

Stateline Sports Network

ATHLETICS, NATIONAL, OHIO, UNCATEGORIZED

OHSAA Transfer Rule Proposal, Will It Solve The Problem?

0 Comments

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(3-29-18) OHSAA member schools will vote on referendum items in May. One that will be the main focus of many school administrators will be By-Law 4-7-2 on Transfers.

- *OHSAA Membership To Vote On Drastic Transfer Bylaw Proposal*

The 50% rule now in place could be flipped if members approve the change. Now when a student-athlete transfers, if he doesn't meet any of the numerous exemptions, the athlete must sit out the first half of the season, but becomes eligible for the second half of the season and tournament play. The change would flip that around to allow the student-athlete to play immediately in the first half of the season and sit-out the second half of the school season and the tournament.

COMMENTS:

1. For as long as the reduced transfer consequence, commonly known as the "50% rule," has been in place – five years – debate has raged about the appropriateness of the consequence and its ability to stem the tide of transfers.
2. Many have argued that requiring a student to sit out of the first 50% of the regular season is not severe enough to dissuade transfers designed to "stack" teams or to discourage recruiting.
3. The OHSAA via survey information and feedback from regional meetings has learned that the members desire a more stringent consequence that will allow some participation but not impact the post season tournaments.
4. This amendment would permit the transfer student who does not meet any exception to commence participation immediately in all preseason contests and up through the first 50% of the maximum allowable regular season contests.
5. Commencing with the second half of the season and throughout the OHSAA tournament, such a student will no longer be eligible to participate.
6. This change could result in more litigation as the desire to play in the OHSAA tournaments is significant.
7. This change would become effective for any transfers who change their enrollment (See the interpretations on enrollment and attendance that precede Bylaw 4-3-1) to another member high school on or after May 16, 2018 for the 2018-19 school year. Students who transferred during this current 2017-18 school year prior to May 16, 2018 shall remain ineligible for the sports in question under the current bylaw consequence which requires them to sit out of all contests until the first 50% of the maximum allowable regular season contests have been competed even though those contests are during the 2018-19 school year.
8. The fourth and final paragraph of this bylaw more clearly explains how the consequence is applied for a mid-season transfer. The reader is referred to Bylaw 4-7-3 and its application which removes the student from further participation that season and then applies the remainder of the consequence, if there is any, at the beginning of that sport season in the following school year. This consequence ensures that a student will not have to sit out of two tournament seasons due to a mid-season transfer.

According to the comments section for the rule on the OHSAA web site:

'five years – the debate has raged'

The comment section also says:

'sitting out the first 50% of the regular season is not severe enough to dissuade transfers designed to "stack" teams

Admitting there is a problem is important, but the issue of recruiting is not addressed in the by-law. 'Stacking teams' (as mentioned above) comes from players moving to play for a certain coach or school and leave a program not as successful at their present. The AAU and club teams in other sports has a lot to do with the numerous changes and transfers that are now taking happening across the US. The Tennessee state association recently lost a hearing in court on two players that transferred to Memphis East to play for their AAU coach and former NBA star Penny Hardaway. The TSAAA has a by-law in place that makes a player ineligible for having prior contact with a coach, but the court overruled it and puts the by-law in jeopardy for the future. Although the violation was quite evident with the two players.

- *Chancellor grants temporary restraining order allowing 2 East High players back on the court*
- *Tennessee 'athletic coaching link' Bylaw Could Be The Answer To AAU Issues*

Enforcing any transfer rules that might be in place in any state is going to be tough in the future for associations to get past litigation and court rulings. Although Michigan won a recent eligibility case of a high-profile transfer, when his prior school would not sign-off on

the transfer.

- *MHSAA To Consider Transfer Rule Changes*
- *Clarkston's Thomas Kithier Will Take MHSAA And Dakota High School To Court To Regain Eligibility*

There are over 50 state associations across the country and none of them have a perfect solution on how to handle transfers that can satisfy everyone involved. Student-athletes (and their parents), who feel they need a program that will help them play at the college level, now have opportunities to play at schools not associated with a state association and avoid any transfer issues, bypassing the problem completely.

In Ohio, SPIRE Academy is one option, but many quality student-athletes have access to a program anywhere in the country. In last night's McDonald's All-American game you can see that many of the players attended schools that bring in players from across the country and Canada.

The NFHS has decided not to get involved in the transfer issue or work with associations on how to handle the issues they all face.

Many state associations depend on the 'honesty' of school officials when they handle transfer situations. The most recent case in Ohio would be Deer Park who won the D III state boys basketball title. Nine transfers were an issue, but the OHSAA confirmed that they had worked with the school on each one and there was no problem with any of the athletes.

- *D III Champion Deer Park Gives Competitive Balance Plan A 'Black Eye'*

With Ohio's open enrollment and school voucher policy has also allowed athletes to easily move to a neighboring school and avoiding past roadblocks, making transfers a larger problem than in the past.

OHSAA membership now will consider the changes proposed in by-law 4-7-2, it will be interesting to see what they decide.

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- *Transfers – "The only winning move is not to play the game"*
- *OHSAA Not Done Yet With Dunbar And Dayton Public Schools*

ISSUE 4B - Bylaw 4-7-2 – Transfer – Effective for transfers that take place on or after May 16, 2018 for the 2018-19 school year.

4-7-2 - A student is considered to have transferred whenever a.) enrollment is changed from one school to another school and the student attends a new school, or b.) the student participates in a practice, scrimmage or contest with a school-sponsored squad of a school in which the student has not been enrolled unless the non-enrolled student's participation is pursuant to O.R.C. §§ 3313.5311 (Ohio non-public school students), or 3313.537 (Ohio community/STEM school students).

If a student transfers at any time after the fifth day of the student's ninth grade year or after having established eligibility prior to the start of school by playing in a contest (scrimmage, preview/jamboree, Foundation game or regular season/tournament contest), until the one-year anniversary of the date of enrollment in the school to which the student transferred the student shall be eligible, insofar as transfer is concerned, for ONLY the first 50% of the maximum allowable regular season contests (including all scrimmages, preview/jamboree/Foundation games) in those sports in which the student participated (participation being defined as playing in a contest) during the 12 months immediately preceding this transfer. This transfer consequence shall remain in effect until the one-year anniversary of the date of enrollment in the school to which the student transferred, at which time the student is no longer considered a transfer student.

After the first 50% of the maximum allowable regular season contests have been competed, the student shall then become ineligible INELIGIBLE for the remainder of the regular season contests. Furthermore, the no-transfer student who does not meet an exception to the transfer bylaw shall also remain ineligible to participate in the OHSAA sponsored tournament(s) in those respective sports until the one-year anniversary of the student's date of enrollment. A student who did not participate in an OHSAA recognized sport in the 12 months immediately preceding the transfer is not subject to the consequence of this transfer bylaw.

Notwithstanding the above, if a student transfers during the season of a sport in which he or she has participated in a regular season contest, and if Bylaw 4-7-3 requires that the student is ineligible for participation in the remainder of the contests in that sports season, the student shall remain ineligible 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. Furthermore, the student shall finish fulfilling his/her transfer consequence, for ONLY that sport in which the mid-season transfer occurred, at the commencement of the sport season during the next school. This consequence requires that the student shall remain ineligible for all pre-season contests (scrimmages, preview/jamboree, Foundation games) and all regular season contests until the total number of regular season contests missed (including those missed during the previous season) equals up to the first 50 percent of the maximum allowable regular season contests in that sport. The total number of regular season contests for which the student will be ineligible is a function of the number of regular season contests in which he or she was ineligible in accordance with 4-7-3.

Note 1: For purposes of this bylaw, a student is considered to have participated in a sport if he/ she has entered, if for only one play, a scrimmage or contests at any level of competition/contests (e.g. freshman, junior varsity and varsity).

Note 2: A student who did not participate in the sport in the 12 months immediately preceding the transfer is not subject to the consequence of this transfer bylaw.

Note 3: ORC 3313.5312 (Ohio home educated students) has been intentionally left out of the exclusions of subpart (b) addressing students participating in programs where they are not enrolled. Once a home-educated student participates with a school sponsored squad of a school in which the student is not enrolled, the student's eligibility is established at that school. Participating on any other schools' sponsored squad will be considered a transfer for which the balance of this bylaw and its exception would be applicable.