



## NCHSAA TRANSFER RULE WAIVER INSTRUCTIONS

TO: Principals  
FROM: NCHSAA Staff  
RE: Process for Appeals Requesting Waiver of 365 Day Rule for Transfers from One LEA to Another LEA

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**NOTE: The transferee member school (the school to which the student has transferred) must submit all required documentation on behalf of the transferring student and the member school Principal will be the point of contact for the NCHSAA.**

The NCHSAA's Transfer Policy is set forth in the NCHSAA Handbook as follows:

After initial entry into the ninth grade, and absent a bona fide move as provided in the Residence Section in this Handbook:

- (a) a student transferring from one member school to another member school within the same LEA must sit out 365 days for athletic participation. The LEA may create criteria for immediate athletic eligibility for transfers within the LEA.
- (b) **A student transferring from one member school in one LEA to another member school in a different LEA must sit out 365 days for athletic participation. Exceptions for immediate athletic eligibility for transfers from one LEA to a different LEA will be heard by a special NCHSAA transfer committee.**
- (c) If a student transfers from a member school to a non-member school (including a transfer to a home school), and then attempts to transfer to any member school within a 365 day period, such initial transfer will be disregarded for purposes of this transfer rule and the subsequent transfer will be treated as if it were a member school to member school transfer and evaluated by the NCHSAA as provided in section (b) above.

NOTE: If a member school is not part of a defined LEA (e.g., charter school, non-boarding parochial school, etc.), then the member school itself will be considered its own LEA for purposes of this policy (i.e., exceptions involving these member schools will fall under subsection (b) above).

The NCHSAA's Process for Transfer Rule Waiver Requests is set forth as follows:

In order for the NCHSAA to review an appeal submitted by a member school on behalf of a transferring student requesting a waiver of the 365 day ineligibility rule, the transferee member school must submit the following documents to the NCHSAA:

1. Paperwork establishing the student has applied for, and received, both a waiver and acceptance from both the transferor and transferee schools and/or school systems.
2. A completed "Statement of Information Regarding Transfer" form signed by the Principals of both the transferor and transferee member schools.

3. A completed “Appeal Request for Immediate Transfer Eligibility” form prepared and submitted by the transferee member school.

The default rule is that 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 transferee member school. The NCHSAA staff will review all paperwork, including the Statement of Information Regarding Transfer form (to understand the positions of both principals regarding the intent of the transfer), and may elect to request additional information and/or conduct a conference call/in-person meeting to discuss the waiver request. Once the NCHSAA staff has completed its review, the NCHSAA will render a decision on the waiver request. This decision may be appealed only as provided in the NCHSAA Bylaw VIII

The Burden to Establish Grounds Necessary for Waiver:

In order to receive a waiver of this rule, the transferee member school bears the burden of establishing by clear and convincing evidence that the transfer was not done for athletics purposes. This burden may only be established by information presented to the NCHSAA in the required documents (unless additional information is requested by the NCHSAA).