



NCHSAA TRANSFER RULE WAIVER REQUEST FORM



I. Background and Contact Information

Receiving Member School: _____
(Member School Requesting Waiver)

Principal Name: _____

E-mail and Phone Number: _____

Student Name: _____

Parent/Legal Custodian(s) Name(s): _____

Student Address: _____

Previous School Name: _____

(Member School from which student is transferring)

Principal Name: _____

E-mail and Phone Number: _____

II. Basis(es) for Request to Waive 365 Day Ineligibility Rule

Please check one or more of the following:

_____ **Special curricular needs.**

A student is unable to obtain in his or her regularly assigned school those specially needed courses of study or programs necessary to pursue specialized educational or career goals. Proper documentation must be submitted to establish this basis. NOTE: This basis requires the showing of more than just a different class, it must be course of study or program that is not offered at the regularly assigned school.

_____ **Documented medical needs.**

A student provides documentation provided by a physician (or comparable professional provider such as a psychologist, etc.) containing a detailed professional opinion that the student's mental, emotional or physical health would be adversely affected by the student's attendance at his or her regularly assigned school.

_____ **Student's parent/legal custodian is a permanently assigned employee of another school system.**

A student provides documentation establishing (a) his or her parent/legal custodian is a permanently assigned employee of the Receiving Member School or system; and (b) the Receiving Member School would be the school assigned to the student if his or her parent/legal custodian resided at the parent/legal custodian's work location in the school system. NOTE: This basis requires the showing that the parent/legal custodian is a permanently assigned employee, not a temporary, volunteer or lay employee/coach.

- Example No. 1: Student and Parent live in Durham County, and Student would normally be assigned to Charles E. Jordan High School in Durham (and attends Jordan High School after entry into the ninth grade). Parent is a permanently

assigned employee at Carrboro High School. A waiver would properly be considered for the Student if she transferred to Carrboro High School.

- Example No. 2: Student and Parent live in Durham County, and Student would normally be assigned to Charles E. Jordan High School in Durham (and attends Jordan High School after entry into the ninth grade). Parent is a permanently assigned employee at McDougle Elementary School in Chapel Hill. Based on the address for McDougle Elementary School, a student would be assigned to Chapel Hill High School. Therefore, a waiver would properly be considered for the Student if she transferred to Chapel Hill High School.

Family/student child care needs.

The family or student provides documented child care needs that necessitate a transfer to avoid a serious and continuing hardship.

Documented safety issues.

A student provides documentation of an unsafe environment at his or her school (e.g., physical or emotional violence/threats make continued attendance at his or her school unsafe, etc.).

Federal or State mandated transfers.

A student provides documentation of a transfer made pursuant to the Unsafe School Choice or School Improvement Choice Transfer under the No Child Left Behind Act, the Transfer of Homeless Students as provided in 42 U.S.C. 11431 et. seq., or any other applicable federal or state law allowing a similar right to transfer (including North Carolina or federal court orders).

Other serious and continuing hardship.

The student provides documentation establishing a serious and continuing hardship which cannot reasonably be eliminated or reduced by means other than a transfer from his or her regularly assigned school.

The default rule is that, absent a bona fide move, transferring students from a member school in one LEA to a member school in a different LEA will be ineligible to participate in athletics for 365 days from the student's enrollment in the Receiving Member School. In order to receive a waiver of this rule, the Receiving Member school bears the burden of establishing (1) the existence of one or more of the basis(es) listed above; and (2) that the transfer was not done for athletics purposes.

Please use the following space and/or attach additional pages along with the required documentation to support the selected basis(es):

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Important Notes:

- Regardless of the outcome of this Transfer Rule Waiver Request, Receiving Member Schools must always ensure that students are eligible in all other respects (e.g., academics, attendance, etc.).
- Any approved Waiver Requests will still be subject to the “same sport during the same sport season” rule.
- Once a waiver request is granted, and a student enrolls in the Receiving Member School or participates in the athletics program, the student will remain eligible at the Receiving Member School (assuming students are eligible in all other respects).
- If a waiver request is granted, and a student enrolls in the Receiving Member School or participates in the athletics program, any subsequent transfer of the student (including back to the Previous Member School, to the school of residence assigned by the local board of education, etc.) will be subject to the NCHSAA’s Transfer Policy (i.e., the student will be subject to the 365 day ineligibility rule). Upon such an occurrence, a subsequent Receiving Member School may submit a Transfer Rule Waiver Request on the basis of changed circumstances (regarding the basis for the original Request) or on a new basis (see Transfer Rule Waiver Request form).
 - Example: Student and parents reside in Durham County. Based on the family’s residence the student would normally be assigned to Charles E. Jordan High School in Durham. However, the student begins the 9th grade at Chapel Hill High School. Prior to the beginning of the 10th grade the student wants to transfer from Chapel Hill High School to Jordan High School. The student will be subject to the Transfer Rule and, absent a waiver, will be ineligible to participate in athletics at Jordan High School for 365 days.

Submitted By:

Principal Signature: _____
Date: _____