

NCS ELIGIBILITY COMMITTEE MINUTES

DATE: THURSDAY, FEBRUARY 23, 2010

Facilitator: Dr. Bob Vieth, Chair

LOCATION: NORTH COAST SECTION OFFICE – UPSTAIRS MEETING ROOM

12925 Alcosta Blvd., Suite 8

San Ramon, CA 94583

925.866.8400

TIME: 9:30 AM

TIME	Consent Item	AGENDA TOPIC	PURPOSE	DISCUSSION LEADER	ACTION
9:30 (5)		I. ROLL CALL AND INTRODUCTIONS	I	Bob Vieth	Attendance is noted in the full minutes.
9:35 (5)		II. MINUTES OF THE DECEMBER 8, 2009 MEETING Minutes are posted at the NCS website. Copies will be provided at the meeting.	R, D, A	Bob Vieth	Motion Lonn/Second Kinser Motion to approve the minutes of December 9, 2009. Passed 10-0-0
9:40 (5)		III. PUBLIC COMMENTS Pursuant to Education Code 33353.2 (C), any person wishing to speak on any item on the agenda, or comment on the policies and practices of the North Coast Section, CIF, will be heard at this time.	I	Bob Vieth	There was no member of the general public present to speak on any policies or practices of North Coast Section, CIF.
		IV. NEW BUSINESS			
		1. CIF			
		A. Review of CIF Transfer Eligibility through the month of January Attachment A	R, D, A	Bob Vieth	The CIF transfer eligibility through the month of January was reviewed. Motion Corti and Second Lonn Commissioner was directed to express concern about the lack of eligibility cases in the Oakland Section. Passed 12-0-0
		B. Review of CIF Appeals through the month of December Attachment B	I	Mike Panas	The committee reviewed the CIF Appeal Hearing information through the month of December.
9:45 (5)		C. Revision of CIF Bylaw 206 Attachment C	R, D, A	Bob Vieth	Motion Kinser/Second Panas Motion to approve the proposed language. Passed 12-0-0
		D. Revision of CIF Bylaw 207 Attachment D	R, D, A	Bob Vieth	Motion Panas/Second Kinser Motion to approve the proposed language. Passed 11-1-0
		E. Revision of CIF Bylaw 209 Attachment E	R, D, A	Bob Vieth	Motion Panas/Second Kinser Motion to not support the proposed language revisions. Passed 12-0-0

TIME	Consent Item	AGENDA TOPIC	PURPOSE	DISCUSSION LEADER	ACTION
		F. Consideration of imposing financial sanctions versus forfeiture of games	I	Bob Vieth	The committee discussed the application of financial sanctions for violations of eligibility rules. The committee did not believe financial sanctions were appropriate.
		G. Revision of CIF Bylaw 1203 Attachment F	R, D, A	Bob Vieth	Motion Panas/Second Kinser Motion to support the proposed changes to CIF 1203. Passed 12-0-0
		2. NCS			
10:00 (15)		A. The Committee will review two hardship cases – one denial and one approval provided at the meeting	R, D	Bob Vieth	The committee reviewed two hardships, one approval and one denial. Commissioner Lemmon was questioned on his rationale for the approval on the approved hardship. The committee felt the hardship did not meet the hardship standard.
10:15 (10)		B. Revision of NCS Bylaw 219 – Penalties Including Forfeiture	R, D, A	Bob Vieth	Revisions to NCS Bylaw 219 were reviewed. Commissioner Lemmon will consider additional revisions and bring back in September.
10:25 (15)		C. Revision of CIF 206 and 207 Waiver Forms Attachment G and H	R, D, A	Bob Vieth	Motion Lonn/Second Tuohy Motion to approve the revisions to CIF 206 and 207 waiver forms. Passed 11-0-0
		V. OLD BUSINESS			
10:55 (10)		1. None	R, D, A	Bob Vieth	There was no Old Business
		VI. REPORTS FROM ATTENDING LEAGUES AND NCS STAFF			
11:05 (5)		1. Leagues	I	Bob Vieth	No reports from NCS member leagues.
11:10 (15)		2. Commissioner of Athletics	I	Gil Lemmon	No report.
11:25 (10)		VII. OTHER TOPICS	I	Bob Vieth	No other topics
11:35		VIII. ADJOURNMENT	P	Bob Vieth	Meeting adjourned at approximately 11:50 a.m.
11:35		IX. LUNCH	A		

D = Discussion, P = Participation, A = Action, I = Information only, R = Review/prior topic, C = Consent

NORTH COAST SECTION
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TO: Members of the Eligibility Committee and League Commissioners (FYI)
FROM: Gil Lemmon, Commissioner of Athletics
DATE: April 12, 2010
SUBJECT: **Eligibility Committee Meeting Minutes**

NEW BYLAW LANGUAGE IS BOLD, ITALIC AND UNDERLINED.
~~OLD BYLAW LANGUAGE IS STRUCK THROUGH.~~

In Attendance: Dr. Bob Vieth, Chair (MCAL); Bill Branca, DFAL; Craig Kinser, CMC; Mark Corti, EBAL; Mike Panas, NBL; Josh Frechette, BAC-W, Bill Gaebler, ACCAL; David Lonn, HDNL; Sean Moffatt, MVAL; Tim Rhyan, BVAL; Paul Tuohy, SCL; Shauna Howser, HAAL; Guest Tom Longaker, HAAL; and Gil Lemmon, NCS.

Absent: Randy Booker, BSAL and Sam Cuddeback, BAC-W.

MINUTES

**I. Approval of Minutes of December 8, 2009 meeting
PASSED 10-0-0**

The minutes of the December 8, 2009 meeting were approved.

Motion: David Lonn, HDNL Second: Craig Kinser, CMC

II. Public Comment

Pursuant to Education Code 33353.2 (C), any person wishing to speak on any item on the agenda, or comment on the policies and practices of the North Coast Section, CIF, will be heard at this time. There were no members of the public present to comment on the policies and practices of North Coast Section, CIF.

III. NEW BUSINESS

1. CIF

A. Review of CIF Transfer Eligibility

INFORMATION

The CIF transfer eligibility through the month of January was reviewed. The committee was very concerned about the lack of transfer data from the Oakland Section. Some committee members were aware of the fact that during the first year of the new CIF eligibility procedures the Oakland Section never followed the new CIF rules. As of the end of January the Oakland Section had recorded a total of six transfer cases. The committee directed Commissioner Lemmon to contact Marie Ishida, CIF Executive Director, regarding their concerns.

Attachment A

PASSED 12-0-0

Motion to direct Commissioner Lemmon to contact CIF Executive Director Marie Ishida regarding lack of transfer data from the Oakland Section.

Motion: Mark Corti, EBAL Second: David Lonn, HDNL

Note: The NCS Executive Committee believed that unless NCS has information of disregard to CIF eligibility rules by the Oakland Section schools that no further action should be taken.

B. Review of CIF Appeals

The committee reviewed the CIF Appeal Hearing information through the month of December.

Attachment B

**C. Revision of CIF Bylaw 206
PASSED 12-0-0**

Motion to adopt the recommended revisions of CIF Bylaw 206.

Attachment C

Motion: Craig Kinser, CMC Second: Mike Panas, NBL

**D. Revision of CIF Bylaw 207
PASSED 11-1-0**

Motion to adopt the recommended revisions of CIF Bylaw 207.

Attachment D

Motion: Mike Panas, NBL Second: Craig Kinser, CMC

**E. Revision of CIF Bylaw 209
PASSED 12-0-0**

Motion to NOT adopt the recommended revisions of CIF Bylaw 209.

Concern was expressed about the limited eligibility to those students who are part of a CIF approved foreign exchange program.

Attachment E

Motion: Mike Panas, NBL Second: Craig Kinser, CMC

F. Consideration of Financial Sanctions

The committee discussed the consideration of financial sanctions to schools that have played ineligible athletes and/or are required to forfeit games. The financial sanctions would be in place of the required forfeiture(s). The Sac-Joaquin Section currently places financial sanctions on member schools for such violations. In general the committee did not believe financial sanctions were appropriate.

**G. Revision of CIF Bylaw 1203
PASSED 12-0-0**

Motion to adopt the recommended revisions of CIF Bylaw 1203.

Attachment F

Motion: Mike Panas, NBL Second: Craig Kinser, CMC

2. NCS

A. Review of Two Hardship Cases

The committee will review two hardship cases – one denial and one approval. Commissioner Lemmon provided the decision letters in each case, reviewing the pertinent facts of each case. The committee believed that the denial decision was appropriate and followed all policies and procedures. The committee did not believe that the approval should have been granted since in the view of the committee the definition of a hardship was not met. Commissioner Lemmon thanked the committee for their input.

**B. Revision of NCS Bylaw 219 – Penalties Including Forfeiture
NO ACTION**

The committee instructed Commissioner Lemmon to further revise the bylaw and to place the item on the September agenda for review and possible action.

219. **PENALTIES INCLUDING FORFEITURE**

Penalties and remedies described below are designed to be progressive based on the nature and severity of the alleged violation. Subsequent violations after an initial determination would subject the offending school to further disciplinary action up to an including expulsion from the CIF.

A. **Penalty for Use of an Ineligible Participant**

1. When a student, who is not eligible in accordance with NCS and/or CIF bylaws, represents an NCS school in CIF competition (interscholastic contests {games, matches, meets, etc.}) or the school otherwise violates NCS and/or CIF Bylaws, the school shall immediately:
 - a. Forfeit all contests in which the violation occurred,
 - b. Report the violation(s) and forfeiture(s) to:
 - 1) Its league
 - 2) Schools against which the violation occurred
 - 3) And the NCS Commissioner
 - c. Send written notice of the violation(s) and forfeiture(s) to:
 - 1) Its league
 - 2) Schools against which the violation occurred
 - 3) And the NCS Commissioner
 - d. Recommend to its league one or more of the penalties/remedies listed in 219G.

2. **Failure of School Administration to Submit the Proper Paperwork**

In the case where it is determined that an ineligible player competed due to the failure of the school administration to submit the proper paper work which would have granted immediate unlimited *or unlimited* eligibility, the school would only be forced to forfeit the initial game won or tied that the student in question played.

(NCS Board of Managers 1/23/09)

~~G.~~ 3. **APPEAL TO THE NORTH COAST SECTION OF A LEAGUE'S DETERMINATION OF APPROPRIATE SCHOOL REMEDIES FOR USE OF AN INELIGIBLE STUDENT**

A CIF member school, CIF member league, CIF Section, NCS Commissioner of Athletics, affected students, or parents of affected students may appeal the league's decision on appropriate school remedies for use of an ineligible student to the NCS Eligibility Committee. The NCS Eligibility Committee will assign a three-person hearing panel or a single hearing officer who will review the action of the league and may affirm, deny, reduce, or increase the remedies ordered by the school's league.

- a. Criteria for appealing all remedies (other than forfeiture of all games in which the ineligible student participated) listed in NCS Student Eligibility Bylaw 219.A.4.
- b. The hearing will be conducted in accordance with the guidelines in the North Coast Section Appellate Procedures Handbook.
- c. An appeal of an NCS league's final determination of a remedy applicable to a member school which was represented in CIF competition by a student who was not eligible in accordance with NCS and/or CIF Bylaws shall be filed with the NCS Office in writing and shall detail the nature of the appeal and

outline the position as to why the league's determination or remedy is in error or why an appeal to the Section level is necessary at this time.

- d. The hearing panel or a single hearing officer shall make its determination by evaluating the evidence presented and applying the guidelines found in the **North Coast Section Appellate Procedures Handbook**.

H. 4. APPEAL OF THE REQUIRED FORFEITURE OF ALL GAMES DUE TO THE PARTICIATION OF AN INELIGIBLE STUDENT

- a. A CIF school, CIF member league, CIF Section, NCS Commissioner of Athletics, affected students, and/or parents of affected students may appeal the required forfeiture of all games in which an ineligible student participated by writing a letter of appeal to the NCS Section Commissioner with copies to the principals of both schools and to the league commissioner(s). The NCS Commissioner or his/her designee will review the evidence, compare the evidence to the criterion and render a decision on the appeal.
- b. Any party to the initial appeal may appeal the Section Commissioner's decision to the North Coast Section Eligibility Committee that will assign a three-person hearing panel or a single hearing officer to conduct a hearing. The three-person hearing panel or single hearing office may affirm, deny, reduce, or increase the number of games that must be forfeited as determined by the Section Commissioner.
- c. The hearing shall be conducted in accordance with the procedure stated in the North Coast Section Appellate Procedures Handbook. The appellant must pay a fee of \$150 to the North Coast Section to cover the costs of conducting the hearing. The hearing panel shall make its determination by evaluating the evidence presented and applying the following criterion:
- d. Criterion for waiving the penalty of forfeiture:
Clear documented evidence must be provided which proves that the participation of the ineligible player did not impact the outcome of the contest.
- e. Appeals of forfeitures due to the participation of an ineligible player may only be granted after the offending school has fulfilled the requirements of NCS Bylaw 219.A.1.a-d.

B.2. Forfeit of League Game

Should a school's team or teams fail to participate in any of its contests as per the league schedule, it's action would represent a breach of the implied contract and the school would be further guilty of breaking its faith with the member schools of its league and the North Coast Section, C.I.F. Member schools are expected to make every reasonable effort to fulfill their varsity schedule.

- 1. League contests that are canceled for legitimate administrative cause by mutual agreement of the competing schools with authority granted by the respective league(s) would not be subject to sanctions or penalty.

Examples of reasons for cause are listed below:

- a. Inadequate sign-ups of students to field a team. Schools are expected to encourage additional students to participate, but

should notify the league one week after the starting date of practice if they are unable to field a team.

- b. Loss of an adequate number of participating students due to the imposition of school disciplinary action.
 - c. Loss of an adequate number of participating students due to scholastic ineligibility.
 - d. Student and spectator safety due to unforeseen circumstances such as travel conditions or field conditions.
 - e. School, *state* or national tragedies or emergencies (ex. the death of a student or teacher at the school, *State of Emergency by the Governor of California* or a Homeland Security Red Alert).
2. League contests that are forfeited due to actions of intent or neglect that creates a competitive advantage for the school forfeiting the contests or a disadvantage to the other schools in the league shall be subject to sanctions and penalties. Examples of actions of intent or neglect are listed below:
- a. Over-scheduling to exceed the maximum number of contests permitted by NCS rules.
 - b. Cancellation due to travel inconvenience or lack of travel preparation.
 - c. Over-scheduling by making conflicting commitments for the same time period.

FIRST OFFENSE

- a. Forfeitures of contest(s) in which the offending school did not compete shall count as contests played against the final season record,
- b. Exclusion from participation in the league's post-season championship (playoff) competition in that sport for a period of one year from the date of determination of the violation,
- c. Exclusion from participation in NCS post-season championship competition in the specific sport in which the school did not fulfill its league scheduling responsibility for a period of one year from the date of determination of the violation.

SECOND OFFENSE WITHIN THREE SCHOOL YEARS OF THE FIRST OFFENSE (Items above plus):

- a. The school will be placed on probation with the conditions of probation to be determined by the NCS Eligibility Committee. Failure to follow all NCS and CIF rules during the term of probation may subject the school to further penalties up to and including loss of membership in the NCS and CIF.
- b. Exclusion from participation in the league's post-season championship (playoff) competition in the specific sport(s) for a minimum of two years or more as determined by the league,
- c. Exclusion from participation in NCS post-season championship competition in ~~all~~ the specific sport(s) for a minimum of two years or more as determined by the NCS Eligibility Committee,
- d. Possible suspension from the league and any other NCS league in the specific sport(s) for a period of time to be determined by the NCS Eligibility Committee.

THIRD OFFENSE WITHIN FIVE SCHOOL YEARS OF THE FIRST OFFENSE (Items above plus):

- a. Possible placement on non-league affiliated membership status for a period of time to be determined by the NCS Board of Managers.
- b. Possible suspension from the NCS and CIF for a period of time to be determined by the NCS Board of Managers.
- c. The actions of the league or NCS Eligibility Committee in all matters stated above would be subject to appeal to the NCS Board of Managers.

C. 4. Suspension

If a student is suspended from high school, the student is ineligible during the period of suspension. When the student returns to the school, the period of ineligibility is determined by the principal.

(NCS Board of Managers 4-27-09)

D. ~~C.~~ Penalty for Violations of NCS and/or CIF Bylaws OTHER THAN Use of an Ineligible Participant

The penalties and proceedings as set forth in this section are to be applied by the league committees of the CIF North Coast Section when applicable, but do not apply as any limitation to the powers of the Commissioner or Section Board of Managers to suspend, to fine or otherwise penalize any member school for the violations of any CIF or Section rule or regulations.

1. When a school violates NCS and/or CIF Bylaws, the school shall immediately:

- a. Report the violation to:
 - 1) Its league
 - 2) Schools against which the violation occurred
 - 3) And the NCS Commissioner
- b. Send written notice of the violation(s) to:
 - 1) Its league
 - 2) Schools against which the violation occurred
 - 3) And the NCS Commissioner
- c. Recommend to its league one or more of the penalties/remedies listed in 219.G below:

2. Violations that are Self-Reported by the Offending School

For violations that are self-reported by the offending school, the school's league shall review the circumstances of the school's violation and its recommended penalties/remedies. The league will determine which of the stated penalties/remedies (NCS Constitution and General Bylaw 219.G) shall be implemented except when the bylaw specifically states the penalties for violation of that bylaw. In those cases the penalties required in the bylaw are the minimum consequences. The league may increase the mandated penalties but the league may not reduce or waive the mandated penalties.

- a. When allowed in the bylaws, the league has the authority to affirm, deny, reduce or increase the penalties/remedies recommended by the school, based upon the following criteria:
 - 1) Does the school's action appropriately address the severity of the violation and, if appropriate, violations repeated within four calendar years of the last violation?
 - 2) Does the school's action cause remediation of the problem to preclude violations in the future?
 - 3) Does the school's action address problems that caused or led to the violation?

- 4) Does the school's recommendation recognize its diminished culpability in cases where the student or his/her family or legal guardian intentionally provided fraudulent information?
 - i. Information on the appeal process of a league's determination of appropriate school remedies for use of an ineligible student is included in NCS Student Eligibility Bylaw 219.F.
 - ii. Information on the appeal process of the required forfeiture of all games in which an ineligible student participated is included in NCS Student Eligibility Bylaw 219.A.4.

3. ***For Violations that are Not Self-Reported by the Offending School***
For violations that are not self-reported by the offending school, or are charges reported by another school the NCS Commissioner or his/her designee shall review, investigate the alleged infractions and/or violations of CIF and NCS bylaws. Offended schools must report the alleged infractions within 10 days of the alleged event.
 - a. *Procedures for review, investigation of alleged infractions*
 - b. *The Commissioner or his/her designee shall investigate and collect all pertinent documentation, reports, pictures, etc. from all involved parties regarding the alleged infractions.*
 - c. *Develop a decision letter outlining all findings and listing of any penalties as listed in 219.F.*
 - d. *The Commissioner or his/her designee shall have the authority to revise their decision if new information is presented that in the opinion of the Commissioner or his/her designee changes the decision and penalties.*
 - e. *The party penalized in any decision by the Commissioner or his/her designee shall have the right to appeal the decision. The appeal must be submitted to the Section President within 30 days of the decision by the Commissioner or his/her designee.*

- ~~F. E.~~ For violations that are determined by a league hearing panel or ***the NCS Commissioner or his/her designee*** ~~an NCS hearing panel:~~
 - a. The hearing panel ***or Section Commissioner or his/her designee*** having jurisdiction to consider the circumstances of the alleged violation shall also have the authority to impose penalties/remedies as defined in 219.G.
 - b. The hearing panel ***or Section Commissioner or his/her designee*** having jurisdiction and authority shall be responsible for determining the adherence to the provisions of the penalties/remedies and any additional consequences for non-adherence.

F. APPEAL OF DECISIONS OF A LEAGUE OR NCS COMMISSIONER OR HIS/HER DESIGNEE
A NCS member school, NCS member league, NCS Commissioner of Athletics, affected students, or parents of affected students may appeal the league hearing panel's or the NCS Commissioner's or his/her designees' decision on appropriate school remedies for violation of CIF or NCS rule or regulations other than the use of an ineligible student to the NCS President. The NCS President will assign a three-person hearing panel or a single hearing officer who will review the action of the league or NCS Commissioner or his/her designee and may affirm, deny, reduce, or increase

the remedies ordered by the school's league hearing panel or the NCS Commissioner or his/her designee.

1. *An appeal of a league hearing panel or NCS Commissioner's or his/her designees' decision shall be filed with the NCS Office in writing and shall detail the nature of the appeal and outline the position as to why the league hearing panel or NCS Commissioner's or his/her designees' determination or remedy is in error or why an appeal to the NCS President is necessary at this time.*
2. *The hearing will be conducted in accordance with the guidelines in the North Coast Section Appellate Procedures Handbook.*
3. *The hearing panel or a single hearing officer shall make its determination by evaluating the evidence presented and applying the guidelines found in the North Coast Section Appellate Procedures Handbook.*

G. ~~D.~~ Penalties/Remedies for Violations of NCS and/or CIF Bylaws

1. The team shall be placed on probation (indicating the conditions of the probation).
2. The school shall be placed on probation (indicating the conditions of the probation).
3. The school shall conduct a self-evaluation of its procedures, recommend appropriate improvements in the procedures, implement the improvements and submit a written report to the school's league and the NCS Eligibility Committee.
4. The school shall pay a consultation fee (equal to the consultant's daily wage or \$150 whichever is greater and round trip mileage at the Section's regular rate) to be used to fund a mandatory in-service program for selected members of the school's staff and administration.
5. The school's team(s) shall be suspended from post-season competition, not to exceed one calendar year.
6. The school's team shall be suspended from its league for the balance of the season.
7. The school, in the event of repeated violations, shall post a \$300 bond with the league. The bond will be placed in the league account. It will be returned to the school after two calendar years have elapsed without an additional eligibility violation.
8. The school shall be suspended from post-season participation in all sports, not to exceed one calendar year.
9. The school shall be suspended from its league for the balance of the season.
10. The school shall be suspended from participation in its league for a period of time not to exceed one calendar year.
11. The school shall be recommended for expulsion from the California Interscholastic Federation.

C. Revision of CIF 206 and 207 Waiver Forms

PASSED 11-0-0

Motion to approve revisions to CIF 206 and 207 Waiver forms.

Attachments G and H

Motion: David Lonn, HDNL

Second: Paul Tuohy, SCL

IV. OLD BUSINESS

1. None

V. REPORT FROM ATTENDING LEAGUES AND NCS STAFF

1. League Reports

There were no reports from any league present.

2. Commissioner's Report

There was no report from Commissioner Lemmon.

VI. OTHER TOPICS

VII. ADJOURNMENT

VIII. LUNCH

SUMMARY REPORT FOR WAIVER OF CIF RULES 2009-10

203 = Age Requirement										207.B(1) = Limited Eligibility										
204 = Charged semester of attendance										207.B(1) = Unlimited Eligibility										
205.E = 20 Semester Units										208 = Hardship										
206.B(2) = Continuing Eligibility										209 = Foreign Student										
206.B(4) = Return to previous school										210 = Discipline, Expulsion										
207.A(3) = First Transfer										510 = Undue Influence										
SECTION	203-205.E		206		207.A (3)		207.B (1)			208			209.A/B		210	510			Other	Total
	A	D	A	D	A	D	Lim	DNP	Den	Unlim	Den/Lim	Den	A	D	D	Unlim	Den/Lim	Den		
CENTRAL	2	3	5	0	73	2	4	47	1	30	7	8	37	18	0	0	0	0	199	436
CENTRAL COAST	2	1	222	2	547	3	32	106	7	107	49	9	80	9	11	0	0	6	2	1195
LOS ANGELES	8	1	20	2	104	0	63	87	2	19	1	5	2	0	0	0	0	0	0	314
NORTH COAST	0	0	165	1	219	5	29	94	2	79	27	2	83	13	1	0	2	0	0	722
NORTHERN	6	2	117	0	48	0	31	33	0	16	10	0	62	0	0	0	0	0	0	325
OAKLAND	0	1	0	1	0	0	0	0	0	3	0	1	0	0	0	0	0	0	0	6
SAC-JOQUIN	11	4	621	3	195	1	41	109	0	146	11	0	108	3	0	0	4	3	0	1260
SAN DIEGO	0	1	291	0	349	0	66	160	33	49	27	9	29	0	1	0	0	0	3	1018
SAN FRANCISCO	1	0	3	0	25	0	3	21	0	2	0	0	1	0	3	0	0	0	0	59
SOUTHERN	21	14	1400	8	967	220	921	537	13	140	133	19	59	32	1	0	0	0	0	4485
TOTAL	51	27	2844	17	2527	231	1190	1194	58	591	265	53	461	75	17	0	6	9	204	9820

APPEAL HEARINGS
2009-10

<u>APPEALS HELD</u>	<u>#</u>	<u>OUTCOME</u>	<u>Reason for Appeal</u>
Sustained / Overturned			
Central	3	1/2	2 Family; 1 Harassment
Central Coast	4	1/3	1 Discipline; 1 Financial; 2 Academic
North Coast	8	4/4	4 Academics; 2 Family; 1 Harassment; 1 Financial
Northern	4	1/3	2 Family; 1 Academics; 1 Harassment
Oakland	0		
Los Angeles	3	2/1	1 Homeless; 1 Financial; 1 Medical
Sac Joaquin	11	8/3	1 Harassment; 4 Academics; 2 Family; 1 Academics; 2 Raci
San Diego	5	2/3	1 Financial; 1 Transportation; 1 Family; 1 Safety; 1 Academ
San Francisco	0		
Southern	38	23/15	12 Financial; 2 Social; 8 Family; 1 Stress; 2 Medical; 8 Academics; 4 Safety; 1 F. Exchange
Total	76	42/34	
<u>APPEALS PENDING</u>			
Central	2		2 Family
Central Coast	1		1 Discipline
North Coast	0		
Northern	0		
Oakland	0		
Los Angeles	0		
Sac Joaquin	1		1 Discipline
San Diego	0		
San Francisco	0		
Southern	8		2 Family; 5 Financial; 1 Safety
Total	12		
<u>TOTALS</u>			
Appeals withdrawn or reversed with new information			
CCS	1	1/0	1 Academics
SJS	4	2/2	3 Family; 1 Academics
NCS	3	1/2	1 Family; 2 Academics
SDS	1	0/1	1 Financial
SS	4	2/2	1 Family; 1 Medical; 1 F. Exchange; 1 Discipline
Total	13	6/7	
Total Appeal Requests	101		



California Interscholastic Federation

www.cifstate.org

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AGENDA ITEM: C

TO: FEDERATED COUNCIL
FROM: Commissioner's Committee
THROUGH: CIF Executive Committee
DATE: February 5, 2010
RE: Revision of Bylaw 206

There are two proposed revisions in Bylaw 206: Residential Eligibility. The first, clarifies that a valid change of residence takes in to account that “there is no evidence of an athletically motivated move or that the student enrolled in that school in whole or in part for athletic reasons”.

The second revision removes going to and from a boarding school as an automatic valid change in residence. Boarding school students will be treated like all other transfer students and will be treated similarly.

1st Reading/Discussion: February 5, 2010

Vote: May 7, 2010

CIF Bylaw 206 Revision

206. RESIDENTIAL ELIGIBILITY

A. Initial Residential Eligibility

A student has residential eligibility upon initial enrollment in:

- (1) The 9th grade of any CIF high school, a CIF junior high school, or a junior high school under provisions of Bylaw 303; OR
- (2) The 10th grade of any CIF high school from 9th grade of a junior high school in California.

B. Continuing Residential Eligibility

Sections may require paperwork for the following provisions:

- (1) A student retains residential eligibility as long as he/she is continuously enrolled in the CIF-member high school in which the student initially enrolled; OR
- (2) A student changes schools with a valid change of residence by the student's parent(s)/guardian(s)/ caregiver provided there is a valid change of residence.

a. Valid Residence

A valid residence is defined as the location where the student's parent(s)/guardian(s)/caregiver (with whom eligibility has been established) live with that student and thereby have the use and enjoyment of that location. A student (with the student's parent(s)/guardian(s)/caregiver with whom eligibility has been established) may only have one valid residence at one time.

b. Valid Change of Residence

Determination of what constitutes a valid change of residence depends upon the facts in each case, however, to be considered, the following facts must exist:

- (i) The original residence must be abandoned as a residence by the immediate family;
AND
- (ii) The student's entire immediate family must make the change and take with them the household goods and furniture appropriate to the circumstances. For eligibility purposes, a family unit may not maintain two or more residences; AND
- (iii) *"There is no evidence of an athletically motivated move or that the student enrolled in that school in whole or in part for athletic reasons (See Bylaw 200)."*
- (iv) The change of residence must be genuine, without fraud or deceit, and with permanent intent; AND

NOTE: A student whose family makes a valid move into a new school boundary (See "iv" below) is immediately residentially eligible for varsity competition. A subsequent move into a different school boundary by the family (or other family members) during the next 12 calendar months will result in the student being declared ineligible until cleared for competition by the Section Commissioner.

(iv) (v) Evidence must be submitted that a valid change of residence has occurred. No single document listed below or combination thereof establishes residency. The Section Commissioner and/or school has the discretion to request additional documents that he/she deems necessary to confirm residency. Evidence may include:

- Operative telephone and utility service at the student's new residence and terminated at the former residence;
- Utility service receipts;
- Proof of paying for utilities at the new residence including phone, gas, electricity, water, cable television, and garbage collection;
- Proof of submitting a change of address to the U.S. Postal Service to receive mail at

the new residence;

- Proof of transfer of the parent(s)/guardian(s)/caregiver and age-appropriate student's motor vehicle registration;
- Proof of changed address on the parent(s)/guardian(s)/caregiver and age-appropriate student driver's license;
- Voter registration listing the new address;
- Real estate documents indicating and verifying a change of residence (sale and purchase, for instance);
- Proof of entering a long-term lease;
- Court documents indicating a change of residence;
- Property tax receipts;
- Rent payment receipts;
- Declaration of residency executed by the student's parent(s)/guardian(s)/ caregiver;
- Bank account statements;
- Credit card statements;
- Other documentation that a Section or school district may require that establishes that a person is living at the new address.

(3) School Choice Following a Valid Change of Residence

A student, whose parent(s)/guardian(s)/caregiver with whom the student was living when the student established residential eligibility at the prior school move from a residence in public high school attendance area "A" to a residence in public high school attendance area "B," has a choice among continued attendance at the previous school, attendance at School "B," or attendance at a private school. The student is eligible if the student remains in School "A," or if the student enrolls and attends class immediately or no later than the beginning of the next school year in School "B" or a private school.

(4) Return to Previous School

When a student eligible in School "A" transfers to School "B" and is residentially not eligible, the student may return to School "A" and be residentially eligible provided the student did not participate in an interscholastic athletic contest while at School "B" and provided the student's parent(s)/guardian(s)/ caregiver still reside in School "A's" attendance area.

NOTE: The Section may require some paperwork.

(5) Intra-district and Inter-district Transfers/Open Enrollment

Each Section shall adopt rules and procedures that address eligibility pursuant to the provisions of the State Education Code sections 35160.5(b)(1) et seq. and 48300 et seq. ("open enrollment" and school choice legislation). However, the Section Commissioner shall make all final determinations of transfer eligibility. (See Bylaw 207.B.)

(6) Boarding School

~~A high school student who transfers to or from the status of a full-time resident at a 24-hour boarding school shall be residentially eligible immediately on the first transfer, but all residence requirements shall apply on any subsequent transfer. To be considered a 24-hour boarding school student, the student must have resided in the boarding school for a period of 50 days immediately prior to the transfer.~~

(7) Court Order

If court action requires a student to transfer from one school to another when there has been no corresponding change of residence on the part of the student's parent(s)/guardian(s)/caregiver with whom the student was living when the student established residential eligibility, the student will be ineligible at the new school unless approved by action of the Section.

NOTE: A recommendation by a social worker of a welfare department for a change in residence would not constitute a court order.

(8) Military Service

A student is eligible immediately for athletic competition when returning from military service provided:

- a. The student was eligible when the student entered into the Armed Forces; AND
- b. The student enrolls in the same school which the student attended before leaving for the service, or enrolls in the school in the district in which the student's parent(s)/guardian(s)/ caregiver reside; AND
- c. The student enrolls in the school no later than the succeeding semester after being discharged; AND
- d. Provided student did not receive a dishonorable discharge; AND
- e. The student is fully eligible under all other rules of the CIF.

(9) Married Status

A student who marries and lives with the student's spouse has residential eligibility in the school in the attendance area in which the student resides.

(10) Anticipated Residence Change

If a student transfers to a high school in advance of the anticipated change of residence by the student's parent(s)/guardian(s)/caregiver with whom the student was living when the student established residential eligibility, the student shall become eligible when the parent(s)/guardian(s)/caregiver actually complete a valid change of residence to that school's attendance area.

(11) Same Sport At Two Different Schools

No student shall be eligible to participate in the same sport at two different schools in the same school year unless the student changed schools as a result of a valid change of residence by the student and his/her parent(s)/guardian(s)/caregiver. In the event of a change of schools due to a valid change of residence, a student will be allowed to participate in the same sport at two different schools not to exceed, in total, the maximum number of contests in that sport as established by the Section.

(Revised May 2008 Federated Council)



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AGENDA ITEM: D

TO: FEDERATED COUNCIL
FROM: Commissioner's Committee
THROUGH: CIF Executive Committee
DATE: February 5, 2010
RE: Revision of Bylaw 207: Transfer Eligibility

This proposed revision clarifies that a valid change of residence still has to meet the conditions that the transfer was not as a result of a disciplinary situation at the former school and that the pre enrollment form is completed verifying that there is no evidence of the use of undue influence by anyone associated with either school.

The second revision in this bylaw clarifies that boarding students will be treated like all other transfer students under this bylaw.

1st Reading/Discussion: February 5, 2010

Vote: May 7, 2010

207. TRANSFER ELIGIBILITY

A student who participates in an interscholastic athletic contest or attends a school shall be considered enrolled in that school and shall be classified as a transfer student if the student subsequently enrolls at another school.

A. A student may have transfer eligibility provided the student moves from any school to a CIF school due to:

- (1) A valid change of residence (See also Bylaw 206.B.) from one school attendance area to the attendance area of the new school by the parent(s)/guardian(s)/caregiver with whom the student was living when the student established residential eligibility (See also Bylaw 206.A.) at the prior school **and the following conditions are met**; ~~OR~~
 - a. ***The student is not transferring as a result of a disciplinary situation (See also Bylaw 210); AND***
 - b. ***The Pre-Enrollment Contact Affidavit is completed verifying that there is no evidence of the use of undue influence (recruiting) by anyone associated with either school; OR***
- (2) A ruling by the Board of Education of a school district that has two or more high schools mandating a change of school attendance boundaries affecting an individual student or group of students provided the change of schools is not the result of a disciplinary action; OR
- (3) A family decision to transfer the student prior to the first day of the student's third consecutive semester (typically the first semester of the sophomore year) of attendance since the initial enrollment when the following conditions are met:
 - a. This is the first transfer of this student since his/her initial enrollment in the 9th grade; AND
 - b. The student is not transferring as a result of a disciplinary situation (See also Bylaw 210); AND
 - c. The student was scholastically and otherwise eligible at the former school immediately prior to the transfer; AND
 - d. There is no evidence that the transfer, in whole or part, is athletically motivated (See also Bylaw 510.B); AND
 - e. The CIF Form 510 Pre-Enrollment Contact Affidavit is completed verifying that there is no evidence of the use of undue influence (recruiting) by anyone associated with either school; AND
 - f. The CIF Form 207 Athletic Transfer Eligibility Application and CIF Form 510 Pre-Enrollment Contact Affidavit have been approved by the Section.
 - g. No student shall be eligible to participate in the same sport at two different schools in the same school year unless the student changed schools as a result of a valid change of residence by the student and his/her parent(s)/guardian(s)/caregiver. In the event of a change of schools due to a valid change of residence, a student will be allowed to participate in the same sport at two different schools not to exceed, in total, the maximum number of contests in that sport as established by the Section. ***An approved hardship waiver under CIF Bylaw 208 waives the restrictions of playing the same sport at two different schools in the same season provided the student does not exceed the maximum number of contests in the given sport.***

B. All 9th grade students who are transferring for a second time, or any 10th, 11th or 12th grade students, who transfer without a valid change of residence, will have limited eligibility for one year from the date of transfer.
(See "a." below):

- (1) A student who transfers from a school located in the U.S., a U.S. Territory, a U.S. Military Base, or Canada (to be referred to as School "A") to School "B", without a change of residence on the part of his/her parent(s)/guardian(s)/caregiver with whom the student was living when the student established residential eligibility, from school attendance area A to school attendance area B, shall be residentially eligible for all athletic competition EXCEPT varsity level competition in sports in which the student has competed in any level of interscholastic competition during the 12 calendar months preceding the date of such transfer. (defined as LIMITED ELIGIBILITY).
 - a. Based on the conditions below, the student shall be ineligible for all sports for one calendar year unless otherwise noted.
 - (i) A student who was scholastically ineligible at their previous school will not be eligible to compete at the new school until the requirements in Bylaw 205 are met and the new school has completed a grading period to verify that the student has met the CIF and school district scholastic eligibility requirements.
 - (ii) A student will be declared ineligible for one calendar year from the date of transfer if he/she is transferring for disciplinary reasons as defined in Bylaw 210.
 - (iii) There is evidence of a violation of Bylaw 510.
 - b. The student shall become varsity eligible under the rule after one calendar year from the date of first attendance at the new school.
- (2) No student shall be eligible to participate in the same sport at two different schools in the same school year unless the student changed schools as a result of a valid change of residence by the student and his/her parent(s)/guardian(s)/caregiver. In the event of a change of schools due to a valid change of residence, a student will be allowed to participate in the same sport at two different schools not to exceed, in total, the maximum number of contests in that sport as established by the Section. ***An approved hardship waiver under CIF Bylaw 208 waives the restrictions of playing the same sport at two different schools in the same season provided the student does not exceed the maximum number of contests in the given sport. An approved hardship waiver under CIF Bylaw 208 waives the restrictions of playing the same sport at two different schools in the same season provided the student does not exceed the maximum number of contests in the given sport.***
- (2) **Boarding School**

A high school student who transfers to or from the status of a full-time resident at a 24-hour boarding school shall be residentially eligible ***subject to all provisions of CIF Bylaw 207.B.*** ~~on the first transfer, but all residence requirements shall apply on any subsequent transfer. When transferring from a boarding school a 24-hour boarding school student must have resided in the boarding school for a period of 50 days immediately prior to the transfer.~~
- (3) **Hardship Waivers**
 - a. Sections may waive the limited eligibility of a student pursuant to Bylaw 208 - Transfer Hardship.
 - b. ***An approved hardship waiver under CIF Bylaw 208 waives the restrictions of playing the same sport at two different schools in the same season provided the student does not exceed the maximum number of contests in the given sport.***



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AGATTENDA ITEM: E

TO: FEDERATED COUNCIL
FROM: Commissioner's Committee
THROUGH: CIF Executive Committee
DATE: February 5, 2010
RE: Bylaw 209: Foreign Student Eligibility Revisions

Rationale:

It has been extremely apparent the last few years that more and more students are not being randomly placed in approved foreign exchange programs. Rather, through various means the foreign student is asking to be placed at a specific school more athletically motivated reasons. Four (4) foreign exchange programs have been placed on probation for this year for violating CIF 510.

Making the following bylaw revisions will give Foreign Exchange and other foreign transfer students limited eligibility (no varsity eligibility for the first year, similar to all other transfer students). It also gives a waiver of limited eligibility to domestic students who have studied abroad in a foreign exchange program and have returned to their former CIF member school. Appeals would be allowed given under Bylaw 1100.

These revisions also remove "INTERNATIONAL STUDENT" terminology throughout the bylaw.

1st Reading: February 5, 2010

Vote: May 7, 2010

BYLAW 209 - CURRENT LANGUAGE WITH PROPOSED CHANGES

<p>209. TRANSFERS FROM A FOREIGN COUNTRY</p> <p>Any student who transfers from a school located outside the United States, a U.S. Territory, a U.S. Military Base or Canada (to be referred to as School “A) to a CIF-member school, without a change of residence on the part of his/her parent(s) with whom the student was living when the student while enrolled in School A, (See CIF Bylaw 206.B.(2) shall be considered a <u>Transfer From a Foreign Country</u> and as such is subject to the following CIF residential eligibility bylaws.</p> <p>A. FOREIGN EXCHANGE STUDENTS</p> <p>A foreign exchange student is an y transfer student who transfers from one school to another without a valid change of residence (See CIF bylaw 206.B.(2)) under the auspices of enrolled in a foreign exchange program. per the conditions in (2)a.-d. below.</p> <p>(1) <u>STUDENTS TRANSFERRING TO A CIF MEMBER SCHOOL UNDER THE AUSPICES OF A CIF-APPROVED FOREIGN EXCHANGE PROGRAM.</u></p> <p>Foreign Exchange students transferring under the auspices of a CIF-approved foreign exchange program from a school located outside the United States, a U.S. Military Base, a U.S. Territory or Canada to a CIF member school may be granted residential eligibility for all CIF athletic competition EXCEPT varsity level competition in sports in which the student has competed at any level of play for a school or club during the 12 calendar months preceding the date of transfer to the CIF member school. (defined as LIMITED ELIGIBILITY)</p> <p>All of the following conditions apply.</p> <p>a. Such student must be under the auspices of, and be placed with a host family in the United States by, a international foreign student exchange program that meets all the requirements listed below:</p>	<p><i>Change in title</i></p> <p><i>Copies language and format from 207.B.(1)— consistency</i></p> <p><i>A. Foreign Exchange Student defined-Both those going to a foreign country and those going back are defined as foreign exchange students.</i></p> <p><i>(1) All of (1) addresses the more traditional foreign exchange student from a foreign country placed by program into a CIF member school</i></p> <p><i>Grants limited eligibility only-same format as 207.B (1)</i></p> <p><i>a.-consistency in using foreign not international</i></p> <p><i>(i) no substance</i></p>
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<p>(i) The program has been accepted for listing by the Council on Standards for International Educational Travel (CSIET); AND</p> <p>(ii) The program has submitted a signed CIF Foreign Exchange Program Approval Request form:</p> <p>(a) stating that their placement procedures for foreign exchange students are purely random with respect to athletic participation and school placement; AND</p> <p>(b) stating that there shall be no school, coach, community, relative or friend contact related to athletics regarding the enrollment of any student in a particular school; AND</p> <p>(c) which has been approved by the CIF; AND</p> <p>(iii) The program has been recognized by the U.S. State Department and the California Attorneys' General Office; NOTE: A foreign exchange student is considered to be placed with a host family when written notice of placement is provided by the exchange organization to the student and his/her parent(s)/guardian(s)/caregiver, and to the host family; AND</p> <p>(iv) Any CIF-approved foreign exchange program that fails to fulfill the State CIF conditions for exempt status shall be subject to immediate suspension of its exempt status and subject to permanent loss of its exempt status after due process has been fulfilled.</p> <p>All approved programs will be posted on the State CIF web site (www.cifstate.org)</p> <p>NOTE: Only foreign exchange programs registered with the California Attorneys General office and the U.S. State Department may place foreign exchange students in a California School (Government Code Section 12620 et seq.). The list above reflects the list</p>	<p><i>change-only formatting changes</i></p> <p><i>(ii) expanded-this is the exact language taken from the actual CIF Foreign Exchange Program Approval Request form that the FE programs sign with CIF....We used this in an appeal to "shore up" what random placement meant.</i></p> <p><i>(iii) no changes</i></p> <p><i>(iv) moved from 209.A.(3)c. since we are talking about program requirements in this part seems like it fits better here</i></p> <p><i>Moved along with iv above</i></p>
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approved by both the CIF and those registered with the California Attorney General, Council on Standards for International Educational Travel (CSIET) and the U.S. State Department. No other exchange programs will be recognized by the CIF as approved exchange programs for 2010-11.

AND

b. A foreign exchange student shall have been placed with a host family in compliance with this bylaw and Bylaw 510 (undue influence). Such student will have the choice of attending either:

No changes

(i) The public school in the host family's public school attendance area; OR

(ii) A private school located in the host family's public school attendance area. To gain residential eligibility at any other school, the student must receive written approval from both the principal of the public school located in the host family's attendance area and the principal of the other school; OR

No changes

(iii) In the event of a change of placement by the CIF-approved foreign exchange program, a different public school or private school with written approval from the principal of the new school.

AND

c. Neither the school the foreign exchange student attends, nor any person associated with the school, shall have input into the selection of the foreign exchange student; AND

c. No changes

d. ~~It is recommended that~~ **No** member of the school's coaching staff, paid or voluntary, may serve as the host family for the foreign exchange student; AND

d. changes in red

e. A foreign exchange student involved in an approved foreign exchange program where placement is not in accordance with State CIF conditions for exempt status is subject to loss of his/her residential eligibility (waiver of the transfer rule); AND

e. no changes

<p>f. A foreign exchange student must possess a current J-1 visa, issued by the U.S. State Department; AND</p> <p>g. A foreign exchange student must comply with all eligibility requirements set forth by the CIF and the Section having jurisdiction; AND</p> <p>h. A foreign exchange student who graduated from high school is ineligible to participate in CIF competition, unless the educational program in the student's country completes high school (graduation) after the student's 10th or 11th year of regular schooling (not including pre-school or kindergarten classes), in which case the student may have CIF athletic eligibility through the 12th consecutive year of regular school attendance after initially enrolling in the first grade (not pre-school or kindergarten classes); AND</p> <p>i. A foreign exchange student participating in a CIF-approved foreign exchange program must comply with the maximum of eight consecutive semesters bylaw. A foreign exchange student who is not in compliance with the eight consecutive semesters bylaw may apply for a waiver under the bylaws established by the State CIF and the respective Section of the student's current CIF school; AND</p> <p>j. A foreign exchange student must be eligible under all other State and Section bylaws; AND</p> <p>k. (5)a. Pre-enrollment Contact Affidavit for Foreign Exchange Students</p> <p>All foreign exchange students in CIF-approved foreign exchange programs shall submit the appropriate waiver application(s) as required by their respective Section under Bylaw 209 with a CIF Pre-Enrollment Contact Affidavit (CIF Form 510) signed by the student and a host parent (part 1), and the enrolling school official(s) (part 3). Foreign students in CIF-approved foreign exchange programs need not obtain signatures of officials from their former school; AND</p> <p>l. A foreign exchange student who participates in an</p>	<p><i>f. no changes</i></p> <p><i>g. no changes</i></p> <p><i>h. no changes</i></p> <p><i>i. no changes</i></p> <p><i>j. no changes</i></p> <p><i>k. moved from 209.A.(3).a-no changes</i></p> <p><i>l. no changes</i></p>
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interscholastic athletic contest or is enrolled in and/or attends a school for 15 school days or more shall be considered to have been “enrolled” in that school and shall be classified as a transfer student if the student subsequently enrolls at another school.

- m. Hardship Waiver: A hardship waiver of **209.A. (1)** the transfer bylaw of limited eligibility may be granted to a foreign exchange student **pursuant to the conditions of CIF Bylaw 208.**

(2) **CIF STUDENTS TRANSFERRING BACK TO A CIF MEMBER SCHOOL FROM ENROLLMENT IN A FOREIGN EXCHANGE PROGRAM. (A-B-A)**

Foreign Exchange Students who, after being enrolled in a CIF member school (referred to as school A), transfers under the auspices of a foreign exchange program to a school located outside the United States, a U.S. Territory, a U.S. Military Base or Canada (to be referred to as School B) and who, following completion of their foreign exchange program, transfers back to school A, may be residentially eligible for all sports at all levels (defined as UNLIMITED ELIGIBILITY) at School A when the following conditions are met:

- a. The student is returning to the same CIF-member school in which they were enrolled immediately prior to their enrollment in the foreign school; AND**
- b. There is no evidence that the transfer to or from the foreign country was athletically motivated (see also bylaw 510); AND**
- c. There is no evidence of the use of undue influence (recruiting) by anyone associated with either school or the foreign exchange program.**

All foreign students returning from enrollment in a foreign exchange program shall submit the appropriate waiver application(s) for approval as required by their respective Section under Bylaw 209 with a CIF Pre-Enrollment Contact Affidavit (CIF

m. Moved from 209.A.(3) and changed to match 207.B.(2)

NEW-(2) is all new but is using same language as 209.A and 207.B throughout- grants unlimited eligibility to students returning to a CIF member school from study abroad in a foreign exchange program.

a. must be returning to former CIF school

b. Not athletically motivated

c. No evidence of undue influence

Old language moved here from 209.A. (3).a.

Form 510) signed by the student and a host parent (part 1), and the enrolling school official(s) (part 3). Foreign students returning to their former CIF member school need not obtain signatures of officials from their former school outside of the United States;

AND

- d. The foreign exchange student is in compliance with all eligibility requirements set forth by the CIF and the Section having jurisdiction; AND**
- e. The foreign exchange student who has participated in the foreign exchange program must comply with the maximum of eight consecutive semesters bylaw. If a student has exceeded their 8 consecutive semesters of attendance upon return from the foreign exchange program, they may apply for a waiver under the bylaws established by the State CIF and the respective Section of the student's CIF-member school.**

B. FOREIGN TRANSFER STUDENTS: A Foreign Transfer Student is any student transferring from a school located outside of the United States, a U.S. Territory, a U.S. Military Base or Canada to a CIF member school without a valid change of residence (see CIF Bylaw 206.B.(2)) who has been enrolled in the equivalent of a United States high school secondary educational program and is NOT under the auspices of, and/or placed by, a CIF-approved foreign exchange program.

- (1) Foreign Transfer Students transferring from a school located outside the United States, a U.S. Military Base, a U.S. Territory or Canada (to be referred to as School "A") to a CIF member school (School B) without a valid change of residence on the part of his/her parent(s)/guardians(s) with whom the student was living when attending School A into the attendance area of School B, shall be residentially eligible for all CIF athletic competition EXCEPT varsity level competition in sports in which the student has competed at any level of play**

d. eligible under all other rules-same as 209.1.j above)

e. 8 semesters reference-same as 209.1.g above

All other foreign transfers—change of current B. language copied from 209.A and 207.B (1)

(1) grants limited-same as old 209.B.(2) but using language consistent with 209.A and 207.B.(1)

for a school or club during the 12 calendar months preceding the date of transfer to the CIF member school. (defined as LIMITED ELIGIBILITY) under the following bylaws:

- a. For the purpose of this bylaw, any and all organized sports programs (e.g. youth teams, community teams, club teams, national teams at any level or individualized instruction for competition in development schools or programs) in which the international student competed on, or participated within the last 12 months, will be considered by the CIF in determining whether the student participated in the equivalent of interscholastic competition.
- b. The **foreign transfer** student must possess a valid current F-1 visa to allow them to attend school, issued by the U.S. Immigration and Naturalization Service, or is a U.S. citizen who has been attending the equivalent of a United States high school secondary educational program outside of the United States; AND
- c. The **foreign transfer** student must provide to the principal of the school he/she attends an official untranslated transcript and a transcript that is translated into English, by an agency acceptable to the Section from the National Association of Credential Evaluation Service (NACES) membership, which indicates work taken in all grades in which the student was enrolled; the grade level equivalent in the United States as if the international student had completed all courses attempted satisfactorily; and the California grade-point average equivalent; AND
- d. If required, the ~~international~~ **foreign transfer** student must pay tuition to the school/school district he/she attends as prescribed in Education Code Section 48052 et seq.; AND
- e. The ~~international~~ **foreign transfer** student ~~not participating in a CIF-approved foreign exchange program~~ is subject to the maximum of eight consecutive semesters

Moved from old 209.B.(2)

b. changes in red as discussed at meeting and submitted by CIF Southern Section

c. consistency in reference to the student in red

d. consistency in reference to the student in red

e. consistency in reference to the student in red and

<p>bylaw; AND</p> <p>f. The international foreign transfer student not participating in a CIF-approved foreign exchange program is subject to the age requirement bylaw AND</p> <p>g. Any international foreign transfer student who graduated, or should have graduated, or has completed the equivalent coursework for graduation from high school/secondary school is ineligible to participate in CIF competition; AND</p> <p>h. No member of the school's coaching staff, paid or voluntary, may serve as the resident family for the foreign transfer student; AND</p> <p>i. Boarding School: Foreign transfer students who transfer to or from the status of a full-time resident at a 24-hour boarding school shall be subject to all provisions of CIF Bylaw 209.B.(1)</p> <p>j. All foreign transfer students shall submit the appropriate waiver application(s) for approval as required by their respective Section under Bylaw 209 with a CIF Pre-Enrollment Contact Affidavit (CIF Form 510) signed by the student and a host parent (part 1), and the enrolling school official(s) (part 3) as well as the former school's officials.</p> <p>k. Hardship Waiver: A hardship waiver of 209.B. (1) the transfer bylaw of limited eligibility may be granted to a foreign transfer student pursuant to the conditions of CIF Bylaw 208.</p> <p>C. Appeals--Appeals of eligibility involving international foreign transfer students from a foreign country, must be in accordance with all relevant provisions of the Section CIF appeal process as set forth in Bylaw 1100. (Revised May 2008 Federated Council)</p>	<p>removal of redundancy</p> <p><i>f. consistency in reference to the student in red and removal of redundancy</i></p> <p><i>g. consistency in ref to the student in red</i></p> <p><i>h. consistency in ref to the student in red</i></p> <p><i>i. NEW Boarding school = limited</i></p> <p><i>j. consistency in ref to the student in red</i></p> <p><i>k. Reference to actual bylaw that would be waived-</i></p> <p><i>Moved from 209.B.(6) and by locating it here refers to both 1 and A and B</i></p>
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Bylaw 1203 Revision (move to Bylaw 500)

ARTICLE 50

GENERAL RULES

500. AUTHORIZED PARTICIPATION

A. All athletic activities in CIF-approved sports involving ~~two or more~~ CIF member schools ~~students' must be held under the rules and regulations of the participating schools' respective league, section and the CIF, during the established school year (district, section, league). an approved by the CIF and occurring at any time between~~ _____

1. ~~that school year's fall practice start dates established by the respective Section, District or School (whichever of these dates is earliest) AND/OR~~ _____

2. ~~that school's first day of school in accordance with their official school calendar if prior to established start dates in #1. AND~~ _____

3. ~~when summer for that same school year begins. Must be held under rules and regulations of the participating schools' respective league, Section and the CIF.~~

B. During the summer period only CIF bylaws pertaining to transfer eligibility, undue influence, pre-enrollment contact and athletically motivated transfers apply.

C. During the summer period, no physical conditioning or practice sessions for ~~football~~ prior to the opening of authorized practice may be conducted by a high school unless specifically authorized by the **school principal** appropriate Section. **Sections may establish sport specific rules and/or policies.**



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Fax: 925-866-7100

**VERIFICATION OF A VALID
CHANGE OF RESIDENCE -FORM 206**

STEP 1. This form is to be utilized for all students transferring from one high school to another with a valid change of residence and foster students who are attempting to gain athletic eligibility.

CIF BYLAW 206B—CONTINUING RESIDENTIAL ELIGIBILITY

2. a. **Valid Residence**

A valid residence is defined as the location where the student's parent(s), guardian(s), or caregiver(s) (with whom eligibility has been established) live with that student and thereby have the use and enjoyment of that location. A student (with the student's parent(s), guardian(s), or caregiver(s) with whom eligibility has been established) may only have one valid residence at one time.

b. **Valid Change of Residence**

Determination of what constitutes a valid change of residence depends upon the facts in each case, however, to be considered, the following facts must exist:

- (i) The original residence must be abandoned as a residence by the immediate family; AND
- (ii) The student's entire immediate family must make the change and take with them the household goods and furniture appropriate to the circumstances. For eligibility purposes, a family unit may not maintain two or more residences; AND
- (iii) The change of residence must be genuine, without fraud or deceit, and with permanent intent; AND
NOTE: A student whose family makes a valid move into a new school boundary (see iv. below) is immediately residentially eligible for varsity competition when a CIF 206/510 form is completed and approved by the NCS Office. A subsequent move into a different school boundary by the family (or other family members) during the next 12 calendar months will result in the student being declared ineligible until cleared for competition by the Section Commissioner.
- (iv) Evidence must be submitted that a valid change of residence has occurred. (See opposite side for examples.)

OTHER REQUIRED PARAMETERS

The student is not transferring as a result of a disciplinary situation (CIF 210); AND

In the event of a change of schools due to a valid change of residence, a student will be allowed to participate in the same sport at two different schools not to exceed, in total, the maximum number of contests in that sport as established by the Section. (CIF 206.B.12)

STEP 2: SCHOOLS SHALL CONFIRM ANY TYPE OF PRE-ENROLLMENT CONTACT-Read below

Pre-Enrollment Communication or Contact

Bylaw 207B(3)c and Bylaw 510C

A transfer of a student from his or her current school of attendance with or without a corresponding change of residence to any high school wherein the student participates or participated, during the previous 24 months, on a non-school athletic team, (i.e. AAU, American Legion, club team, etc.) that is associated with the new school in the sports previously participated in shall be considered prima facie* evidence ("sufficient evidence") of undue influence/recruiting by the school to which the student transfers. Such transfer may be considered prima facie evidence that the student enrolled in that school in whole or in part for athletic reasons. A team associated with the school is one that is organized by and/or coached by any member of the coaching staff at, or any other person associated** with that school and/or on which the majority of the members of the team (participants in practice and/or competition) are students who attend that school. When a prima facie case ("sufficient evidence") of undue influence/recruiting exists, the student shall be ineligible to represent the new school in interscholastic athletic competition for a period of one calendar year from the date of the student's enrollment in the new school unless sufficient proof is presented to the satisfaction of the Section Commissioner that rebuts or disproves the evidence of undue influence/recruiting for athletic reasons.

NOTE: This shall apply to the sport(s) coached by the new coach in the previous 24 months.

**Defined as: Persons "associated" with a school include, but are not limited to, parents of current or former student/athletes, booster club members, alumni, spouses or relatives of coaches, teachers and other employees, former coaches, active applicants for coaching positions, and persons who are employed by companies or organizations that have donated athletic supplies, equipment or apparel to that school.

Bylaw 207B(3)d and Bylaw 510D

A student at any grade level who transfers to a new school within one calendar year of the relocation of his/her high school coach to that school with or without a corresponding change in residence shall be considered prima facie evidence ("sufficient evidence") of undue influence/recruiting by the school to which the student transfers or may be considered prima facie evidence that the student enrolled in that school in whole or in part for athletic reasons. The student shall not be eligible to participate in interscholastic competition for one calendar year from the date of enrollment in the new school in all sports in which the student participated at the former school. When a prima facie case of undue influence/recruiting exists, the student shall be ineligible to represent the new school in interscholastic athletic competition for a period of one calendar year from the date of the student's enrollment in the new school in all sports in which the student participated at the former school unless sufficient proof is presented to the satisfaction of the Section Commissioner that rebuts or disproves the evidence of undue influence/recruiting for athletic reasons.

Bylaw 207B(3)e

Any pre-enrollment communication as described above must be disclosed in full, and in writing, to the appropriate Section. The Section Commissioner shall determine if the pre-enrollment communication is a violation of CIF Bylaw 510.

STEP 3-COMplete STUDENT INFORMATION:

VERIFICATION OF A VALID CHANGE OF RESIDENCE -FORM 206

STUDENT _____ Please circle: GRADE LEVEL
Last First Middle M F 9 10 11 12
PREVIOUS ADDRESS _____
Street City State Zip
CURRENT ADDRESS _____
Street City State Zip
TRANSFER FROM: _____ H.S. TRANSFER TO: _____ H.S.

PLACE A CHECK MARK IN FRONT OF EACH SPORT YOU COMPETED IN AN INTERSCHOLASTIC SPORT CONTEST AT ANY LEVEL DURING THE 12 MONTHS PRECEDING THE TRANSFER AT YOUR PREVIOUS SCHOOL:

This includes all scrimmages, practice games, pre-season games, league games, playoff games etc.!

<input type="checkbox"/>	BADMINTON	<input type="checkbox"/>	BASEBALL	<input type="checkbox"/>	BASKETBALL	<input type="checkbox"/>	CROSS COUNTRY	<input type="checkbox"/>	FIELD HOCKEY	<input type="checkbox"/>	FOOTBALL
<input type="checkbox"/>	GOLF	<input type="checkbox"/>	GYMNASTICS	<input type="checkbox"/>	LACROSSE	<input type="checkbox"/>	SKIING	<input type="checkbox"/>	SOCCER	<input type="checkbox"/>	SOFTBALL
<input type="checkbox"/>	SWIMMING	<input type="checkbox"/>	TENNIS	<input type="checkbox"/>	TRACK	<input type="checkbox"/>	VOLLEYBALL	<input type="checkbox"/>	WATER POLO	<input type="checkbox"/>	WRESTLING

STEP 4: SCHOOLS SUBMITTING THIS FORM MUST VERIFY THAT THIS STUDENT HAS MADE A VALID CHANGE OF RESIDENCE IN ACCORDANCE WITH CIF BYLAWS AND SUBMIT THIS PROOF WITH THIS APPLICATION.

Evidence must be submitted that a valid change of residence has occurred. No single document listed below or combination thereof establishes residency. The Section Commissioner and/or school has the discretion to request additional documents that he/she deems necessary to confirm residency. Evidence may include:

• Telephone and utility service operative at the student's new residence and terminated at the former residence;		
• Proof of paying for utilities at the new residence including phone, gas, electricity, water, cable television, and garbage collection;		
• Proof of submitting a change of address to the U.S. Postal Service to receive mail at the new residence;		
• Proof of transfer of the parent's and age-appropriate student's motor vehicle registration;		
• Proof of changed address on the parent's and age-appropriate student driver's license;		
• Real estate documents indicating and verifying a change of residence (sale and purchase, for instance);		
• Utility service receipts;	• Voter registration listing the new address;	• Proof of entering a long-term lease;
• Property tax receipts;	• Rent payment receipts;	• Court documents indicating a change of residence;
• Declaration of residency executed by the student's parent or legal guardian;		
• Other documentation that a Section or school district may require that establishes that a person is living at the new address		

STEP 5. READ AND SIGN (PARENT/GUARDIAN)

NOTE BEFORE SIGNING! Bylaw 202(B)(1):

If it is discovered that any parent, guardian, caregiver or student has provided false information in regards to any aspect of eligibility status on behalf of a student, that student is subject to immediate ineligibility for CIF competition at any level in any sport for a period of up to 24 calendar months from the date the determination was made that false information was provided.

By signing this affidavit below, I certify that no person who is associated* with the athletic department of the new school, or is part of the booster club of the new school or who was acting on their behalf, has had communication, directly or indirectly, through intermediaries or otherwise with this transfer student, student's parents, legal guardian or caregiver, or anyone acting on behalf of this student, prior to the completion of the enrollment process at the new school. I also certify that the student has not participated during the previous 24 months on any non-school athletic team* (i.e., AAU, American Legion, club team, etc.) that is associated* with or coached by anyone associated* with the new school. (*See Bylaw 510 for definition of a non-school athletic team and term associated.) *If you are unable to certify that the above statements are true, do not sign below. Please attach a complete written disclosure of the specifics to this form.* I also certify that at the time of transfer there was no disciplinary action in place or pending.

PARENT/GUARDIAN SIGNATURE: _____ DATE: _____

STEP 6 SCHOOL ADMINISTRATOR

My signature below certifies that to the best of my knowledge no person who is associated* with our athletic department or is part of our booster club, or who is acting on our behalf, has had communication, directly or indirectly, through intermediaries or otherwise with this transfer student, student's parents, legal guardian or caregiver, or anyone acting on behalf of the student, prior to the completion of the enrollment process. Furthermore, I am not aware of this student participating during the previous 24 months on any non-school athletic team that is associated* with our school. *If you are unable to certify that the above statements are true, do not sign below. Please attach a complete written disclosure of the specifics to this form.*

AND

My signature below certifies that to the best of my knowledge this student moved from another school's attendance area into our school's attendance area with all of the individuals with which the student was living while attending the previous school and that we have done our best to verify those facts in accordance with the CIF Bylaws. *If you are unable to certify that the above statement is true, you should not submit this form.*

ADMINISTRATOR SIGNATURE: _____ TITLE: _____ DATE: _____

STEP 7 ENROLLING SCHOOL SUBMITS THIS FORM TO THE NORTH COAST SECTION OFFICE VIA MAIL OR FAX (925-866-7100) UPON COMPLETION.

- RETAIN A COPY FOR YOUR RECORDS.
- STUDENTS ARE NOT ELIGIBLE TO SCRIMMAGE OR COMPETE AGAINST OTHERS SCHOOLS UNTIL THEY HAVE BEEN CLEARED BY THE SECTION OFFICE AND THE NEW SCHOOL HAS BEEN NOTIFIED.



APPLICATION FOR RESIDENTIAL ELIGIBILITY

For more information see "Understanding Transfer Eligibility for Parents" Handbook at www.cifstate.org

FORM 207/209/510



****SUBMIT TO: NORTH COAST SECTION, 12925 Alcosta Blvd., Suite 8, San Ramon, CA 94583. Fax: 925-866-7100**

****NOTE: ALLOW 20 BUSINESS DAYS FOR INVESTIGATION AND REVIEW OF COMPLETE APPLICATIONS. AT THE TIME OF FILING THIS DOCUMENT, SUBMIT ALL KNOWN FACTS AND/OR DOCUMENTS. ADDITIONAL FACTS SUBMITTED LATE MAY NOT BE CONSIDERED BY THE COMMISSIONER.**

Circle one:
9 10 11 12
(yr in school)

1. STUDENT'S NAME _____ DATE OF BIRTH ____/____/____

2. CURRENT ADDRESS _____ PHONE (____) _____
(city/state) (zip) (area code)

3. FORMER ADDRESS _____
(city/state) (zip)

4. TRANSFER FROM _____ HIGH SCHOOL TO _____ HIGH SCHOOL
(previous school name) (new school name)

5. ENROLLED IN PREVIOUS SCHOOL FROM ____/____/____ TO ____/____/____ Began attending NEW school on: ____/____/____
(high school enrollment only) (month/day/year) (month/day/year) (month/day/year)

6. LIST ALL HIGH SCHOOLS ATTENDED: _____

7. APPLICATION MADE UNDER THE FOLLOWING: (Please check next to the one **(only one)** for which you are applying:)

APPLICATION FOR 1ST TRANSFER PRIOR TO THE BEGINNING OF THE 3RD CONSECUTIVE SEMESTER SINCE ENROLLING IN THE 9TH GRADE. BY-LAW 207 A.3

APPLICATION FOR NON DISCIPLINARY TRANSFER WITH NO PARTICIPATION IN ANY SPORTS AT ANY LEVEL IN THE PREVIOUS 12 MONTHS—BY-LAW 207B.1

APPLICATION FOR RETURN TO PREVIOUS SCHOOL WITHOUT PARTICIPATION AT FORMER SCHOOL AND NO DISCIPLINARY ACTION IN PLACE OR PENDING – BY-LAW 206.B.4

APPLICATION FOR TRANSFER LIMITED ELIGIBILITY ONLY---BY-LAW 207.B

APPLICATION FOR TRANSFER HARDSHIP VARSITY ELIGIBILITY EXCEPTION BYLAW 208 All relevant facts and documents must be submitted with this application. Documented proof of a hardship is an unforeseeable, unavoidable and uncorrectable act, condition or event, which causes the imposition of a severe and non-athletic burden upon the student or his/her family. Such documents may include, but not be limited to copies of current transcripts, financial documents, medical statements and/or supportive statements from the previous school attended. Bylaw 208.B.

APPLICATION FOR TRANSFER IN A CIF-APPROVED FOREIGN EXCHANGE PROGRAM: _____
(name of program-CIF Bylaw 209)

Name of Public High School in which attendance area the host family resides _____

APPLICATION FOR TRANSFER FROM A FOREIGN COUNTRY NOT IN A CIF-APPROVED EXCHANGE PROGRAM

8. PLACE A CHECK MARK IN FRONT OF EACH SPORT YOU COMPETED IN AN INTERSCHOLASTIC SPORT CONTEST AT ANY LEVEL DURING THE 12 MONTHS PRECEDING THE TRANSFER AT YOUR PREVIOUS SCHOOL:

This includes all scrimmages, practice games, pre-season games, league games, playoff games etc.!

<input type="checkbox"/>	BADMINTON	<input type="checkbox"/>	BASEBALL	<input type="checkbox"/>	BASKETBALL	<input type="checkbox"/>	CROSS COUNTRY	<input type="checkbox"/>	FIELD HOCKEY	<input type="checkbox"/>	FOOTBALL
<input type="checkbox"/>	GOLF	<input type="checkbox"/>	GYMNASTICS	<input type="checkbox"/>	LACROSSE	<input type="checkbox"/>	SKIING	<input type="checkbox"/>	SOCCER	<input type="checkbox"/>	SOFTBALL
<input type="checkbox"/>	SWIMMING	<input type="checkbox"/>	TENNIS	<input type="checkbox"/>	TRACK	<input type="checkbox"/>	VOLLEYBALL	<input type="checkbox"/>	WATER POLO	<input type="checkbox"/>	WRESTLING
<input type="checkbox"/>	I DID NOT PLAY SPORTS AT ANY LEVEL IN THE LAST 12 MONTHS										

9. FORMER SCHOOL ATHLETIC DIRECTOR'S SIGNATURE AFFIRMING THE ABOVE: _____

10. STUDENT'S GPA IN THE LAST GRADING PERIOD AT THE PREVIOUS SCHOOL _____

11. CERTIFICATION OF APPLICATION: By filing this application for interscholastic athletic eligibility, I specifically authorize any and all of this student's former and current/new high schools to release all records regarding this student and to disclose to the CIF Section ("CIF") representative any information or documentation needed or requested by the "CIF" in making this eligibility determination. I authorize the "CIF" to use that information in making its decision. I understand that the "CIF" may be unable to grant athletic eligibility absent the disclosure of relevant information or documentation from this student's former or current/new high schools. I am authorized to make this request. I affirm that all of the above statements are true to the best of my knowledge. I further affirm that I understand that if subsequent to the approval of this application, it is discovered that this approval was granted under false, erroneous, inaccurate or incomplete information, severe penalties affecting the future eligibility of this student-athlete may result. (CIF By-law 202)

SIGNATURE OF PARENT/GUARDIAN

SIGNATURE OF STUDENT

DATE

(**Parent/student/family complete page one, #s 1-8, 10-11 and page two, questions 1, 2 or 3, attach any statements and give to the enrolling school athletic administrator for routing to the former school. Former school will complete #s 9, 13 and 14, forwarding back to the enrolling school for completion of #15 and submission to the NCS Office for review and ruling on the student's eligibility.)

