sub varsity at the former school, and would only be permitted to play sub varsity at the new school.
 - b. The intent of this proposed change is to potentially restore eligibility for a sub-varsity player ONLY, if they qualify for an exception. It will not be used for a student who played varsity at their former school but who wants to be approved for JV at the new school.
 - c. Language was also added to explain that if there is no distinction between varsity and sub varsity teams at either of the respective schools then this option to restore eligibility at the sub varsity level shall not apply.

ISSUE 6B – MODIFY BYLAW 9-2-1 and 9-2-2, CONTESTS WITH OUT OF STATE SCHOOLS

If passed, effective August 1, 2024.

Initial Review- 12/20/2023

Approved for Referendum- 1/11/2024

9-2-1 Schools may travel out of state to compete in contests in states or provinces in Canada that border Ohio regardless of distance to travel. The states are Indiana, Kentucky, Michigan, Pennsylvania and West Virginia. The province is Ontario. Additionally, schools may travel out of state one time per sport per interscholastic season to compete in contests **and/or practices** in any location that does not border Ohio subject to approval from the Executive Director's Office. (Visit ohsaa.org to obtain the required form to request this travel permission). **If such an approval is granted, it is the sole discretion of the school as to whether the team/individual is permitted to miss school time.**

Penalty for violation: A school which travels to a non-bordering location to compete in contests on more than one occasion shall be ineligible for the OHSAA postseason tournament in the sport in which the out-of-state travel was involved and could be subject to additional penalties as referenced in Bylaw 11. A school which travels to a non-bordering location without approval from the Executive Director's Office shall be subject to a fine and could be subject to additional penalties as referenced in Bylaw 11.

9-2-2 School-sponsored teams and individuals may ~~not travel out of~~ **to a bordering** state for practice purposes with no limitations. **School-sponsored teams and individuals may travel to a non-bordering state for practices purposes only as long as the trip is prospectively approved by the Executive Director's Office and counts as the one permitted non-bordering state trip per season in accordance with Bylaw 9-2-1.**

NOTE: Please reference the General Sports Regulations for additional explanation regarding the classification of a an event when another team is involved (i.e. scrimmage, practice, game, etc.).

~~EXCEPTION 1: If the school's normal practice and/or competitive facility is located out of state, the school shall be permitted to practice/compete at that facility. Note: In all other cases, the Executive Director may grant permission to practice out of state in rare or limited circumstances. The principal shall request this permission from the Executive Director's office in writing.~~

~~EXCEPTION 2: If the school is traveling outside the boundaries of the states/province that border Ohio for the one-time per season competition opportunity, the school squad may also practice during that trip. This provision is made provided the squad is engaged in allowable competition as stipulated in that sport's regulations.~~

COMMENTS:

1. The overall purpose of these changes is to take away some of the regulation related to practices out of state.
2. The proposed change to Bylaw 9-2-2 will now allow schools to travel to bordering states for practice purposes only without any limitation or approval from the E.D. Office needed. If they want to travel to a non-bordering state for practice purposes only (i.e. spring break baseball/softball trip), they would be permitted to do so as long as that trip counts towards the one-time option per season to travel to a non-bordering state.
3. The proposed changes to Bylaw 9-2-1 reflects the changes in 9-2-2, and also provides clarification that schools are permitted to miss school time at their discretion when they exercise their one-time travel to a non-bordering state option.