



2025 Referendum Issues As of February 2025



Throughout the 2024-25 school year, the OHSAA Board of Directors has been considering several referendum items that will go to the member schools for voting during the May referendum period. Additional items may be added at the March Board meeting. Prior to the vote, all issues will be explained in a public platform at the upcoming Athletic Discussion Meetings in April 2025.

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

CONSTITUTION ARTICLES (1)

ISSUE 1C – MODIFY CONSTITUTION ARTICLE 3- MEMBERSHIP REQUIREMENTS

If passed, effective August 1, 2025.

Initial Review-1/16/2025

Approved for Referendum- 2/20/2025

3-2-3 The applicant must be able to certify that it has sponsored at least ~~two~~ **a total of six** 7th-8th grade and/or varsity “recognized sports” (per Bylaw 1-5-1), **with at least one** per sports season, in the year immediately prior to the date of application and that it intends to continue with its sponsorship of at least ~~two~~ **six** recognized sports upon becoming a member of the OHSAA. Sponsorship of a 7th-8th grade and/or varsity recognized sport means that the school conducts competition in a minimum of 50% of the maximum allowable regular season contests in each sport. Furthermore, the applicant must certify that it intends to and actually shall participate in the OHSAA-sponsored tournaments for at least two of the sports for which applicant provides sponsorship.

3-3-4 Subject to Article 3-3-5 below, a member high school must continue to sponsor ~~two~~ **six** varsity “recognized sports” (per Bylaw 1-5-1), **with at least one** per sport season, during the school year in order to maintain membership in the OHSAA. 7-8th grade schools must also sponsor ~~two~~ **six** OHSAA recognized sports, **with at least one** per season, during the school year in order to maintain membership in the OHSAA. Sponsorship of a varsity recognized sport or a 7-8th grade sport means that the school:

- A) is required to conduct competition in a minimum of 50% of the maximum allowable regular season contests in a team sport, (see General Sports Regulations 7.2.1 and 7.2.2 for the definition of individual and team sports); and/or
- B) is encouraged to compete in a minimum of 50% of the maximum allowable regular season contests in each individual sport; and
- C) at the high school level, is required to participate in the OHSAA sponsored tournament for each of those sports;

Exception: Schools that have restricted enrollment due to geographic placement may request written exemption from this sponsorship requirement prior to August 1 of the ensuing school year. The exemption may be granted solely at the discretion of the Executive Director’s office.

Note: Schools that were members as of the 2009-2010 school year and did not meet the two-sport per season provision within this article are exempt from this two-sport per season requirement until such time when they do meet the two sport per season requirement.

3-3-5 If, during the course of any given school year, a member school fails to sponsor a minimum of two varsity “recognized sports” in any sport season, or two OHSAA recognized sports per season at the 7-8th grade level, **a member school fails to sponsor the six total required “recognized sports” during a given school year**, effective in the immediate ensuing sports season after the school fails to meet this minimum sponsorship obligation, the school’s membership shall be placed on probation **for the following school year**. Part of this probation will be that the school’s remaining sports teams shall be ineligible for participation in any OHSAA sponsored tournaments at the high school and/or 7th-8th grade level during that

probationary period. However, a school whose membership is placed on probation pursuant to this section may be eligible to participate in the OHSAA sports tournaments during its probationary period upon application to the Executive Director's Office, membership services department. The Board of Directors shall adopt guidelines regarding objective criteria for the membership services staff to consider in making the tournament participation decision. Furthermore, that school's probation shall remain in effect for three consecutive sports seasons, during which time the school must resume sponsorship of two sports per sport's season. If the probationary school fails to sponsor the six total required "recognized sports" two sports per sport's season during this probationary school year period, the school's membership in the OHSAA shall be terminated.

Similarly, if during the course of any given school year a member school fails to sponsor a minimum of two one varsity "recognized sports" in any sport season, or two one OHSAA recognized sports per season at the 7-8th grade level, the school shall be ineligible for all postseason participation during that sports season during the following school year for any sports teams that they do offer.

Note: Probation has a different meaning than suspension as denoted in Constitution 3-3-6.

COMMENTS:

1. This Constitution Article was originally introduced to ensure that prospective members were offering a full compliment of athletic opportunities for its student-athletes. Since that time, some of the smaller member schools have had difficulties meeting the two-sport minimum requirement per season, despite still fielding 6+ sports teams throughout the school year.
2. The proposed modification would shift the sports offered emphasis onto the total number of sports offered (i.e. six), as opposed to the stronger emphasis currently being placed on two recognized sports per season.
3. Under the proposed language, as long as a school offers at least one recognized sport per season, and a total of six throughout the school year, then it would be fulfilling new proposed membership obligations.
4. With the new proposed focus on total sports offered during a year vs. sports offered per season, the proposed language removes the flexibility for a school to petition the E.D. Office for participation in postseason participation during the probationary period based on "objective criteria."
5. Updated penalties:
 - a. Not offering a total of 6 sports during a given year: Ineligible for all postseason participation the following school year
 - b. Not offering at least one sport during a season: Ineligible for postseason participation during that season the following year. This means that a team who did not exist the following year would not be eligible for postseason play the next year.

BYLAWS (8)

ISSUE 1B – MODIFY BYLAW 2-2-5, REMOVE EXCEPTION FOR TIERING FOR NON-PUBLIC SCHOOLS

If passed, effective August 1, 2025.

Initial Review-2/20/25

Approved for Referendum- 2/20/25

2-2-5 For non-public member schools, Factors shall be assigned as follows:

—Tier 0 – the student attended the same system of education continuously since the beginning of the 7th grade and attended one of the designated/assigned feeder schools continuously since the beginning of 7th grade.

—Tier 1 – the student attended the same system of education continuously since the beginning of 7th grade but did not attend one of the designated/assigned feeder schools continuously since the beginning of 7th grade, or the student is participating on a J1 Visa.

—Tier 2 – the student did not attend the same system of education continuously since the beginning of 7th grade.

~~EXCEPTION: If a non-public school system assigns all students to a specific high school based on the geographic location of the student's parents. Factors shall be assigned as follows:~~

- ~~—Tier 0— the student attended the same system of education continuously since the beginning of the 7th grade and the student and at least one parent currently resides within the assigned attendance zone.~~
- ~~—Tier 1— the student attended the same system of education continuously since the beginning of 7th grade but the student and at least one parent currently resides outside the assigned attendance zone.~~
- ~~—Tier 2— the student did not attend the same system of education continuously since the beginning of 7th grade.~~

COMMENTS:

1. The proposed referendum issue removes the Exception created for private school systems which use geographic boundaries to assign students to attend certain high schools. This exception was created to address the unique set up of the Columbus Diocese schools. With the 2019 change in the feeder school option (12.5 mile radius), this exception is no longer being utilized. The proposed language removes this option to review attendance zone residency for private schools.

ISSUE 2B – MODIFY BYLAW 4-3-1, EXCEPTION 5, PARTIAL ENROLLMENT OBLIGATIONS

If passed, effective August 1, 2025.

Initial Review-2/20/25

Approved for Referendum- 2/20/25

EXCEPTION 5: A student who is receiving home instruction in accordance with division (A) (2) of section 3321.04 of the Revised Code and is enrolled in a non-public member school in accordance with the partial enrollment policy of the governing board of that non-public school may be eligible at the non-public school where the student is enrolled and attending. Such partial enrollment policy requires that at least one of the courses be an academic course taken at the school's physical location, **and that the class is counts towards graduation.**

Note: A student entering a member non-public school from a home school must do so at the beginning of the school year after having been home educated for at least one calendar year. Failure to meet this one-year provision requires the student to be enrolled for a minimum of one grading period before the student can be declared eligible.

Note: State law permits home educated students in accordance with ORC 3312.04 (A)(2) to be afforded the opportunity to participate at the public school in the district of residence of the parents without any enrollment obligation. If the residential public school district does not offer the sport, the home educated student MAY participate at another non-residential public school provided the superintendent of that district permits such participation.

COMMENTS:

1. Exception 5, which has been in place for over a decade, allows the participation of a truly home educated student at a non-public school if certain criteria are met. There has been recent confusion around the requirement that the course be an "academic course."
2. The proposed language will permit any class to count towards this partial enrollment requirement as long as the class is taken at the school's physical location, **and that the class receives credit towards graduation.**
3. Note: Participation by a home educated student at a public school, under state law, requires no enrollment obligation.

ISSUE 3B – MODIFY BYLAW 4-6-2 #6, RESIDENCY EXCEPTION BASED ON CONTINUOUS ENROLLMENT IN SAME SYSTEM OF EDUCATION

If passed, effective August 1, 2025.

Initial Review-10/24/2024

Approved for Referendum- 1/16/25

EXCEPTION 6: A student who resides within the boundaries of a parochial school system consisting of grades 1-12 that has multiple sites organized into elementary schools (1-8) and secondary schools (9-12), and who has enrolled by the beginning of the fourth grade level of an elementary school in that system and has maintained continuous enrollment in that school system through grade 8, shall be eligible for interscholastic athletics in grades 9-12 providing the secondary school attended by the student is the school designated by the school system for the continuance of the student's educational program.

A student who has been continuously enrolled and attending a "parochial school" by the beginning of the fourth sixth grade level and who has maintained continuous enrollment in that same system of education through grade 8 shall be eligible for interscholastic athletics in grades 9-12 if the student matriculates directly into a parochial high school in Ohio and maintains enrollment in that high school for the duration of their high school education. Should such a student ever break enrollment from the same system of education then they will no longer be eligible for residency eligibility under this exception. For purposes of this exception, a "parochial school" shall be defined as a school which is part of the Catholic Conference of Ohio, as denoted by the Ohio Department of Education and Workforce.

Note: The OHSAA **will use the Ohio Department of Education and Workforce to denote schools within the same system of education.** does require that the superintendent of the non-public school system provide the Executive Director's Office with a list of any elementary schools under the system's jurisdiction that are located both inside and outside of Ohio.

The student shall be ineligible until ruled eligible by the Executive Director's Office.

Please be advised that students who transfer into an Ohio high school under this residence exception must adhere to an exception to the transfer bylaw 4-7-2 or be prepared to fulfill the transfer consequence in any sport in which they participated in the 12 months immediately preceding the transfer. After the first 50% of the maximum allowable regular season contests have been competed, the student shall then become INELIGIBLE for the remainder of the regular season contests. Furthermore, the student shall also remain ineligible to participate in the OHSAA sponsored tournament(s).

COMMENTS:

1. Bylaw 4-6-2 is the rule which says that a student must have a parent living in Ohio in order to be eligible. Exception 4 to Bylaw 4-6-2 allows residency eligibility for a student whose parent lives outside of Ohio when a student attends a K-12 school. Exception 6 to Bylaw 4-6-2 is intended to mirror that exception for parochial schools, who generally have separate elementary school buildings than their high school buildings.
2. The stricken language in the proposed issue is mostly editorial in nature, since many parochial school systems in Ohio do not have defined boundaries. New language also clarifies that ODEW will be the source to determine whether an elementary school is part of the same system of education as the high school.
3. The newly proposed language changes the enrollment requirement period within in an Ohio parochial school from 4th grade-8th grade to 6th grade-8th grade.

**ISSUE 4B – MODIFY BYLAW 4-7-3, MIDSEASON TRANSFER DEFINITION OF "SPORTS SEASON
If passed, effective August 1, 2025.**

Initial Review- 10/23/2024

Approved for Referendum- 10/24/2024

4-7-3 ...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). **Notwithstanding this definition of sports season, if the student's former school concluded their season (i.e. played last contest) prior to the student transferring schools (even if the receiving school is still**

playing), then the aforementioned proration outlined within Bylaw 4-7-3 shall not apply and the student shall be subject to the normal transfer consequence the following season unless an exception can be met.

COMMENTS:

1. Bylaw 4-7-3 is the rule which addresses midseason transfers who have their transfer consequence “prorated” and/or “flipped” if they transfer to a different school in the middle of a season. The purpose of this rule is to prevent a student from having to sit out two postseason tournaments.
2. The Executive Director’s Office has encountered instances of a student finishing their season at their “old school” and then immediately transferring to a new school where the new team is still playing, but perhaps with only 1 or 2 postseason games left. Under the current definition, such a student gets the “benefit” of having the transfer consequence prorated/flipped, where they sit out the rest of that tournament and then for the first half of the next regular season until the 50% consequence is fulfilled.
3. The proposed language would clarify that once a student’s former school team is eliminated from the tournament, that their “sports season” is considered completed. Therefore, if they transfer to another school, that may still have contests remaining while the tournament is still in progress, such a student does not get the benefit of having those contests “count” and the following season they would be subject to the normal transfer rule (sitting the second half of the season and the tournament) UNLESS an exception can be met.

ISSUE 5B – MODIFY LANGUAGE WITHIN BYLAWS 4-7-4 #5 & BYLAW 4-7-5, TRANSFER FROM POOR PERFORMING SCHOOL

If passed, effective August 1, 2025.

Initial Review-10/24/2024

Approved for Referendum- 1/16/25

BYLAW 4-7-4 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 5: **If** the student transfers pursuant to state or federal statutes addressing unsafe schools or academically poor performing schools, and the student can demonstrate to the satisfaction of the superintendent that the transfer is for purely academic reasons and not athletic reasons, **the Executive Director’s office may declare such transferring student eligible for the second half of the season and the OHSAA tournament upon application to the Executive Director’s office.** (Note: This exception will not apply to transfers from one poor performing school to another poor performing school.) NOTE: The OHSAA uses the Ohio Department of Education and Workforce’s List of Priority **EdChoice** Schools as of the date the transfer request is received in the Executive Director’s Office to denote academically poor-performing schools.

Note 1: The student shall be entitled to one transfer only under the provisions set forth in this bylaw. In addition, this bylaw shall not be used to establish eligibility at another high school if the student transfers into and then back out of the poor performing school in an attempt to circumvent the transfer bylaw, nor can it be used to transfer between poor performing schools.

Note 2: If a student has used this bylaw to transfer out of a poor performing school at any time during his or her high school career, the student shall not be permitted to transfer back to the same poor performing school and regain transfer eligibility.

4-7-5 Notwithstanding the provisions of sections 4-7-2 and 4-7-4, if the **If a** student transfers pursuant to state or federal statutes addressing unsafe schools or academically poor performing schools, and the student can demonstrate to the satisfaction of the Executive Director’s office that the transfer is for purely academic reasons and not athletic reasons, the Executive Director’s office may declare such transferring student eligible **for the second half of the season and the OHSAA tournament** upon application to the Executive Director’s office. The OHSAA uses the Ohio Department of Education and Workforce’s List of Priority **EdChoice**

Schools, or other such Ohio Department of Education and Workforce publication denoting poor performing schools, as of the date the transfer request is received in the Executive Director's Office, to denote academically poor performing schools.

Note 1: The student shall be entitled to one transfer only under the provisions set forth in this bylaw. In addition, this bylaw shall not be used to establish eligibility at another high school if the student transfers into and then back out of the poor performing school in an attempt to circumvent the transfer bylaw, nor can it be used to transfer between poor performing schools.

Note 2: If a student has used this bylaw to transfer out of a poor performing school at any time during his or her high school career, the student shall not be permitted to transfer back to the same poor performing school and regain transfer eligibility.

COMMENTS:

1. Bylaw 4-7-4 #5 and Bylaw 4-7-5 are companion bylaws which address the transfers of students from a "poor performing" school, with one bylaw handling intra-district transfers (Bylaw 4-7-4 #5) and one Bylaw handling inter-district transfers (Bylaw 4-7-5).
2. The proposed changes are mostly editorial in nature, making the language consistent between the two bylaws (intra-district transfer vs. inter-district transfer).
3. Due to the new grading processes used by ODEW, the E.D. Office is recommending the removal of the "priority school" reference and make it more applicable to what is being used today (i.e. EdChoice).
4. Such a change in reference removes most of the online community schools, i.e. Ohio Virtual Academy, from applicable poor performing school list the OHSAA will utilize moving forward.
5. Current EdChoice School List: <https://reports.education.ohio.gov/report/nonpublic-data-current-ed-choice-designated-list>

ISSUE 6B – CHANGE “LOOK BACK’ PERIOD FOR BYLAW 4-7-2 #5, TRANSFER BACK TO NON-PUBLIC SCHOOL

If passed, effective August 1, 2025.

Initial Review-10/23/2024

Approved for Referendum- 10/24/2024

EXCEPTION 5: 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 a school within the same system of non-public education as the school into which the student is transferring (e.g., Catholic Conference of Ohio, Ohio Association of International Schools, Association of Christian Schools International or other category as denoted by the Ohio Department of Education and Workforce) beginning in the 4th sixth 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 student commencing his/her first day of their senior year and;
- d) the student can demonstrate to the satisfaction of the Executive Director's Office that the transfer is not occurring/not taking place for athletic reasons...

COMMENTS:

1. This proposed modification would change the "look back" period for a student who has been continuously enrolled in the same system of nonpublic education as the school into which the student is transferring. If that student meets the exception and has shown a previous commitment to that system of education, the OHSAA would consider what system of education the student attended continuously between sixth and eighth grade rather than the current regulation which looks at the fourth through eighth grades. As a grade 7-12 organization, the "look back" to sixth grade is deemed more practical in showing that the student has made a commitment to that same system of education while still more closely aligning with the grade levels that the OHSAA oversees.

ISSUE 7B – REORGANIZE AND MODIFY BYLAW 4-7-2, EXCEPTIONS 5 & 9 AND MOVE BYLAW 4-7-5

If passed, effective August 1, 2024.

Initial Review-12/5/2025

Approved for Referendum- 1/16/25

MOVE EXCEPTION 5 AND 9 FROM BYLAW 4-7-2 TO UPDATED BYLAW 4-7-5, AND MOVE LANGUAGE FROM CURRENT BYLAW 4-7-5 *** TO BYLAW 4-7-2, EXCEPTION 5

RENUMBER REMAINING BYLAW 4-7-2 EXCEPTIONS ACCORDINGLY

NEW LANGUAGE FOR BYLAW 4-7-5

A student shall be entitled to transfer to a school and have his/her eligibility restored at the discretion of the Executive Director's Office provided requirements of one of the following provisions have been met:

(Old 4-7-2, Exception 5) PROVISION 1: A student may return **RETURN** to non-public education and have his/her eligibility restored at the discretion of the Executive Director's Office **one time during their high school career**, provided the following conditions are met:

- a) the student had been continuously enrolled in a school within the same system of non-public education as the school into which the student is transferring (e.g., Catholic Conference of Ohio, Ohio Association of International Schools, Association of Christian Schools International or other category as denoted by the Ohio Department of Education and Workforce) 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 student commencing his/her first day of their senior year. and;~~
- d) ~~the student can demonstrate to the satisfaction of the Executive Director's Office that the transfer is not occurring/not taking place for athletic reasons.~~

Furthermore, if the student commences attendance at any high school within the same system of non-public education then breaks enrollment for a period of time at a school located outside the same system of non-public education, this exception will only be available for use back to the same high school at which the student was previously enrolled, provided the aforementioned criteria are all met.

~~Additionally, the Executive Director's Office may waive the timeline requirement of criteria (c) only if 1) the student transfers back to the same non-public high school in which they were previously enrolled and 2) the transfer back occurs within the same school year in which the student withdrew from that nonpublic high school and 3) the student did not participate in a practice, scrimmage or contest in any sport(s) at another school during the time they were withdrawn from the non-public high school.~~

(Old 4-7-2, Exception 9) PROVISION 2: A student may transfer to a public school and have his/her eligibility restored at the discretion of the Executive Director's Office one time during their high school career provided the following conditions are met:

- a) **The student's residential parent/legal custodian has resided in the public school district (in which the school is a part of) for a minimum of one year immediately preceding the request for eligibility and;**
- b) **The student is transferring from a school which is within a different district/system than the school into which he/she is transferring, regardless of whether the student is transferring from a public or nonpublic school.**

~~If, as a result of a transfer/transfer of participation opportunity to a public high school located in the public school district within which the student's residential parent/legal custodian has resided for a minimum of one year, the Executive Director's Office may waive all or part of the period of ineligibility for one or more of the sport/sport seasons. This exception may be used regardless of whether the student is transferring from a public or nonpublic school but cannot be applied to transfer to and from high schools within a multiple high school district/system. (See Bylaws 4-7-4, 4-7-6 and 4-7-7 for the transfer rules which apply to intra-district or system transfers; See Note 1 below for transfers into a multiple high school district.) This Exception may be used only once during a student's four years of high school eligibility.~~

~~Note 1: For transfers covered under this Exception into a multiple high school district, the Executive Director's authority to waive all or part of the period of ineligibility shall be applicable at only the member high school located in the parent's residential attendance zone or, if there are no defined attendance zones, at the member high school that is closest to the parent's residence unless the district superintendent makes a specific request, based upon objective educational criteria, for application of this Exception at another high school within the district. Such a request should accompany the Exception 92 application.~~

Note 2: A non-public student whose parents live in two different public school districts may have the option under this bylaw to transfer to the public high school in either public school district in which the student's parents reside provided the student has never established eligibility at a public school in a district in which a custodial parent resides.

Note 3: Exception 92 cannot be used to transfer from the public high school of the district in which one parent resides to the public high school of the district in which the other parent resides in a split-family situation. If a student establishes his/her eligibility at a public high school located within the district of one legal custodian and subsequently transfers to another public high school in a different district of a different legal custodian, the original school of enrollment shall remain the student's "residential district school" for the purposes of this exception until the student has been attending the new school for one calendar year. After one calendar year, the student will have reestablished his/her "residential district school" for the purposes of this exception and is no longer permitted to use this exception to transfer back to his/ her original school using this exception.

Note 4: If, as a result of a transfer/change of participation opportunity in accordance with exception 92, a student is permitted a participation opportunity at a member school where he or she is not enrolled in accordance with Bylaw 4-3-1 exceptions 4 and/or 6, the Executive Director's Office may apply this exception 92 to restore full eligibility in regard to transfer/change of participation opportunity provided the student's participation is in accordance with OHSAA business rules and in accordance with Bylaw 4-7-3. Application of this exception as a non-enrolled student shall constitute the student's one time use of this exception.

COMMENTS:

1. All the exceptions within Bylaw 4-7-2 are assessed under the cause-effect analysis outlined at the beginning of the Bylaw:
 - a. *If it is determined that one or more of the exceptions that follow represents an event which creates the need to transfer, i.e., creates a cause and effect relationship, then one or more of the following exceptions may apply:*
2. Upon review, it was determined that current Exception 5 (transfer back to same system of non-public education) and Exception 9 (transfer back to local public school) do not conduct the same cause-effect analysis. Therefore, the proposed referendum issue moves these Exceptions into a new bylaw (4-7-5) and makes changes to make the exceptions more consistent with one another. Changes as a result of making the provisions more consistent include:
 - a. Removing the applicability of either provision for seniors
 - b. Removing an athletic motivation assessment
3. The current language within Bylaw 4-7-5, transfer from a poor performing school, does have a cause-effect analysis so the proposed referendum issue shifts that language to replace 4-7-2 exception 5 and renumber all remaining exceptions accordingly.

*** Should Issue 5B pass, the newly proposed poor performing language (i.e. EdChoice) will be what is inserted, as opposed to the current 4-7-5 language. Conversely, should Issue 5B fail, the current bylaw 4-7-5 language will be substituted for 4-7-2 #5, with minor editorial changes.

*** Should Issue 6B pass, the newly proposed language (i.e. 6th grade) will be what is inserted. Conversely, should Issue 6B fail, the current bylaw 4-7-2 Exception 5 language (i.e. 4th grade) will be substituted.

ISSUE 8B – ADD EXCEPTION TO BYLAW 4-7-4, INTRA-DISTRICT ADULT CRIMINAL BEHAVIOR If passed, effective August 1, 2025.

Initial Review-2/20/25

Approved for Referendum- 2/20/25

Create New Exception to Bylaw 4-7-4, Move current Exception 6 (Student Bullying) to Exception 7

EXCEPTION 6 – If, as a result of the conduct of an adult associated with the school, a student is compelled to transfer in order to protect the student's physical and/or mental well-being, the Executive Director's Office may waive all or part of the period of ineligibility for one or more sport/sport seasons provided ALL of the following criteria are met:

- a) there is documented evidence the adult conduct was directed specifically towards the student; and
- b) the adult conduct is of such a nature as to trigger a criminal investigation or an event covered under ORC 2151.421 that would require a mandatory reporter to report to the proper legal authorities; and
- c) the student suffered/suffers physical harm and/or severe emotional distress that required/requires medical treatment and/or mental health treatment, which was contemporaneously documented at the time of the event; and
- d) 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.

For purposes of this bylaw, "conduct" may include behavior of a physical nature as well as verbal and/or written expressions, gestures and interactions. The conduct referred to herein may also include interactions via social media or other forms of electronic communications.

This exception will not be applied where there has been no documented evidence of a criminal investigation or a "reportable" event as outlined in criteria (b), nor will this exception be applied for a student who simply alleges displeasure with a former coach's training tactics.

COMMENTS:

1. Currently the Adult Criminal Behavior exception is only codified under an inter-district transfer option. The proposed issue would track the exact same language as the inter-district transfer exception, but would allow a student to transfer to a different school within the same district if the requirements of this exception have been met.