



Ohio High School Athletic Association
4080 Roselea Place, Columbus, Ohio 43214

BUSINESS RULES FOR ATHLETIC PARTICIPATION OF NON-ENROLLED STUDENTS IN MULTIPLE HIGH SCHOOL DISTRICTS

Created: 2007-08 School Year

Updated and re-approved by OHSAA Board of Directors: April 2017

Introduction:

Bylaw 4-3-1 states, "All students participating in a school-sponsored sport must be enrolled in and attending full-time in accordance with all duly adopted Board of Education or similar governing board policies of that school." There are currently six exceptions to this Bylaw and this document will focus on the placement of students utilizing exception four (Non-traditional/specialty school students) and exception six (Home educated students, Community school students, STEM school students and Non-public school students) **WITHIN A MULTIPLE HIGH SCHOOL DISTRICT.**

To clarify, the term non-traditional/specialty school is used throughout this document to reference students attending an alternative school, digital school, magnet school and/or virtual school. An "alternative school," as defined within the ORC §3313.53, is one which is created to serve students who are on suspension, who are having truancy problems, who are experiencing academic failure, who have a history of class disruption, who are exhibiting other academic or behavioral problems specified in the resolution, or who have been discharged or released from the custody of the department of youth services. The OHSAA, however, defines "alternative school" to include, **but not be limited to the ORC definition**, which is why we use the term "non-traditional/specialty." Please note that these "non-traditional/specialty" schools 1) are NOT community or STEM schools, 2) are sponsored by a public school district and 3) have been assigned an IRN. Students attending these types of schools, and who live within a multiple high school district, shall be assigned to participate in athletics at a high school located in their parent's district of residence (or the district high school closest to the parents' residence if the parents do not live within the school district) in accordance with the following business rules.

Likewise, students who attend community or STEM schools sponsored by a school district (which, as explained above, are different than non-traditional/specialty schools), as well as those students who are home educated or attend a non-public school that does not offer a specific sport - these students are permitted to participate only in the district of residence of their parents as per Ohio law. There are exceptions for the home educated and non public school student (see below). Students who receive their education through one of the aforementioned means, and who live within a multiple high school district, have the same option as a student who attends a non-traditional/specialty school, and all these students will be assigned to participate in sports at a member high school in accordance with these same business rules.

PLEASE CALL A MEMBER OF THE OHSAA COMPLIANCE STAFF WITH ANY QUESTIONS OR TO DISCUSS A SPECIFIC SCENARIO.

BUSINESS RULES FOR THE ASSIGNMENT OF NON-ENROLLED STUDENTS WANTING TO PARTICIPATE IN INTERSCHOLASTIC ATHLETICS WITHIN A MULTIPLE HIGH SCHOOL DISTRICT

1. For a matriculating 9th grade student whose parents live within the district and the student is a non-traditional/specialty student, home educated student, community school student, STEM school student or a non-public school student wanting to utilize Bylaw 4-3-1 exception 4 or 6 to participate in athletics at a high school where they are not enrolled, the district shall assign these students to the high school nearest to their parents' residence within the district or, if separate attendance zones have been created, to the closest high school within the attendance zone of their parents' residence regardless of whether that member school is poor performing. (* **See "notes" for additional information regarding non-public school students and home educated students). Note also that parents who live outside this multiple high school district may choose to send a 9th grade student to a non-traditional/specialty school within the district. Such a student shall be assigned for athletics at the district high school which is closest to the parents' residence outside the district.

For a student in any grade level whose parents live within the district, the student has NEVER established his/her athletic eligibility at any member school, the student has ALWAYS been a non-traditional/specialty student, home educated student, community school student, STEM school student or a non-public school student (at the high school level), and the student is now wanting to utilize Bylaw 4-3-1 exception 4 or 6 to participate in athletics at a high school where they are not enrolled, the district shall assign these students to the high school nearest to their parents' residence within the district or, if separate attendance zones have been created, to the closest high school within the attendance zone of their parents' residence regardless of whether that member school is poor performing. (* **See "notes" for additional information regarding non-public school students and home educated students). Note also that parents who live outside this multiple high school district may choose to send this type of student to a non-traditional/specialty school within the district for his/her entire high school career. Such a student shall be assigned for athletics at the district high school which is closest to the parents' residence outside the district.

2. For a transfer student who is transferring his/her eligibility from a high school OUTSIDE the district, the parents live within the district (whether they have lived there for an extended period of time or if they just made a recent move into the district), and the student is a non-traditional/specialty student, home educated student, community school student, STEM school student or a non-public school student wanting to utilize Bylaw 4-3-1 exception 4 or 6 to participate in athletics at a high school where they are not enrolled, the district shall assign these students to the high school nearest to their parents' residence within the district or, if separate attendance zones have been created, to the closest high school within the attendance zone of their parents' residence regardless of whether that member school is poor performing. Keep in mind that the student may be subject to the transfer bylaw if applicable. If the student's parents make a move between attendance zones, or move closer to a different high school within the district (for districts that do not have assigned attendance zones), that student is permitted, but not required, to transfer his/her athletic eligibility to the new closest high school, within the attendance zone if applicable. However, the district will be required to request that transfer eligibility be restored in accordance with Bylaw 4-7-4 for the student to regain immediate eligibility. (* **See "notes" for additional information regarding non-public school students and home educated students).

3. For a transfer student who is transferring his/her eligibility from a high school OUTSIDE the district, the parents live outside the district, and the student is now a non-traditional/specialty student wanting to utilize Bylaw 4-3-1 exception 4 to participate in athletics at a high school where they are not enrolled, the district shall assign these students to the district high school nearest to their parents' residence (which is outside the district) regardless of whether that member school is poor performing. Please note that the student will likely be subject to the transfer bylaw if applicable.

Conversely, for a transfer student who is transferring his/her eligibility from a high school OUTSIDE the district and the parents live outside the district then the home educated student, community school student, STEM school student or non-public school student IS NOT permitted to participate at a school in a district where their parents do not reside. These students are only permitted to participate at the high school located in the parent's district of residence in accordance with the Ohio Revised Code. (* **See "notes" for additional information regarding non-public school students and home educated students).

4. For a transfer student who is transferring his/her eligibility from a high school INSIDE the district, the parents live within the district, the student is now a non-traditional/specialty student, home educated student, community school student, STEM school student or a non-public school student wanting to utilize Bylaw 4-3-1 exception 4 or 6 to participate in athletics at a high school where they are not enrolled, the student's eligibility shall remain at the district high school where that student previously attended. If the student's parents make a move between attendance zones, or move closer to a different high school within the district (for districts that do not have assigned attendance zones), that student is permitted, but not required, to transfer his/her athletic eligibility to the new closest high school, within the attendance zone if applicable. However, the district will be required to request that transfer eligibility be restored in accordance with Bylaw 4-7-4 for the student to regain immediate eligibility. (* **See "notes" for additional information regarding non-public school students and home educated students).

5. For a transfer student who is transferring his/her eligibility from a high school INSIDE the district, the parents live outside the district, and the student is now a non-traditional/specialty student wanting to utilize Bylaw 4-3-1 exception 4 to participate in athletics at a high school where they are not enrolled, the student's eligibility shall remain at the district high school where that student previously attended. In this situation, the school administrator will need to ensure the student continues to have a parent in Ohio to be in compliance with Bylaw 4-6-3.

Conversely, for a transfer student who is transferring his/her eligibility from a high school INSIDE the district and the parents live outside the district then the home educated student, community school student, STEM school student or non-public school student IS NOT permitted to participate at a school in a district where their parents do not reside. These students are only permitted to participate at the high school located in the parent's district of residence in accordance with the Ohio Revised Code. (* **See "notes" for additional information regarding non-public school students and home educated students).

6. For a transfer student who is transferring his/her eligibility from a high school OUTSIDE the district, the student is living within the district with an individual with no custody (under a POA or Caretaker Affidavit), and the student is a non-traditional/specialty student, home educated student, community school student, STEM school student or a non-public school student wanting to utilize Bylaw 4-3-1 exception 4 or 6 to participate in athletics at a high school where they are not enrolled, the district shall assign these students to the high school nearest to the guardian's residence within the district or, if separate attendance zones have been created, to the closest high school within the attendance zone of their guardian's residence regardless of whether that member school is poor performing. In this situation, the school administrator will need to ensure the student continues to have a parent in Ohio to be in compliance with Bylaw 4-6-3. Keep in mind that the student will also likely be subject to the transfer bylaw if applicable. If the student and the family with whom he/she is living makes a move between attendance zones, or moves closer to a different high school within the district (for districts that do not have assigned attendance zones), that student is permitted, but is not required, to transfer his/her athletic eligibility to the new closest high school, within the attendance zone if applicable, regardless of whether that member school is poor performing. If the student does decide to transfer his/her eligibility, the student will likely be subject to the transfer consequence since he/she will not likely meet any scenario outlined in Bylaw 4-7-4 (since the student's PARENTS would not be making a move between attendance zones). (* **See "notes" for additional information regarding non-public school students and home educated students).

***This assignment using a "Power of Attorney" and/or "Caretaker Affidavit" is done in accordance with §3313.64, §3313.537, §3313.5312, and §3313.5311.

7. For a transfer student who is transferring his/her eligibility from a high school INSIDE the district, the student is living with an individual with no custody (under a POA or Caretaker Affidavit), and the student is a non-traditional/specialty student, home educated student, community school student, STEM school student or a non-public school student wanting to utilize Bylaw 4-3-1 exception 4 or 6 to participate in athletics at a high school where they are not enrolled, the student's eligibility shall remain at the district high school where that student previously attended. In this situation, the school administrator will need to ensure the student continues to have a parent in Ohio to be in compliance with Bylaw 4-6-3. If the student and the family who he/she is living with makes a move between attendance zones, or moves closer to a different high school within the district (for districts that do not have assigned attendance zones), that student is permitted, but is not required, to transfer his/her athletic eligibility to the new closest high school, within the attendance zone if applicable, regardless of whether that member school is poor performing. If the student does decide to transfer his/her eligibility, the student will likely be subject to the transfer consequence since he/she will not likely meet any scenario outlined in Bylaw 4-7-4 (since the student's PARENTS would not be making a move between attendance zones). (* **See "notes" for additional information regarding non-public school students and home educated students).

***This assignment using a "Power of Attorney" and/or "Caretaker Affidavit" is done in accordance with §3313.64, §3313.537, §3313.5312, and §3313.5311.

8. For a transfer student who is transferring his/her eligibility from a high school OUTSIDE the district, the student is living within the district on his/her own (self-support), and the student is now a non-traditional/specialty student wanting to utilize Bylaw 4-3-1 exception 4 to participate in athletics at a high school where they are not enrolled, the district shall assign these students to the high school nearest to the student's CURRENT residence within the district or, if separate attendance zones have been created, to the closest high school within the attendance zone of the student's CURRENT

residence regardless of whether that member school is poor performing. In this situation, the school administrator will need to ensure the student continues to have a parent in Ohio to be in compliance with Bylaw 4-6-3. Keep in mind that the student will also likely be subject to the transfer bylaw if applicable. While living in the district, if the student makes a move between attendance zones, or moves closer to a different high school within the district (for districts that do not have assigned attendance zones), that student is permitted, but is not required, to transfer his/her athletic eligibility to the new closest high school to the student's CURRENT residence, within the attendance zone if applicable, regardless of whether that member school is poor performing. If the student does decide to transfer his/her eligibility, the student will likely be subject to the transfer consequence since he/she will not likely meet any scenario outlined in Bylaw 4-7-4 (since the student's PARENTS would not be making a move between attendance zones).

Conversely, for a transfer student who is transferring his/her eligibility from a high school OUTSIDE the district, the student is living within the district on his/her own (self-support), and the student is now a home educated student, community school student, STEM school student or non-public school student wanting to utilize Bylaw 4-3-1 exception 6 to participate in athletics at a high school where they are not enrolled, please note that these student ARE NOT permitted to participate at a school in a district where their parents do not reside. These students are only permitted to participate at the high school located in the parent's district of residence in accordance with the Ohio Revised Code, regardless of whether or not the student still lives with the parent. If the parent does live within the same district as the student (keep in mind that the student will likely be required to fulfill the transfer consequence, if applicable, since self-supporting students can only be ruled immediately eligible if they reside in a different district than their parents) the student's eligibility shall remain at the district high school where that student attended the previous year. While living within the district, if the student makes a move between attendance zones, or moves closer to a different high school within the district (for districts that do not have assigned attendance zones), that student is permitted, but is not required, to transfer his/her athletic eligibility to the new closest high school to the student's CURRENT residence, within the attendance zone if applicable, regardless of whether that member school is poor performing. If the student does decide to transfer his/her eligibility, the student will likely be subject to the transfer consequence since he/she will not likely meet any scenario outlined in Bylaw 4-7-4 (since the student's PARENTS would not be making a move between attendance zones). In this situation, the school administrator will need to ensure the student continues to have a parent WITHIN THE DISTRICT to be in compliance with Bylaw 4-6-3 and state law.
(**See "notes" for additional information regarding non-public school students and home educated students).

9. For a transfer student who is transferring his/her eligibility from a high school INSIDE the district, the student is living within the district on his/her own (self-support), and the student is now a non-traditional/specialty student wanting to utilize Bylaw 4-3-1 exception 4 to participate in athletics at a high school where they are not enrolled, the student's eligibility shall remain at the district high school where that student previously attended. In this situation, the school administrator will need to ensure the student continues to have a parent in Ohio to be in compliance with Bylaw 4-6-3. If the student makes a move between attendance zones, or moves closer to a different high school within the district (for districts that do not have assigned attendance zones), that student is permitted, but is not required, to transfer his/her athletic eligibility to the new closest high school to the student's CURRENT residence, within the attendance zone if applicable, regardless of whether that member school is poor performing. If the student does decide to transfer his/her eligibility, the student will likely be subject to the transfer consequence since he/she will not likely be able to meet any circumstances outlined in Bylaw 4-7-4 (since the student's parents would not be making a move between attendance zones).

Conversely, for a transfer student who is transferring his/her eligibility from a high school INSIDE the district, the student is living within the district on his/her own (self-support), and the student is now a home educated student, community school student, STEM school student or non-public school student wanting to utilize Bylaw 4-3-1 exception 6 to participate in athletics at a high school where they are not enrolled, please note that these student ARE NOT permitted to participate at a school in a district where their parents do not reside. These students are only permitted to participate at the high school located in the parent's district of residence in accordance with the Ohio Revised Code, regardless of whether or not the student still lives with the parent. If the parent does live within the same district as the student (keep in mind that the student will likely be required to fulfill the transfer consequence, if applicable, since self-supporting students can only be ruled eligible if they reside in a different district than their parents) the student's eligibility shall remain at the district high school where that student attended the previous year. If the student makes a move between attendance zones, or moves closer to a different high school within the district (for districts that do not have assigned attendance zones), that student is permitted, but is not required, to transfer his/her athletic eligibility to the new closest high school to the student's CURRENT residence, within the attendance zone if applicable, regardless of whether that member school is poor performing. If the student does decide

to transfer his/her eligibility, *the student will likely be subject to the transfer consequence* since he/she will not likely be able to meet any circumstances outlined in Bylaw 4-7-4 since the student's parents would not be making a move between attendance zones. *In this situation, the school administrator will need to ensure the student continues to have a parent WITHIN THE DISTRICT to be in compliance with Bylaw 4-6-3 and state law.*

(* **See "notes" for additional information regarding non-public school students and home educated students).

10. FOR SCHOOLS NOT OFFERING SPECIFIC SPORTS: After adhering to the above detailed placement assignments, if the closest member high school to the parents' residence does not sponsor the sport in which the student wishes to participate, the student may be assigned to participate at the next closest high school that does sponsor the sport within the District, *regardless of whether that member school is poor performing*. Upon coming back to the student's properly assigned school to play a different sport that the school DOES offer, NO TRANSFER CONSEQUENCE WILL BE APPLIED.

ADDITIONAL NOTES:

* Please note that these non-public school students also have a participation opportunity at the public HS in the district where the non-public school is physically located. Once the student has established eligibility at one of those public HS options (where their parents live OR where the non- public school is located), any transfer of eligibility to the other option would require the student to fulfill the transfer consequence.

**Please note that if the sport that a home educated student wishes to play is not sponsored by any school in the residential district, the student MAY be permitted to participate at another school district subject to the sole discretion of that district's superintendent. Once the student has established eligibility at one of those public HS options (where their parents live OR in another district where their parents do not reside) any transfer of eligibility to the other option would require the student to fulfill the transfer consequence.

**Please call a member of the OHSAA Compliance Staff
(Dr. Debbie Moore; Ms. Roxanne Price; Mrs. Kristin Ronai) with any questions or
to discuss a specific scenario.**