

## NCHSAA TRANSFER RULE WAIVER REQUEST FORM

Absent a bona fide change of residence, 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.

Student Name:	
Parent/Legal Custodian(s) Name(s):	
Student Address :	
Receiving Member School:	
Receiving Principal Name:	
Receiving Principal E-Mail and Phone Number	
Previous Member School:	
Assigned/Home School:	
Sports Played at Previous School:	

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

Please select one or more of the following:

☐ **Special curricular needs.**

Documentation must establish that the student is unable to obtain in his or her regularly assigned school the specially needed program or program of courses necessary to pursue specialized educational or career goals. This basis requires the showing of more than just a different class, it must be a program or program of courses that is not offered at the student's previous member school. A program or program of courses culminating in the receipt of a certificate or other specialized diploma recognition will be given additional weight.

**Required Documents: (1) Documentation of Selected Program or Program of Courses; (2) Documentation of Program or Program of Courses Available at Previous Member School; and (3) Student's Transcript and Current Class Schedule**

☐ **Documented medical needs.**

A detailed professional opinion that the student's physical, mental or emotional health would be adversely affected by the student's attendance at the previous member school, supported by appropriate documentation from the student's treating physician, or comparable professional provider such as a psychologist must be provided in order to meet this burden.

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

Documentation is provided establishing:

- (1) The student's parent/legal custodian is a permanently assigned employee of the Receiving Member School or system; and
- (2) 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. Documentation evidencing the parent or legal custodian's permanent employment with the receiving member school or system must be provided. This basis requires the showing that the parent/legal custodian is a permanently assigned employee, not a temporary, volunteer or lay employee/coach.

\_\_\_\_ **Family/student child care needs.**

Sufficient documentation establishes child care needs that necessitate a transfer to avoid a serious and continuing hardship. Ordinary cases of difficulty transporting students to and from the previous member school will not be considered.

\_\_\_\_ **Documented safety issues.**

The Receiving Member School on behalf of the student, provides documentation of an unsafe environment at the previous member school that (e.g., physical or emotional violence/threats) makes continued attendance unsafe. Documentation must also establish that remedies taken were ineffective in addressing the unsafe environment at the student's previous member school.

\_\_\_\_ **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. Ordinary cases of difficulty transporting students to and from the previous member school will not be considered. Sufficient documentation establishing the serious and continuing hardship and necessity for transfer must be provided with the request.

**PLEASE ATTACH AN EXPLANATION SUPPORTING THE BASIS OR BASES SELECTED FOR REQUEST, ALL REQUIRED DOCUMENTATION, AND ANY SUPPORTING DOCUMENTATION OR CORRESPONDENCE. ALL REQUIRED DOCUMENTATION MUST BE SUBMITTED WITH THIS REQUEST. FAILURE TO SUBMIT REQUIRED DOCUMENTATION MAY RESULT IN DELAY OR DENIAL OF THIS REQUEST. NEW INFORMATION WILL NOT BE ACCEPTED UPON APPEAL.**

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 9<sup>th</sup> grade at Chapel Hill High School. Prior to the beginning of the 10<sup>th</sup> 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.

**By signing this transfer waiver request, I certify that all documents regarding the abovenamed student's transfer waiver request have been submitted, including an explanation of the basis for request, supporting documents for the selected basis or bases for request, and any correspondence or documents pertinent to this request. I understand that failure to submit appropriate and required documentation may result in the delay and/or denial of the transfer waiver request submitted on behalf of the abovenamed student. I also understand that all materials must be provided upon initial submission of the transfer request and additional information will not be accepted upon appeal.**

Submitted By:

Principal Signature:

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Date:

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Athletic Director Signature:

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Date:

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