



Sweetwater Union High School District
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MEMORANDUM TO: Karen Janney, Ed.D.
MEMORANDUM FROM: Joe Fulcher, Ph.D.
DATE: December 18, 2015
SUBJECT: Student Transfer Descriptions

At a recent Board meeting, Trustees requested a description of student transfer rules. Please find below an overview of district transfer provisions and associated descriptors. The summary is divided into two broad sections: the first, a review of common school and student transfer procedures, and; the second, a comprehensive account of Athletics/CIF student transfer rules. Please note that the Athletics/CIF section is designed for use as a reference and/or guide to provide additional clarity and understanding.

Intra District Student Transfers

There are six categories under which a parent can request a transfer from the home school to another school in the district:

Specialized Curriculum Programs

Each specialized program has a set of criteria that must be met for a student to qualify for the program. Approval of any student transfer application is done by the program director and site/school administration.

Choice

Applications are entered into a lottery-style drawing. The Student Support Services Department notifies parents by mail of the results by mid-May. If no space is available at the CHOICE school requested, the application will be placed on a waiting list until August. Students in grades 7-11 who are currently on CHOICE transfers do not need to reapply.

No Child Left Behind (NCLB)**

Schools are subject to a range of requirements and local interventions if they fail to meet improvement benchmarks under the No Child Left Behind federal law. All schools identified as being a Program Improvement (PI) school must offer a choice for their students to attend another school in the district that is not designated as being a PI school and must provide paid transportation, as well as, in some situations, free tutoring by state-approved Supplemental Education Services Providers. The State and Federal Programs Office coordinates the NCLB transfer process.

Voluntary

Voluntary transfers are requested for child care needs, transportation, employment location, and general preference for a given school. Schools that meet or exceed their enrollment capacity will not accept new transfer students.

Family Togetherness

A family togetherness student transfer request can be made to allow a student the opportunity to attend the same school that their older sibling currently attends. This request can also be made to allow a student to attend the feeder middle school that corresponds to the older sibling's high school. Family togetherness transfer applications will be based on space availability at the school requested, as well as the student's academic standing, citizenship and attendance.

Continuance

A continuance can be requested by a parent whose student is currently attending a school other than their home school and wish to have the student continue at that school. If the continuance request is from one grade to the next at the same school, the request for a continuance needs to be addressed to the site administration. If the parent wishes to have the student continue from the middle school to the feeder high school, then the continuance request must be made through the office of Student Services. Continuances will be based on space availability at the school requested as well as the student's academic standing, citizenship and attendance.

Social Adjustment/Administrative/Involuntary (initiated by site administrators)

An administrative/involuntary/social adjustment transfer may be initiated when the continued presence of a student is no longer in the best educational, social, or emotional interest of the student and/or other students.

Disciplinary transfers are typically ineligible to participate in sports for one calendar year at the new school following the transfer.

Safety (initiated by site administrators)

Beginning in the 2003-2004 school year, if while on school grounds a student becomes a victim of an aggressive act or criminal offense, as defined by the State Board of Education, or attends a school designated by the California Department of Education as persistently dangerous, he/she shall be provided an option to transfer to another district school or charter school.

The Superintendent or designee may approve a student transfer to a district school that is at capacity and otherwise closed to transfer upon finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area, including, but not limited to, threats of bodily harm or threats to the emotional stability of the student.

To grant priority under these circumstances, the Superintendent or designee must have received one of the following:

- a. A written statement from a representative of an appropriate state or local agency, including but not limited to, a law enforcement official or social worker, or a properly licensed or registered professional, including, but not limited to, a psychiatrist, psychologist or marriage and family therapist.
- b. A court order, including a temporary restraining order and injunction.
- c. A finding of harmful or dangerous special circumstances pursuant to this

subparagraph may be used by a school district to approve transfers within the district to schools that have been deemed by the school district to be at capacity and otherwise closed to transfers that are not based on harmful or dangerous special circumstances.

The following conditions apply for Intra and Inter district transfers:

- A student approved on an Intra/Inter District transfer will be placed on an Academic/Behavior Contract per Board Policy #5010.
- A student on an Intra/Inter District transfer must maintain a 2.0 Grade Point Average in citizenship and scholarship; have satisfactory attendance and behavior to be eligible for continuance at their desired school.
- A transfer may affect athletic eligibility.
- Only one (1) parent generated Intra/Inter District Transfer request per student allowed each year.
- A student on an approved transfer to a requested school must remain enrolled at the requested school for one grading period (6 weeks), and can only return to the home school upon request or revocation.
- Open Enrollment will be available all school year.
- Enrollment at a requested school will be based on space availability. If the desired school does not have space for a particular class or program that your child requires, you may be referred to another school within our district.

Athletic/CIF Transfers

CIF Bylaw 206 refers typically to the types of eligibility a student may request when they move from School A to School B and typically have a change in residence. Bylaw 206 also interprets what CIF defines as a "Valid Change of Address."

206. RESIDENTIAL ELIGIBILITY

A. Initial Residential Eligibility

A student has residential eligibility upon initial enrollment in: (See also Bylaw 201.A. for definition of enrollment) (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 the United States.

B. Continuing Residential Eligibility – See also Bylaw 201.A. 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.

C. Valid Change of Residence

A student may be determined to be residentially eligible when a student, whose parent(s)/guardian(s)/caregiver with whom the student was living when the student established residential eligibility at the

prior school (School A), completes a valid change of residence as described herein when the following conditions are met: (1) A valid change of residence must be made from a residence located in the public high school attendance area (School A's attendance area), even if the student is not currently attending nor ever has attended the school in which attendance area they reside, to another public high school's attendance area (School B's attendance area). (2) School A may be a CIF member school or a non-CIF member school or may be a school located outside of the United States. (3) **Definition of a Valid Change of 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 as a residence. A valid change of residence for eligibility purposes requires the former residence to have been vacated by the entire family for use as its residence. For athletic eligibility purposes, a student (with the student's parent(s)/guardian(s)/caregiver with whom residential eligibility has been established) may only have one primary valid residence at one time. (4) **Determination of What Constitutes a Valid Change of Residence** - Determination of what constitutes a valid change of residence depends upon the facts in each case. In determining that a valid change of residence occurred, the following facts must exist: (a) The original residence must be abandoned as a residence by the immediate family. The new school is responsible for validating this fact; AND (b) The student's entire immediate family must make the change of primary residence and take with them the household goods and furniture appropriate to the circumstances. For eligibility purposes, a family unit may not maintain more than one primary residence; AND (c) The change of primary residence must be genuine, without fraud or deceit and with permanent intent; AND

NOTE: A student whose family makes a valid change of residence into a new school's attendance area (See d. below) may be residentially eligible for varsity competition upon receipt and recording of a CIF 206 Form by the CIF Section of the student's new school. 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; (d) A request for eligibility based on a valid change of residence by the student's entire immediate family must be supported by documentation. Documentation may be cumulative and no single document or any combination of documents listed below will be considered as definitive that a valid change of residence occurred. The documents must support a finding by the Section that a valid change of residence by the student's entire immediate family occurred prior to participation at the new school; that the previous residence was vacated as required above in paragraphs a., b. and c. and that the family no longer has the use and enjoyment of that former residence. The Section Commissioner and school may request additional documents they deem necessary to establish that a valid change of residence occurred as defined above. Evidence may include:

- Property tax receipts;
- Bank account statements;
- Credit card statements.

The Section Commissioner and/or school have the discretion to request additional documents that he/she deems necessary to confirm change in residency. Examples may include:

- Real estate documents indicating and verifying a change of residence;

- Court documents indicating a change of residence;
- Declaration of residency executed by the student's parent(s)/guardian(s)/ caregiver;
- 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;
- Proof of entering a long-term lease; (minimum of 12 calendar months)
- Rent payment receipts;
- Declaration of residency executed by the student's parent(s)/guardian(s)/caregiver.

The Section Commissioner and/or school have the discretion to request additional documents that he/she deems necessary to confirm residency.

(5) Change in School Enrollment Made in Anticipation of a Valid Change of Residence

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.

(6) Choice of Schools After a Valid Change of Residence

A student choosing a school after making a valid change of residence in accordance with CIF's definition of valid change of residence has a choice for residential eligibility as follows:

a. Remaining at the Same School

Continued attendance at the previous school (School A) maintains residential eligibility at School A as long as the student has remained enrolled in the same school under a district/school approved enrollment process (i.e., inter or intra or senior privilege etc. district/school program); OR

b. Changing Schools

A student must make a valid change of residence out of the public school (School A) attendance area in which their former family residence was located and into another public school's attendance area (School B). This is true even if the student was not attending public school A

but was enrolled in a private school or a charter school. Changing schools following such a valid change of residence will result in full residential eligibility if the following conditions are met:

(i) Student enrolls, attends, and/or is carried on the attendance roll at the new public school (School B) into whose attendance area the family moved, or another public school in accordance with the district(s) policies or a private school or a charter school; AND (ii) The student changes schools immediately following the family valid change of residence or no later than the beginning of the next school year following that family move; AND (iii) The new school verifies the family valid change of residence of the family; AND (iv) A CIF form 206 documenting the new school's verification of the family's valid change of residence is completed by the new school and family and received by the CIF Section within 30 days of the valid change of residence and recorded by the respective CIF Section.

(7) Valid Change of Residence After a Discipline Situation

Such a student will not be granted residential eligibility except as outlined in Bylaw 209 if the student is changing residence and schools, voluntarily or if compelled by the former school or district, as a result of a disciplinary situation at the previous school.

(8) Pre-Enrollment Contact

Such a student will not be granted residential eligibility until the Pre-Enrollment Contact Affidavit with the 206 form is completed by the family and school, received and recorded by the CIF Section, verifying there is no evidence of the use of undue influence (recruiting) by anyone associated with either school in order to procure the student's enrollment in the new school. [See also (10) below and Bylaw 510]

(9) 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. 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 CIF and/or the CIF Section.

(10) Athletically-Motivated Valid Change of Residence

If a student completes a valid change of residence as provided in Bylaw 206.C.(1-5), a student may not be eligible to participate at the varsity level if there is evidence the move was athletically motivated or the student enrolled in that school in whole or in part for athletic reasons (See Bylaw 200; 510.B.-E.)

Bylaw 207 outlines the different types of athletic eligibility a student athlete can apply for when transferring from School A to School B. These include unrestricted eligibility, limited eligibility, or a sit out period. Each of those are defined below. It also defines the criteria a student athlete or his parents must meet to qualify for a hardship application to seek eligibility in the aforementioned area's above.

Section 207 also describes "Pre-enrollment Contact" and "Athletic Motivation" which are terms that outline conditions that may have an effect on a student's eligibility and deem them ineligible in their specific sport for one calendar year if it is determined these circumstance existed either prior to or during the transfer process to the new school.

207. TRANSFER ELIGIBILITY

A. Determination of Transfer Student Status-Standards of Enrollment - See also 201.A. (3)

(1) A student shall be considered to be a transfer student when:

(a) The student has been on the attendance roll of their former school (School A) for 15 days or more for classes occurring at School A, whether or not they have been in attendance during those 15 days; AND/OR (b) The student has played in an athletic contest for their former school; AND/OR (c) The student has tried out for or practiced with a team prior to the beginning of the school year for five (5) days or more; AND (d) That student withdraws from School A or has completed the courses in which they were enrolled in at School A, so that student is no longer enrolled in any way at School A; AND (e) That student enrolls as a full-time student in a new school (School B). THEN that student shall be determined to be enrolled in and having transferred to School B if all conditions of 201.A.(1) are met. (2) Students may not practice with or participate in an interscholastic athletic contest for the new school prior to establishing enrollment in the new school meeting these enrollment standards except if they are transferring at the beginning of the school year and practice for that season of sport begins prior to the first day that school and classes begin. These conditions must be met even if prior to this such a student has registered for classes and/or paid a non-refundable registration fee to the new school.

For eligibility purposes, students cannot have dual enrollment in two different schools at the same time. During the time a student is intending to transfer schools, has registered for classes at the new school and/or paid a non-refundable registration fee at the new school, but still remains enrolled in the former school, the student will be considered to be enrolled in the former school. Only at such time as the student has withdrawn from or has completed the courses in which they were enrolled at the former school, and is no longer enrolled in any way at the former school, shall that student be considered as having “transferred” to the new school. This applies to 8th graders matriculating the following school year to 9th grade in a CIF member school. (3) No one associated with the athletic program at the new school may perpetrate any violation of Bylaw 510 or have inappropriate pre-enrollment contact as outlined in Bylaw 207.B or 510 prior to their enrollment in the new school as defined above.

B. CIF Transfer Rule

All students transferring at any time during their enrollment in high school to a CIF member school after their initial enrollment in the 9th grade in any school (referred to as Former School or School A) shall have their eligibility determination made in compliance with the following 207.B. bylaws except:

- Those making a valid change of residence (Bylaw 206); OR
- Those transferring to or from a CIF member school under the auspices of a CIF-approved foreign exchange program (Bylaw 208); OR
- Those transferring as a result of discipline (Bylaw 209).

NOTE: Emancipated Minors: This bylaw also applies to students 18 years of age or older and emancipated minors; **No Child Left Behind Act:** Students transferring to another school under any provision of the federal legislation “No Child Left Behind Act” are not residually eligible at their new school. However, a student may become eligible under the provisions of the appropriate Section and State CIF Constitution and Bylaws.

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 subject to all provisions of Bylaw 207.

(1) Mandatory Applications for Eligibility Determination All such transfer students addressed in 207 must complete the respective CIF Section-required 207/510 Application form. This form must be submitted to the CIF Section for an eligibility determination. No transfer student is eligible to compete for their new school of enrollment until a determination has been made by their respective CIF Section. (See also Bylaws 501, 510 and 700.)

(2) Pre-Enrollment Disclosure Requirements [Please see also Bylaws 201.A.(1) & (4) and 510] 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 involved to their respective CIF 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 per Bylaws 201.A.(1) & (4).

(3) Transfers to a CIF Member School (described as New School or School B) From Schools (described as Former School or School A) Located in the United States, a U.S. Territory, Canada or a U.S. Military Base (referred herein as Domestic Transfers)

Such transfer students who meet all other requirements for eligibility outlined in bylaws will be granted unlimited residential eligibility in all sports at all levels at the new school except:

- a. In any sport(s) in which the transfer student has competed at any level at the former school(s) in the 12 calendar months immediately preceding their transfer to the new school, the student will be limited to sub-varsity (limited) eligibility in those sports;
- b. No student shall be eligible to participate in the same sport at two different schools in the same school year;
- c. If the transfer is determined to be athletically motivated. Athletically motivated transfers may be considered prima facie evidence that the student enrolled in that school in whole or in part for athletic reasons and cause the student to be ineligible for participation in those sports in which the student participated at the former school as outlined in Bylaws 510 and 207.C. (3) & (4). (See also Bylaw 510);
- d. The transfer is not determined to be based upon a disciplinary situation (See CIF Bylaw 209);
- e. The student meets all other provisions of all CIF Bylaws.

The student shall have unlimited residential eligibility for all sports at all levels under Bylaw 207 after having been enrolled for 12 calendar months from the date of transfer to the new school.

NOTE: Refer to (5) below for applications for transfer eligibility limitations determinations and exceptions. **(4) Foreign Transfers Not in a CIF-Approved Foreign Exchange Program** (referred herein as Foreign Transfers) Students who transfer to a CIF Member school (described as New School or School

B) from: Any school (described as Former School or School A) which is located outside of the United States, a U.S. Territory, U. S. Military Base or Canada; AND

- Who are not enrolled in the CIF member school under the auspices of a CIF-approved Foreign exchange program; AND
- Who meet all other requirements for eligibility in bylaws.

Students may be granted unlimited residential eligibility in all sports at all levels at the new school except: (i) In any sport(s) in which the transfer student has competed at any level for a club or school team, in the 12 calendar months immediately preceding their transfer to the new school. The student will be limited to sub-varsity (limited) eligibility in those sports. 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 eligibility

ii. No student who has participated with a club or school team as described in a., shall be eligible to participate in the same sport at the CIF member school within the same 12-month period (See also Bylaw 504.L.); AND (iii) If the transfer is determined to be athletically motivated. Athletically motivated transfers may be considered prima facie evidence that the student enrolled in that school in whole or in part for athletic reasons and cause the student to be ineligible for participation in those sports in which the student participated at the former school (see also Bylaw 510). The student may be granted unlimited residential eligibility for all sports at all levels under Bylaw 207 after having been enrolled for 12 calendar months from the date of transfer to the new school.

In Addition, Such Foreign Transfers Must:

- Possess a valid visa, allowing them to attend school, issued by the U.S. Immigration and Naturalization Service or be 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
- Provide to the principal of the school he/she attends an official un-translated 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
- If required, the foreign transfer student must pay tuition to the school/school district he/she attends as prescribed in Education Code Section 48052 et seq.; AND
- Be subject to the maximum of eight (8) consecutive semesters Bylaw 204; AND
- Be subject to the age requirement Bylaw 203; AND
- Not have graduated from high school. If they should have graduated, or have completed the equivalent coursework for graduation from high school/secondary school, the student is ineligible to participate in CIF competition; AND
- Not have the school's coaching staff, paid or voluntary, serve as the resident family for the foreign transfer student.

NOTE: CIF Sections may require individual students to have their school records/transcripts from the school from which they are transferring evaluated by an outside agency at the students or school expense.

(5) Applications for Transfer Eligibility Limitations, Determinations and Exceptions

The CIF recognizes that, in certain circumstances, students may transfer from one school to another due to a compelling hardship need or situation that is beyond a student's or their family's control. In response to such cases, the CIF allows for the CIF Section to make an exception to the limited eligibility status whenever they transfer and the case meets one of the hardship circumstances outlined in Bylaw 207.B.(5)c.(viii). The first time a student transfers in high school, they may utilize the Sit Out Period exception covered in Bylaw 207.B.(5)b. below if they meet all of the conditions required. Any student whose transfer circumstances do not meet the conditions required by these two options, will have their residential eligibility determined in compliance with 207.B.(5)a. as long as they meet the conditions required in that Bylaw.

NOTE: Foreign Transfers as described in 207.B.(4) above are subject to all provisions of 207.B.(5) that follows except that whenever there is a reference to "sports in which the student has participated at their previous school" foreign students shall read "sports in which the student has participated at their previous school or on any club team."

a. Limited Eligibility Applications

Any student who submits a limited eligibility application to their respective CIF Section may be made eligible to play at the sub-varsity level in any sports in which they have participated at any previous school in the 12 months prior to this transfer under the following conditions:

(i) The student was academically eligible at the time of transfer from the former school.

Students who are academically ineligible at their previous school will not be eligible to compete at their 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 academic eligibility requirements. A student cannot be placed on probation at the new school to fulfill this requirement; AND (ii) The principal of the former school attests in writing that the move was not made in violation of Bylaw 510; AND (iii) The student is not transferring either voluntarily or because their former school has determined they must withdraw, because of a disciplinary infraction at the former school as defined in Bylaw 209.C. (1); AND (iv) The student is not found by the CIF Section to have transferred to a school where their former high school coach has relocated or where a club coach, with whom they have been associated, is coaching per Bylaw 207.C.(3) or (4); AND (v) 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 or pursuant to a hardship approved by their respective CIF Section; AND (vi) A completed 207/510 Limited Transfer Application is received by the respective CIF Section office and has been processed and approved; AND (vii) The student who is approved by their respective CIF Section office and competes in a contest at the sub-varsity level following such approval and before the Sit Out Period (SOP) dates described in B.(5)b.(ix) below, is ineligible for and may not compete at the varsity level in that sport for the remainder of that school year. This applies through the end of any Section, Regional or State championship finals in that sport; AND (viii) The student has not been determined by their respective

CIF/Section Office or the CIF to have made a transfer or change in schools in violation of Bylaw 510.

b. Varsity Eligibility Applications (Non-Hardship Sit Out Period)

Any student who transfers for the first time since their initial enrollment in the 9th grade in any school, or if the first transfer of schools for this student was granted due to an approved CIF hardship [see 207.B.(5).c], or a valid change of residence and whose circumstances causing the transfer do not meet any of the Hardship Exceptions outlined in c.(viii) below, may become eligible for varsity competition for the sport(s) in which they competed in the last 12 months at the former school or any other school, upon submission, review and approval by their respective CIF Section under the following provisions:

(i) This is the student's first transfer since they first enrolled anywhere in the 9th grade or had their first transfer determined to be a CIF hardship circumstance [207.B.(5).c.]; or a valid change of residence AND (ii) The student was academically eligible at the time of transfer from the former school; AND (iii) The principal of the former school attests in writing that the move was not made in violation of Bylaw 510; AND (iv) The student is not transferring either voluntarily or because their former school has determined they must withdraw, because of a disciplinary infraction at the former school as defined in Bylaw 209.C. (1); AND (v) The student is not found by the CIF Section to have transferred to a school where their former high school coach has relocated or where a club coach with whom they have been associated is coaching, per Bylaw 207.C.(3) or (4); AND (vi) The student has not been determined by their respective CIF/Section Office or the CIF to have made a transfer or change in schools in violation of Bylaw 510; AND (vii) 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 or pursuant to a hardship approved by their respective CIF Section; AND (viii) The student has not competed at the new school at the sub-varsity level in that sport following the transfer during the current school year; AND (ix) The student shall remain out of any competition at any level in each sport in which they competed in the last 12 months at the former school or any other school in accordance with the following Sit Out Periods (SOP):

1. Fall Sports: The Monday of the NFHS week 14 (first Monday in October)

NOTE: In order to promote gender equity and ensure participatory comparability for female athletes with respect to the Sit-Out-Period in the sports of golf and tennis, the CIF Sections shall adjust their Sit-Out-Period eligibility dates in the sports of girls' golf and girls' tennis, if needed.

2. Winter Sports: The Monday of the NFHS week 27 (first Monday in January)

3. Spring Sports: The Monday of the NFHS week 40 (first Monday in April)

4. The student who transfers to a school after School B's first game will have a SOP equivalent in calendar days to the SOP of all other students who transferred before the season started. The respective CIF Section Office will provide the actual date once the proper forms are received, reviewed and approved.

c. Unlimited Eligibility Applications

Exceptions to the determination of limited eligibility under 207.B. (application for unlimited residential eligibility in all sports) may be applied for by the new school (CIF Form 207/510) on behalf of the student

Consideration for unlimited residential eligibility will be given by the respective CIF Section upon review of the application only under the following provisions: (i) The student was scholastically eligible at the time of transfer from the former school. Students who are scholastically ineligible at their previous school will not be eligible to compete at their 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. A student cannot be placed on probation at the new school to fulfill this requirement; AND (ii) The student is NOT transferring, either voluntarily or because their former school has determined they must withdraw, because of a disciplinary infraction at the former school as defined in Bylaw 209.C.(1); AND (iii) The student is not found by the CIF Section to have transferred to a school where their former high school coach has relocated or where a club coach, with whom they have been associated, is coaching per Bylaw 207.C.(3) or (4) & 510.E; AND (iv) The student has not been determined by their respective CIF/Section Office or the CIF to have made a transfer or change in schools in violation of Bylaw 510 AND (v) The student has not competed at the new school at the sub-varsity level in that sport at any time following the transfer to the new school; students who chose to play at the sub-varsity level under the provisions outlined in (5)a. (Limited Eligibility Applications) above may not subsequently be granted unlimited eligibility for that same sport during the same season at the new school; AND (vi) 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 or pursuant to a hardship approved by their respective CIF Section; AND (vii) A completed 207 Unlimited Transfer Application and documentation required by the CIF Section is received by the respective CIF Section office and has been processed, reviewed and approved; AND (viii) One of the following hardship circumstances is documented to the satisfaction of the respective CIF Section:

(a) Court-Ordered Transfers

Unlimited eligibility may be granted by the CIF Section in which the student's new school is located in cases where a student is residentially placed from one school attendance area to the attendance area of the new school by a court order or a child protection order and all provisions listed above in c.(i-vii) are met. The student may be determined to have unlimited residential eligibility upon receipt of the 207/510 application and sufficient documentation (including but not limited to a copy of the court order) to satisfy that CIF Section Commissioner that the circumstances meet this criteria. The student will become eligible for varsity competition upon notification to the new school of the approval of such an application by the CIF Section.

(b) Children of Divorced Parents

Unlimited eligibility may be granted by the CIF Section in which the student's new school is located when a student changes residence from one parent's domicile to the other parent's domicile as a result of a court-ordered custody change, or court ordered or approved joint

custody agreements and all provisions listed above in c.(i-vii) are met. The student may be determined to have unlimited residential eligibility upon receipt of the 207/510 application and sufficient documentation (including but not limited to a copy of the divorce papers and custody agreements) to satisfy that CIF Section Commissioner that the circumstances meet this criteria. The student will become eligible for varsity competition upon notification to the new school of the approval of such an application by the CIF Section.

(c) Individual Student Safety Incidents

Unlimited eligibility may be granted by the CIF Section in which the student's new school is located when a student is transferring as a result of a specific, documented safety incident in which the student was involved and all provisions listed above in c.(i-vii) are met. The student may be determined to have unlimited residential eligibility upon receipt of the 207/510 application and sufficient documentation is submitted to satisfy that CIF Section Commissioner that the circumstances meet this criteria. Required documentation may include, but is not limited to, administrative records and documentation from the former school about the specific safety incident that occurred at the former school and/or police records (if any). The student will become eligible for varsity competition upon notification to the new school of the approval of such an application by the CIF Section.

(d) Discontinued Program

When the former school, in which a student has been enrolled, discontinues a particular program in which the student had previously been enrolled or participated, and that student transfers to another school because of these circumstances, the student shall be determined to be residentially eligible for unlimited participation in the new school provided that new school offers a continuation of that same program and the student can show documentation that they were enrolled in or participated in that program at the former school currently enrolled or participating in that same program at the new school.

(e) 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 shall be determined to be residentially eligible for unlimited participation in interscholastic sports 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.

(f) 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 determined to be residentially eligible for unlimited participation in 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.

(g) Military Service

A student shall be determined to be residentially eligible for unlimited participation interscholastic athletics when returning from military service provided:

- The student was eligible when the student entered into the Armed Forces; AND
- 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
- The student enrolls in the school no later than the succeeding semester after being discharged; AND
- Provided student did not receive a dishonorable discharge; AND
- The student is fully eligible under all other rules of the CIF.

(h) Married Status

A student who marries and lives with the student's spouse shall be determined to be residentially eligible for unlimited participation in interscholastic athletics in the school in the attendance area in which the student and their spouse resides.

(i) Board of Education Ruling

A student, or group of students, who transfer as a direct result of a ruling by the Board of Education of a school district that has two or more high schools and which mandates a change of school attendance boundaries shall be determined to be residentially eligible for unlimited participation in interscholastic athletics in the school in the attendance area in which the student(s) are required to attend, provided the Board of Education Ruling is not a result of a disciplinary situation.

(j) Low Achieving Schools

A student at any grade level may transfer from a low achieving school, as defined by the State Department of Education and on the annual published list, without limitation upon receipt of a valid 207 Form. Any student transferring under the provisions of this bylaw must meet all other applicable eligibility guidelines [see Bylaws 203, 204, 205, 207.B(1), 210]. Students may not receive unlimited eligibility if there is evidence that the transfer is athletically motivated, or there is undue influence or pre-enrollment contact (see Bylaw 207.C). All requests for athletic transfer eligibility (Bylaw 207) must be accompanied by a copy of their district-approved transfer documentation/form under the applicable district guidelines. Students transferring under the provisions of this Bylaw may transfer to a public school, including a charter school (that is or is not on the list of low achieving schools) as long as the school to which a student transfers has a higher API than the student's current school. The school to which the student transfers must be to either the geographically closest public school or the geographically closest charter school to the residence of the student and to the parent(s)/guardians(s)/caregiver(s) with whom the student was living when the student established residential eligibility at the low achieving school. To obtain athletic eligibility at a school other than the closest public or charter school, a student must apply for, and be granted, a hardship waiver pursuant to other CIF eligibility rules.

Appeals

All eligibility determinations made by the respective CIF Section office under the provisions of 207.B.(5)c. are final as all of these hardship circumstances are factual in nature and can be documented. Students whose eligibility determinations are made because they do not meet one of the criteria outlined below in 207.C. or in 510 may appeal that portion of their eligibility determination in accordance with Bylaw 1100. Students may appeal a determination by their respective CIF Section if they have been found to not meet the following criteria:

- (i) 207.B.(5)a.(ii) or b.(iii)-Conflict with Coach at former school
- (ii) 207.B.(5)a.(iv) or b.(v) or c.(iii)-Following Coach

C. Pre-Enrollment Communication or Contact (Domestic and Foreign Transfers)

A student who transfers from School A to School B, as described in Bylaws 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) Mandatory Parent/Student Certification

[Please see also Bylaws 201.A.(1) & (4), 207.B.(2) and 510] 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 involved to their respective CIF 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 per Bylaws 201.A.(1) and (4).

(2) Mandatory Former School Certification

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.

Definition of Credible Evidence - *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.

(3) Mandatory New School Certification

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.

(4) Club Coach Association with new School (student transfers to a new school which a coach from the student's non-CIF sports participation experience is associated)

The transfer of a student from his or her current school of attendance with or without a valid change of residence (Bylaw 206) to any CIF member high school where the student participated 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 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 influencing/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 any school in the last 12 months and/or the sport with which the coach referenced herein is associated, 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.

Definition of Persons Associated with School - **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.

(5) Relocation of Former High School Coach (Domestic and Foreign Transfers)

A student at any grade level who transfers to a new school within one calendar year of the relocation of his/her former high school coach to that school with or without a corresponding valid 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 (See Bylaw 510). 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 any

school in the last 12 months and/or the sport with which the coach referenced herein is associated, 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.

(6) Athletically Motivated Transfers (Copied from Bylaw 510.E.)

The 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. As stated in CIF Bylaw 200.A.(6) the CIF Bylaws shall serve as a deterrent to students who transfer or change schools for athletic reasons and to individuals who attempt to recruit (unduly influence) student-athletes or their parents to enroll in a school because of athletics. As stated in CIF Bylaw 200.A.(2) the CIF Bylaws reinforce the principle that students attend school to receive an education first; athletic participation is secondary. CIF Bylaws provide for individual Section Offices to limit eligibility for a student when there is evidence the transfer, or move is made to acquire athletic participation at their new school (School B). Students may be determined by their respective CIF/Section Office or the CIF to have made an athletically motivated transfer or change in schools under any of the basis listed in CIF Bylaw 510.E.(1)-(4).

(7) Disclosure

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

(8) Clearance of Pre-Enrollment Contact

A student with whom contact or communication has occurred, as described in C.(1) 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.

(9) 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. 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.

(10) Appeals

Students whose eligibility determination is made by the Section Commissioner that the prima facie evidence has not been successfully rebutted by sufficient proof to satisfy said Commissioner under the provisions of 207.C.(4), (5), or (6) and/or 510 may appeal that portion of their eligibility determination in accordance with Bylaw 1100.

Section 209 of the Bylaws refer to a student who transfers from School A to School B for disciplinary reasons. There are stipulations that would deem the student eligible or ineligible to participate at the new school depending on the disposition of the transfer.

209. DISCIPLINE, EXPULSION AND TRANSFER FOR DISCIPLINARY REASONS

A. Expulsion

A student who is expelled by a public school district in the State of California pursuant to the provisions of Education Code Section 48900 et seq., or from a public school from any other State, or any private or parochial school or district, shall be ineligible to practice or compete with any CIF team or individual sport program that is under the jurisdiction of the CIF for the period of the expulsion.

B. Suspended Expulsion

A student who has been expelled and has the expulsion suspended by the school board or board of directors and remains at his/her current school may be eligible so long as all other CIF and Section requirements are met. The conditions under which this student may be eligible will be determined by the local school board or board of directors. If the student is deemed eligible to participate, the conditions of his/her eligibility must be sent to the appropriate Section office.

C. Disciplinary Transfer

(1) If a student transfers from any public or private school when a disciplinary action is in place or pending that contributes in any way to the decision to transfer, that student shall be ineligible for competition in all sports for one year from the date of the transfer to the new school.

(2) A student, permitted by the principal to return to the school compelling the disciplinary transfer, may be granted unrestricted athletic eligibility by the Section if the student did not participate in any athletic program at the transfer school; compete for the transfer school; and, at the time of the transfer, conditions for return were established by the school administration that include, but are not limited to:

- a. Satisfactory attendance criteria; AND
- b. Applicable behavior standards; AND
- c. Academic performance standards; AND
- d. Principal's approval of the return based upon documented evidence provided by the transfer school that the student satisfactorily complied with all conditions for return.