Ohio High School Athletic Association
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INSTRUCTIONS FOR COMPLETING *AFFIDAVIT FOR BONA FIDE LEGAL CHANGE OF RESIDENCE – 2014-2015*

FOR STUDENT(S) _____Check: Boy_____Girl_____
2014-15 GRADE(S) OF STUDENT(S): Student 1: _____ Student 3: _____ Student 3: _____
TRANSFERRING FROM _____HIGH SCHOOL ON _____DATE

(Note: Please include all siblings on the same affidavit)

Exception 1 to Transfer Bylaw 4-7-2 allows the Commissioner's Office to consider restoring immediate eligibility to a transfer student WHEN BOTH PARENTS (note: plural and "Parents" include biological, adoptive or step-parents) have made a *"bona fide legal change in residence from one public school district to another public school district."* The rationale for this exception centers on the idea that the change of residence ***compelled*** the student to transfer. Thus, two threshold criteria must be met to use this Exception: (1) that a bona fide moe take place and (2) that the move was the event that caused the transfer (not the other way around).

Bylaw 4-6-1 defines what constitutes a "*bona fide change of residence*" and the factors to be examined in making this determination. To be certain, merely signing a lease agreement for an apartment in the new district does not constitute a *bona fide legal change of residence.* Note: If only one parent in an intact family "makes the move," a presumption is created that "the move" does not meet the criteria of this Exception 1. Both parents, if married, must make the move into the new school district. If the parent completing this form is single either due to divorce, dissolution, never having been married or is in the process of having the marriage legally terminated, please provide an explanation on Item #4 of the affidavit and include the documentation with this affidavit.

To assist schools and parents alike with this determination, the OHSAA has developed an *Affidavit of Bona Fide Change of Residence* to be executed by parents when making such a change of residence and resulting transfer. Please keep in mind that because of the transfer, the student becomes automatically ineligible for interscholastic athletic competition until declared otherwise by the Commissioner's Office. Exception 1 authorizes some discretion to the Commissioner's Office to determine whether the claimed new residence is indeed a "bona fide residence." The *Affidavit* is a key tool in assisting the Commissioner's Office with this evaluation.

For the most part, this *Affidavit* is self-explanatory. Each of the 28 affirmations contained within this *Affidavit* requires the person(s) executing the *Affidavit* to complete each statement/paragraph by either inserting the applicable information, circling the appropriate "does/does not" or inserting affiant's initials where called for. All 28 paragraphs must be honestly and accurately completed by the affiant and the information recorded in the *Affidavit* must be independently verified by the school's administration ***before*** the transmission of this *Affidavit* to the Commissioner's Office for consideration.

The duty of due diligence on the part of the school administration not only extends beyond the duty to independently verify the information recorded in the *Affidavit* prior to submission to the Commissioner's Office but also extends for the entire year for which the family is obligated, under the exception, to maintain this new residence. All of the measures that a reasonable person would undertake to satisfy oneself that indeed the majority of life's major activities for that family are taking place at this new residence are expected to be taken by the school with respect to each transfer student for whom this exception has been granted. This would include, but is certainly not limited to, periodic residency checks that yield meaningful results (and documented in a residency check log), copies of utility bills that demonstrate utility usage appropriate with expected usage for that family size/time of year, checking account/checks bearing this new resident address, appropriate food and clothing stored within the residence, appropriate number of bedrooms/beds for the number of occupants and so on.

The penalties for providing false or misleading information in this *Affidavit* to the Commissioner's Office can be severe for the student involved and perhaps even the student's team. The penalties to the school for failure to do its due diligence in verifying the accuracy of this information either initially or throughout the year can be equally severe. This Exception 1 is intended to be an accommodation to students who have moved and as a result of this move have had to transfer schools. This Exception 1 was never intended to be a loophole to circumvent the transfer bylaw and the prescribed penalty contained therein – no participation for the first 50% "sit-out" period contained therein.

I HEREBY ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE *INSTRUCTIONS* AS SET FORTH HEREIN AND THE *AFFIDAVIT* TO WHICH THESE INSTRUCTIONS APPLY.

_____ Parent Signature	_____ School Administrator
_____ Print name	_____ High School
_____ Parent Signature	_____ Phone Number
_____ Print name	

NOTE: IF MARRIED, BOTH PARENTS MUST SIGN THIS PAGE ABOVE AND BOTH MUST MOVE.

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AFFIDAVIT OF _____(PARENT) – Also Known as "Affiant"
FOR STUDENT(S):_____

STATE OF OHIO :
COUNTY OF _____ :

_____, having been duly advised and sworn, hereby states as follows:

1. Affiant is of sound mind and legal age and has first hand knowledge of the facts asserted herein.

2. Affiant is the biological/adoptive (circle one) mother/father of _____and has full legal custody of the student(s).
(name of transfer student or students)

3. Affiant's current resident address is_____.
Street City State Zip School District

4. Affiant is married, and both spouses are making this bona fide move. Yes/No (Circle one)

5. If the answer to #4 is "No," please explain:_____.

6. Affiant owns/rents (circle one) the real property at this current resident address. Furthermore, Affiant states that Affiant has provided the school's administration with a copy of Affiant's deed/rental agreement (circle one) to be kept with the student's school records

7. Affiant's current resident telephone number is (____) _____-_____. [Note: do not substitute "cell phone number" in this response unless this is your only phone.]

8. Affiant's current work telephone number is (_____) _____-_____.

9. Affiant further states that Affiant intends to make this current residence Affiant's permanent residence, further affirms that the move to this current residence is not intended to be temporary, and understands that OHSAA bylaws require a one year period of residency at this current residence beginning with the date the transfer is approved. _____ (Initials of Affiant)

10. Affiant's residence from which Affiant moved was _____.
Street City State Zip School District

11. Affiant has completely vacated Affiant's former residence. Furthermore, Affiant's former residence was vacated on _____, 20___.

12. Affiant further states that in vacating Affiant's former residence, Affiant has removed all of the family's household possessions. _____ (Initials of Affiant). Note: In the event any family household possessions remain at the former residence, explain in detail the reasons and circumstances on a separate sheet of paper.

13. Neither Affiant nor any member of Affiant's household continues to maintain this former residence nor does Affiant or any member of Affiant's household maintain any other residence in the State of Ohio. _____(Initials of Affiant).

14. Affiant owned/rented the property at this previous resident address (circle one):
(If answer above was "rented"): The name, address and telephone number of affiant's landlord is:
_____.
_____

15. Each and every member of Affiant's household, including the spouse, if married, has completely vacated the former residence and has moved with Affiant into this new residence. _____(Initials of Affiant). For purposes of this Affidavit, Affiant's household members shall include Affiant's spouse, all school aged children of Affiant and any other persons whom Affiant could claim as a dependent for federal tax purposes.*

(In the event any members of Affiant's household did not make "the move" to this current resident address, a detailed explanation of the facts and circumstances to why any household members did not make "the move" must be provided on a separate sheet of paper. FAILURE TO ACCURATELY COMPLETE THIS AFFIRMATION, INCLUDING THE "EXPLANATION" AS TO WHY ALL HOUSEHOLD MEMBERS DID NOT MOVE, SHALL CAUSE THE STUDENT'S ELIGIBILITY TO BE FORFEITED.

16. Affiant moved to this current resident address on _____, 20_____.

17. Affiant does/does not (circle one) receive all of Affiant's mail at the current resident address listed above.

18. Affiant does/does not (circle one) eat the majority of Affiant's meals at the current resident address listed above.

19. Affiant does/does not (circle one) sleep the majority of the time at the current resident address listed above.

20. Affiant is/is not (circle one) registered to vote from the current resident address listed above. (required of all US citizens)

21. Affiant's driver's license does/does not (circle one) show the current resident address on it as being Affiant's residence.(required to show current address)

22. Affiant does/does not (circle one) own the current resident address listed above.

23. Affiant does/does not (circle one) rent the current resident address listed above. (If renting): The name, address and telephone number of Affiant's landlord is_____
_____.

24. Prior to August 1 of the current calendar year Affiant did/did not (circle one) notify Affiant's employer (or Department of Public Assistance if applicable) that my address is the same as that listed in this affidavit as my current resident address.

25. Affiant does/does not (circle one) receive Affiant's utility bills at the current resident address listed above.

26. Affiant states that the reason Affiant made the move from Affiant's former residence to this current residence is because of:
_____
_____.

27. Affiant is not attempting to establish residence at the current resident address in order to avoid paying tuition to attend the public school to which the current resident address is assigned nor is Affiant attempting to establish residence at the current resident address in order to circumvent any of the Bylaws or rules of the Ohio High School Athletic Association. _____ (Initials of Affiant)

28. Affiant understands that falsification of information contained in this affidavit can result in prosecution for perjury/falsification, liability for tuition and will adversely affect the eligibility status of the child/children listed herein. Furthermore, should eligibility of said child/children be predicated in whole or in part upon any information contained herein, which information is later learned to be false, the future eligibility of said child/children, will be in jeopardy as well as the team and/school's status, their records and their future status as a member of the OHSAA. _____(Initials of Affiant)

AFFIANT FURTHER SAYETH NAUGHT

_____
Signature of Affiant (Parent or Legal Guardian)

SWORN TO before me and SUBSCRIBED in my presence this _____ day of _____, 20_____.

_____
NOTARY PUBLIC