

CALIFORNIA INTERSCHOLASTIC FEDERATION

PARENT HANDBOOK - I

**UNDERSTANDING THE TRANSFER
ELIGIBILITY PROCEDURE**



PARENT GUIDELINE HANDBOOK

June 25, 2009 Edition

Purpose

The purpose of these guidelines is to assist student-athletes and their parents and/or legal guardians in understanding the “transfer eligibility” standards and the process that CIF member schools and administrators take in determining “transfer eligibility.” This guide should not be considered as a legal reference and is merely a guide to better understanding of CIF Transfer Eligibility.

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Entering High School – 9th Grade

It is a family choice in deciding the school in which they chose to enroll their children. Athletic eligibility is first established when the student enters 9th grade, regardless of the member school. This is called **Initial Residential Eligibility** and specific details are listed in CIF Bylaw 206. Students entering 9th grade must meet all academic and citizenship requirements of the CIF and are subject to local school/board policies in order to participate in CIF high school athletics.

CIF Bylaw 202.B. prohibits providing false information in regard to any aspect of eligibility. CIF Bylaw 510 (Undue Influence – Recruiting) prohibits any person or persons to secure, retain or influence what high school a student attends. In both cases, there are severe penalties for both the student-athlete and the school. The student-athlete penalty could include ineligibility for up to 24 months. Please report unethical behavior immediately to your school principal to help protect your student-athlete eligibility. Unethical behavior, recruiting and cheating hurts everyone.

Anytime a student moves from one school to another school (School “A” to School “B”), the student is considered a “transfer” student.

Before the First Day of 10th Grade

A family may make a decision to transfer their student prior to the first day of the student’s 3rd consecutive semester (typically the first semester of the sophomore year) of attendance since the initial enrollment in 9th grade and still retain residential athletic eligibility when the specific conditions are met. Please see CIF Bylaw 207.A.(3). for the conditions that must be met for the student to retain residential athletic eligibility. The student and his/her family will need to complete all necessary forms to help the new school determine that no recruiting took place and that the student meets all other CIF academic and eligibility standards in order to participate at the new school. These forms must be completed and approved prior to the student participating in a game or contest.

Anytime Following the First Day of 10th Grade

When a family makes the decision to transfer the student after the first day of his/her 10th grade year, there may be limitations on the student’s athletic eligibility, depending on the classification of the student.

Classifications of Transfer Students

- 1. A valid change of residence student.**
- 2. A transfer without a valid change of residence.**
- 3. An involuntary transfer student** (*when a school/district forces the student to change schools*).

Regardless of the type of transfer, there will be paperwork, (forms and documentation) that the student and his/her parents/legal guardians will have to complete for the new school (School “B”) in order to request athletic eligibility. The new school (School “B”) will communicate with the transfer student’s previous school (School “A”) and work with the parents to complete the necessary forms to ensure not only residential eligibility but also academic eligibility.

On the following page is an abbreviated explanation that describes the athletic eligibility process for students who transfer under these circumstances. It is hoped that families will be better prepared to make “school choice” decisions with an understanding of the impact of those decisions on their student’s residential athletic eligibility.

A SIMPLE PROCESS

When a student transfers schools (changes from School “A” to School “B”) regardless of the reason for the change, the new school (School “B”) must take steps to ensure the athletic eligibility of the student. These steps will include:

The new school principal or administrative designee must determine if the student is academically eligible and has made a valid change of residence.

- The new school site principal/designee shall review if the student made a valid change of residence by following the process of its respective CIF Section for a “Valid Change of Residence.” The process will include submission of paperwork to the CIF Section office prior to participation in games/contests.
 - The new school must also verify the student has met the academic requirements of the school and CIF.
 - The new school must verify there was no “Undue Influence.”
 - The new school must verify that there are no pending school discipline issues existing at the prior school that could jeopardize the student’s eligibility at the new school; that the move (by voluntary transfer or change of residence) did not occur either to avoid discipline or pending discipline, or that the move was involuntary due to discipline issues.
- The new school (School “B”) athletic director/administrator may contact the athletic director/administrator from the previous school to inform him/her of the valid change of address and check on any other issues that could affect the student’s eligibility.
- This process will not begin before the student is enrolled and attending the new school.

If it is determined that the student did not make a valid change of residence, the new school (School “B”) must take a few additional steps prior to determining the eligibility of the student.

- All CIF Sections WILL require that the appropriate forms be submitted to and APPROVED by the CIF Section office PRIOR to the student participating in contest/games when there is NOT a “Valid Change of Residence”.
 - The new school is responsible for determining if the student meets the academic requirements of the CIF, CIF Section and the school.
 - The new school is responsible for using Pre-Enrollment Contact Affidavit (CIF Form 510.) to determine that there was no “Undue Influence.”
 - The school must also verify that there are no pending discipline issues existing at the prior school that could jeopardize the student eligibility at the new school.
- Students may be granted “limited eligibility” by the CIF Section office once all forms and paperwork are submitted and approved under certain circumstances. Please refer to the definitions pages, 16-17, for an explanation of “Limited Eligibility”.
- It is recommended that the parents and the student-athlete discuss “Limited Eligibility” and the hardship waiver process with their new school administrator if they feel that there are extenuating circumstances as defined under CIF Bylaw 208: Hardships.
- The “Frequently Asked Questions” on page 14 are a guide to assist families in this decision- making process. If a family decides to pursue a hardship waiver, the process could take up to one calendar month to resolve. There is no guarantee that the Section Office will grant the waiver for the student, and the student may miss part or all of the sport season depending on when the application is submitted for consideration. Documentation of the hardship and additional paperwork will be required.

The following pages are taken directly from the State CIF Constitution and Bylaws and are NOT complete. A complete Constitution and Bylaws are available for viewing and downloading at www.cifstate.org.

200. CIF Philosophy on Student Eligibility for Interscholastic Athletic Competition

The California Interscholastic Federation (CIF), as the governing body of high school athletics, affirms that athletic competition is an important part of the high school experience and that participation in interscholastic athletics is a privilege. The privilege of participation in interscholastic athletics is available to students in public or private schools who meet the democratically established standards of qualification as set forth by the CIF Federated Council.

CIF Bylaws governing student eligibility are a necessary prerequisite to participation in interscholastic athletics because they:

- A. Keep the focus on athletic participation as a privilege, not a right;
- B. Reinforce the principle that students attend school to receive an education first; athletic participation is secondary;
- C. Protect the opportunities to participate for students who meet the established standards;
- D. Provide a fundamentally fair and equitable framework in which interscholastic athletic competition can take place;
- E. Provide uniform standards for all schools to follow in maintaining athletic competition;
- F. Serve as a deterrent to students who transfer schools for athletic reasons and to individuals who recruit student-athletes;
- G. Serve as a deterrent to students who transfer schools to avoid disciplinary action;
- H. Maintain an ethical relationship between high school athletic programs and others who demonstrate an interest in high school athletes;
- I. Support the Principles of "Pursuing Victory with Honor_{sm}."

202. B Student Eligibility – Penalty for Provision of False or Fraudulent Information

- (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.
(Revised October 2001 Federated Council)
- (2) If it is discovered that persons associated with the student or the school (coach, teachers, parents, friends, etc.) provided false information in order to fraudulently gain favorable eligibility status for a student, that student is subject to immediate ineligibility for competition at any Section member school at any level in any sport for a period of up to 24 calendar months from the determination that false information was provided whether the student was aware of the fraudulent information or not.
(Revised October 2001 Federated Council)
- (3) Any contests in which a student or students participated based on false information or fraudulent practices regarding eligibility status shall be forfeited according to the guidelines set in accord to the rules of the CIF Section.
- (4) Teams
 - a. If it is determined that someone associated with a school (including, but not limited to, a coach) knowingly participates in either providing false information or using fraud or knowingly allows others to do so, in order for a team to meet qualification standards in any event, that team will be subject to immediate ineligibility for further competition in that sport that season.
 - b. Any contest in which that team has participated based on false information or fraud shall be forfeited according to the guidelines of the CIF Section or the State CIF.
- (5) School Personnel Involvement
If any school personnel (including but not limited to a coach) knowingly participates in either providing false information or allowing others to provide false information in order to gain favorable eligibility status for a student, or team information to meet qualification standards for participation in any contest including playoffs or championships, sanctions may be imposed on the school including but not limited to: probationary status, prohibitions against playoff participation, forfeitures, revoking of CIF or Section membership, etc.

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) 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) 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," attendance at a charter school within the boundaries of 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", a charter school within the boundaries of 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 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. (Revised October 2008 Federated Council)

(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 under Bylaw 208.

(8) **Foster Children**

A student under the court ordered supervision of the California Foster Care System who has changed residences pursuant to a court order and as a result, has transferred schools, shall be immediately residentially eligible for interscholastic athletics provided all other CIF rules and regulations are met. A change of residence ordered by a social worker of the California Foster Care System shall be acceptable, provided all other CIF rules and regulations are met. (Approved May 2009 Federated Council)

(9) **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.

(10) 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.

(11) 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.

(12) 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 2009 Federated Council)

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; 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.

- 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) **Hardship Waivers**
Sections may waive the limited eligibility of a student pursuant to Bylaw 208 - Transfer Hardship.

C. **Pre-Enrollment Communication or Contact**

A student who transfers from School “A” to School “B,” as described in Bylaw 207.A. and 207.B. above, shall not be eligible for interscholastic athletics at School “B” until application, under the appropriate CIF/Section

procedures, is completed including the following:

- (1) The principal and athletic director of School “A” shall attest that to the best of their knowledge they have no credible evidence* of any person: who is connected with the athletic department of School “B;” who is part of the booster club of School “B;” or who is acting on their behalf, having communication, directly or indirectly, through intermediaries or otherwise, with the transfer student, student’s parent(s)/guardian(s)/caregiver, or anyone acting on behalf of the student, prior to the completion of the enrollment process.
** Credible evidence is considered as evidence which proceeds from a trustworthy source; evidence which is so natural, reasonable and probable as to make it easy to believe; information which is obtained from authentic sources or from the statements of persons who are not only trustworthy, but also informed as to the particular matter; that which is not mere speculation, or rumor.*
- (2) The principal, athletic director and head coach of School “B” shall certify that to the best of their knowledge, no person: who is connected with the athletic department of School “B;” who is part of the booster club of school “B;” or who is acting on their behalf, has had communication, directly or indirectly, through intermediaries or otherwise, with the transfer student, student’s parent(s)/guardian(s)/caregiver, or anyone acting on behalf of the student, prior to the completion of the enrollment process.
- (3) 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 where 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 (“sufficient 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 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.

*** Defined as: Persons “associated” with a school include, but are not limited to; current or former coaches, current or former athletes, parent(s)/guardian(s)/caregiver of current or former student/athletes, booster club members, alumni, spouses or relatives of coaches, teachers and other employees ,coaches who become employed, 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.*

- (4) 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 (“sufficient evidence”) that the student enrolled in that school in whole or in part for athletic reasons. 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 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.
- (5) 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 Bylaw 510.
- (6) A student with whom contact or communication has occurred, as described in paragraph “a.” above, and who meets all other CIF/Section transfer waiver requirements, may become eligible upon determination that: the communication was completely unrelated to any aspect of School “B”; AND was of a type that, from the objective point of view of a reasonable person disinterested in the win/loss record of School “B,” does not have an effect upon the integrity of interscholastic athletics at School “A” or School “B.”
- (7) **Penalties**
Failure to disclose pre-enrollment communication with School “B” persons, identified in C.(2) above, to disclose any pre-enrollment contact, or communicate in writing to the appropriate Section as described in C.(3) above may result in:
 - a. A forfeiture of all games in which the student participated; AND/OR
 - b. Disqualification from playoff and championship competition for all seasons in which the student is a member of the school’s team. (A student shall be considered a member of the school’s team if he or she participated in any aspect of an interscholastic contest, no matter how brief such participation may have been); AND/OR
 - c. The forfeiture of all games or events won during the time the student was a member of the school’s team; AND/OR
 - d. Divestment from the school of all trophies, banners and other indicia of athletic success obtained while the student was a member of the school’s team.

D. This bylaw also applies to students 18 years of age or older and emancipated minors.

NOTE: Students transferring to another school under any provision of the federal legislation “No Child Left Behind Act” are not residentially eligible at their new school. However, a student may become eligible under the provisions of the appropriate Section and State CIF Constitution and Bylaws.

(Revised May 2009 Federated Council)

208. **HARDSHIP WAIVERS**

The CIF recognizes that, in certain circumstances, students may transfer from one school to another due to a compelling need or situation beyond a student's control. In such cases the Section may waive the transfer limitation imposed on a student when the case meets the definition of a hardship. (See "A." below.) Consideration of any hardship request under this bylaw requires documented proof of the hardship circumstance, and all facts to be considered must be submitted at the time of application. Consideration will be given to those situations in which there is no evidence of athletic motivation, undue influence, pending disciplinary action or falsification of information (See also Bylaw 202).

- A. A hardship is defined as an unforeseeable, unavoidable and uncorrectable act, condition or event that causes the imposition of a severe and non-athletic burden upon the student or his/her family. Sections may only waive the transfer limitation if the conditions of hardship are met, and there is sufficient documentation to support the hardship claim. Sections may not waive the applicable rule if the conditions of hardship are not met.
- B. Consideration of any hardship request to a Section requires documentation. 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.

HARDSHIP QUESTIONS AND ANSWERS

NOTE: CIF provides these questions and answers as a guide for parent(s)/guardian(s)/caregiver and school personnel to aid them in determining if a transfer waiver is possible under the hardship definition. Every case is different and heard on its merits. The following is meant as a guide only and is not a definitive list of what is and is not a hardship.

Question: If my daughter does not have a hardship as defined in Bylaw 208, will she be allowed to compete on the athletic teams at her new school?

Answer: If a student leaves a school in good standing and is eligible under all other CIF Bylaws and both principals have no objection, she may compete at the non-varsity level in any sport she participated in at the previous school during the last 12 months or at the varsity level in any other sport.

Financial Considerations

Question: I can no longer afford to send my son to a private school. I want my son to return to the public school of attendance and compete at the varsity level. Is that allowed?

Answer: Under certain circumstances a hardship waiver of the transfer penalty may be granted because of financial situations. However, there must be evidence of an unforeseeable, unavoidable, and uncorrectable circumstance that necessitated the transfer. The Section will need evidence to show that a hardship circumstance occurred. The Section will require evidence the family attempted to address the situation with the private school and that aid or assistance by the private school was insufficient to address the hardship. Increases in tuition or additional costs at the private school are considered foreseeable and, therefore, do not meet the criteria.

Transportation Considerations

Question: My son is enrolled in a school outside the public school attendance area. It is becoming more and more difficult to travel this distance. If we transfer, will he still be eligible for varsity competition?

Answer: Generally, no. Transportation problems are foreseeable, as are instances of difficulty because of weather or changes in carpools.

Question: The price of gas has skyrocketed and limited our ability to transport our daughter to our school of choice. We are considering changing to a school closer to our home. If we transfer, will she still be eligible for varsity competition?

Answer: Generally, no. The student may be given "limited eligibility" at her new school. Fluctuations in gasoline prices, as with most transportation issues, are foreseeable and must be considered when making your initial choice of schools.

Divorce or Change of Guardianship

Question: We are divorced (or divorcing) and my son will be moving to live with his father. Will he be eligible at his new school at the varsity level?

Answer: A student who moves without the parent(s)/guardian(s)/caregiver with whom he established residential eligibility is ineligible for varsity competition. However, a hardship waiver may be requested that documents why the student must move to a new parent(s)/guardian(s)/caregiver. In the case of a divorce decree that requires the student to transfer to a new school

and live with a parent(s)/guardian(s)/caregiver different from the one with whom he/she established initial eligibility, a copy of the court order must accompany the hardship request. Other changes of custody, if out of the control of the parent(s)/guardian(s)/caregiver or student, may be the basis for a hardship waiver of the bylaw. In transfers made as a result of a change of legal guardianship, determined by a court having jurisdiction to do so, the request may be approved provided that the student has changed his/her residence to that of the new legal guardian.

NOTE: Affidavits of responsibility outside the purview of a court do not meet the criteria of this policy.
(See also Bylaw 206.B.(7))

Question: What does court-appointed change of guardianship mean?

Answer: The Section will look for documentation that the student has changed from one parent to another or to a guardian(s)/caregiver. Such proof of this type of transfer is a court document transferring physical custody from one parent to another. This is not a modification of custody rights; it recognizes that parent(s)/guardian(s)/caregiver with whom the student resides.

Discontinued Programs

Question: The school my daughter attends has discontinued a program in which she participated. Can a hardship waiver be granted if she transfers to a school that offers the same program?

Answer: When a transfer is made as a result of a school discontinuing a particular program in which the student had previously been enrolled or participated, the student may request a waiver of the transfer rule. Proof of the student's enrollment in the program at the new school should be submitted at the time of the request.

Student Emergencies

Question: My son changed schools because of a medical condition. Will he be allowed to compete at his new school at the varsity level?

Answer: Transfers based upon medical considerations may be approved, provided that Medical Doctor/Doctor of Osteopathy substantiates the need for such a transfer as an integral part of medical therapy of prevention or aggravation of an existing condition serious enough to warrant a compelling need to transfer. The Section Commissioner may deny the request if it is established that the diagnosis was made for the purpose of establishing athletic eligibility at the new school.

NOTE: Letters/notes from a psychologist, nurse, or social worker will not be considered for medical emergencies and/or conditions.

Student Social Issues

Question: My daughter is having trouble making friends at her school of choice. She wants to transfer to a school where she has friends and the course offerings will be better for her. Will she be eligible at the varsity level at her new school?

Answer: It is reasonable to expect that there may be social adjustment problems or scholastic problems when a student chooses to attend a school outside of the neighborhood or a school that has a rigorous curriculum. Such circumstances do not satisfy the criteria for a hardship.

Question: I want my son to attend a different school because the scholastic program is better at that school. He also feels he will fit in better at that school. Will he be eligible at the varsity level?

Answer: Defining a "better" school scholastically or socially is subjective. Parent(s)/guardian(s)/caregivers are urged to research schools prior to enrollment. Transfers for these reasons do not meet the hardship criteria.

Question: Can my daughter apply for a hardship waiver if she has been subject to a disciplinary action?

Answer: Transfers as a result of disciplinary action or pending disciplinary action by a school do not meet the criteria for consideration.

Question: The school my son attends is not a safe environment and I want to transfer him to another school. Will this transfer limit his athletic eligibility?

Answer: Any hardship waiver request **MUST** be substantiated with documented evidence. In a claim of an unsafe school environment, there must be documented school reports of incidents involving the student that makes remaining on that campus a dangerous situation that is beyond the control of the student.

Question: What if these incidents occurred in the community and not at school?

Answer: Any hardship waiver request **MUST** be substantiated with documented evidence. If something happened in the community, the Section would require police documentation and/or reports that would substantiate that the incident occurred in the community and was beyond the control of the student. Additionally, school officials may be required to provide letters and documentation affirming knowledge of the circumstances.

DEFINITION OF TERMS

Hardship — A hardship is defined as an unforeseeable, unavoidable, and uncorrectable act, condition or, event, that causes the imposition of a severe and non-athletic burden upon the student or his/her family.

Hardship Waiver — The CIF recognizes that in certain circumstances students may transfer from one school to another due to a compelling need or situation beyond a student’s control. In such cases the Section may waive the “Limited Eligibility” imposed on a student when the case meets the criteria. Consideration will be given to those situations in which there is no evidence of athletic motivation, undue influence, pending disciplinary action, or falsification of information. For more detailed information and a question and answer guide, please refer to Bylaw 208.

Immediate Family — Includes parent(s)/guardian(s)/caregiver, stepparents and minor siblings with whom the student resided when “Initial Residential Eligibility” was established.

Initial Residential Eligibility — Under CIF rules and regulations, students establish their “Initial Residential Eligibility” at their school of choice entering the 9th grade, or the 10th grade, of a 3-year high school.

Limited Eligibility — Students granted limited eligibility are limited for one year (from the date of transfer) to non-varsity competition in the CIF sports they participated in during the previous 12 calendar months but may participate in varsity competition in all other CIF sports.

Prima Facie — A legal term that means at first sight; on the first appearance; on the face of it; a fact presumed to be true unless disproved by some evidence to the contrary. A prima facie case is one in which the evidence presented is sufficient proof for the plaintiff (Section) to win its case of undue influence. In such a case, the defendant (school) must successfully refute the evidence for the student to gain eligibility.

Transfer Eligibility — Once a student enters high school and then changes schools, he/she is considered a transfer student. There are several types of transfer students.

- A student and his/her immediate family complete a valid change of residences as explained above. In most cases, this student will be eligible for all sports at the new school if the student meets all CIF scholastic standards and other rules and regulations.
- **9th-grader transferring before the start of the sophomore year without a valid change of residence.**
A family decision to transfer the student during his/her 9th grade year or immediately upon the completion of 9th grade and/or no later than the first day of the third consecutive semester (typically the first semester of the sophomore year) may be eligible to compete in sports, at all levels, at the new school of choice if he/she meets CIF scholastic standards and all other rules and regulations.
- **10th, 11th, 12th-grader transferring without a valid change of residence.**
A family decision to transfer the student during his/her 10th, 11th or 12th grade year without a valid change of residence may have limited eligibility to participate in athletics at the new school. A student who changes residence and resides with someone other than his/her immediate family with whom he/she first established residential eligibility may have limited eligibility to participate in athletics at the new school.

Valid Residence — Where the student and his/her immediate family reside when the student entered high school for the first time (See Initial Residential Eligibility). A valid residence is further defined as the location where the student’s parent(s)/guardian(s)/caregiver 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 have only one valid residence at a time.

Valid Change of Residence — A family makes a valid change of residence into a new school boundary when the student’s immediate family relocates and takes with them the household goods and furniture appropriate to the circumstances. For

eligibility purposes, a family unit may not maintain more than one valid residence. A subsequent move by the family (or other family members) during that same school year will result in the student being declared ineligible until cleared for competition by the Section Commissioner. CIF rules and regulations will require the new school to document and verify a Valid Change of Residence. Evidence that a valid change of residence has occurred may include:

- Telephone and utility service operative 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.

No single document listed above, 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.

510. **UNDUE INFLUENCE, PRE-ENROLLMENT CONTACT, FAILURE TO DISCLOSE PRE-ENROLLMENT CONTACT AND ATHLETICALLY MOTIVATED TRANSFERS**

- a. The use of undue influence by any person or persons to secure or retain a student or to secure or retain one or both parent(s)/guardian(s)/caregiver of a student as residents may cause the student to be ineligible for high school athletics for a period of one year and shall jeopardize the standing of the high school in the CIF.
- b. Transferring and enrolling in a school, in whole or in part, for athletic reasons may jeopardize a student's eligibility.

NOTE: Undue influence is any act, gesture or communication (including accepting material or financial inducement to attend a CIF-member school for the purpose of engaging in CIF competition regardless of the source) which is performed personally, or through another, which may be objectively seen as an inducement, or part of a process of inducing a student, or his or her parent(s)/guardian(s)/caregiver, by or on behalf of, a member school, to enroll in, transfer to, or remain in, a particular school for athletic purposes.

A. Pre-Enrollment Contact

Any and all pre-enrollment contact of any kind whatsoever with a student must be disclosed by the student, parent(s)/guardian(s)/caregiver and the schools to the Section office on a completed CIF Pre-Enrollment Contact Affidavit (CIF Form 510). Pre-enrollment contact may include, but is not limited to: any communication of any kind, directly or indirectly, with the student, parent(s)/guardian(s)/caregiver, relatives, or friends of the student about the athletic programs at a school; orientation/information programs, shadowing programs; attendance at outside athletic or similar events by anyone associated* with the school to observe the student; participation by the student in programs supervised by the school or its associates before enrollment in the school.

B. Athletically Motivated Transfers

Pre-enrollment contact or an athletically motivated transfer may be considered prima facie evidence ("sufficient evidence") that the student enrolled in that school in whole or in part for athletic reasons (See Bylaw 200) and cause the student to be ineligible for participation in high school athletics for a period of one year from the date of enrollment at the new school in all those sports in which the student participated at the former school.

Athletically motivated pre-enrollment contact of any kind by anyone from, or associated* with, a school or its athletic programs to which a student may transfer or move into the attendance area is not permitted.

When a prima facie case (“sufficient evidence”) of an athletically motivated move 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 those sports in which the student participated at the former school (See also “C.” and “D.”) unless sufficient proof is presented to the satisfaction of the Section

Commissioner that rebuts or disproves the presumption that the move was athletically motivated.

C. Failure to disclose Pre-Enrollment Contact

A failure to disclose pre-enrollment contact may be considered prima facie evidence (“sufficient evidence”) of

recruiting or undue influence to attend the school and may cause the student to be ineligible for high school athletics and shall jeopardize the standing of the high school in the CIF.

When there is failure to disclose pre-enrollment contact, the student shall be ineligible under the provisions of

Bylaw 202 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.

D. Transferring to a School after Participating on a Non-School Athletic Team Associated with the School

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 where 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 (See definition in “A.”) 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 transfers may be considered prima facie evidence (“sufficient evidence”) that the student enrolled in that school in whole or in part for athletic reasons.

A team associated with a school is one that is organized by and/or coached by any member of the coaching staff at, or any other person associated* with (See definition in “A.”), 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 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 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.

E. Transferring to a School Where a Former High School Coach has Relocated

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 (“sufficient evidence”) that the student enrolled in that school in whole or in part for athletic reasons.

When a prima facie case (“sufficient evidence”) of undue influence/recruiting exist, 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.

F. A student shall become ineligible for CIF competition and shall be penalized according to Bylaw 213 for accepting material or financial inducement to attend a CIF-member school for the purpose of engaging in CIF competition, regardless of the source.

G. All transfer students shall submit a completed CIF Pre-Enrollment Contract Affidavit (CIF Form 510) with the appropriate transfer application(s) as required by their respective Section under Bylaw 207 and/or Bylaw 209.

* Persons “associated” with a school include, but are not limited to: current or former coaches, current or former athletes, parent(s)/guardian(s)/caregiver of current or former student/athletes, booster club members, alumni, spouses or relatives of coaches, teachers and other employees, coaches who become employed, 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.

NOTE: CIF Form 510 is available through the local Section Office.
(Revised May 2009 Federated Council)