

Language based on 2008-09 WIAA Handbook

Transfer:

18.11.0 TRANSFERRING STUDENTS - After registering with and/or attending a middle level or high school, students changing enrollment to/from one school district to another school district or from one high school to another high school within a multiple high school district shall be considered transferring students. In order to be eligible for varsity competition, transferring students must meet the normal residence requirements or the transferring student requirements of 18.11.1, 18.11.2, 18.11.3, or be granted a waiver under 18.13.0 and 18.25.0. This section shall also apply to those students receiving home based instruction. NOTE: Refer to Article 3.1.1 for the status of a private school district.

18.11.1 A student who is ineligible in a member school may not become immediately eligible at another member school without completing the conditions of ineligibility.

18.11.2 The following students who are attending a member school shall be deemed to meet the residence rule requirement and transferring student rule requirements:

A. A student whose transfer is based on a bona fide and immediate change of residence to a new school (district) due to an actual physical relocation of and with the entire family unit to a different residence and preceded by termination of all occupancy of their previous residence.

B. A student attending a school outside of his/her residence district for one (1) calendar year or more is eligible thereafter in a school of that school district provided the enrollment/attendance is continuous.

C. A student whose parent(s) or legal guardian(s) reside at different abodes as the result of a divorce or court approved legal separation is allowed one (1) transfer between parents or guardians after entering the ninth grade without being restricted to sub-varsity competition for one (1) year.

D. A student who is under commitment to the Department of Social and Health Services, a student who is on juvenile parole status and a student who has been adjudicated as a ward of a juvenile court where residence is the result of assignment by the government entity charged with his/her care.

E. A student whose release has been ordered by the Superintendent of Public Instruction on the basis of a special hardship or detrimental condition.

F. A student who has a residence change following the death or disability of the family unit, including military deployment, in order to reside with a relative.

G. A seventh and/or eighth grade student who transfers to a school without a corresponding change of residence by his or her family unit and who meets all other conditions of eligibility shall be eligible at the new middle school when properly enrolled. High school eligibility is subject to the transfer rule and one (1) year of continuous enrollment.

H. A student, except F-1 Visa students to a private school, upon enrollment to the initial first level of a private school within a 50-mile radius of the family residence from his/her public school of residence or his/her public school of residence from a private school within a 50-mile radius of the family residence. If either the public or the private school declares its ninth graders as junior high athletes, the window of transfer is between the ninth and tenth grade years; if the school declares its ninth graders as high school athletes, the window of transfer is between the eighth and ninth grade years.

18.11.3 A student attending a member school for one (1) calendar year or more is eligible in the same school during subsequent attendance, so long as the enrollment/attendance is continuous.

18.11.4 A student whose transfer is the result of participation in a one-year cultural or educational exchange experience with another country. Form 6 of the WIAA eligibility packet must be submitted to the WIAA District Eligibility Chairperson.

A. A student leaving this country for a one-year cultural/educational experience shall file a letter with his/her district eligibility committee prior to departure and will be eligible at his/her school of origin upon his/her return, provided all other rules of eligibility have been met.

B. A student coming to this country for a one-year cultural/educational experience is eligible at the varsity level for one (1) year only in the school in which he/she has been placed, provided all other rules of eligibility have been met and the student has not graduated from the high school equivalent in his/her home country. F-1 Visa students remaining for more than one (1) year will be considered transfer students. Graduated students cannot compete interscholastically at any level (i.e., varsity or sub-varsity).

C. In no case will eligibility be extended beyond the four (4) consecutive years provided for in 18.14. There shall be no evidence that a significant reason for the transfer was to participate in athletics. Students must meet all other WIAA rules of eligibility.

Hardship

18.25.0 HARDSHIP - The WIAA District Eligibility Committee and the Executive Director are given the authority to make specific exceptions to those student eligibility regulations contained in Article 18 provided such exceptions are based upon hardship conditions that are deemed to have contributed in a significant way to non-compliance with specific regulation(s) that may be appealed.

18.25.1 Any waiver of student eligibility regulations shall be based upon extenuating circumstances, beyond the student's, or where applicable, the parents' or legal guardian's control, that are deemed to have significantly influenced or contributed to the cause of the student's noncompliance to the eligibility regulation(s) involved. (The following criteria shall be used to determine if a hardship exists):

A. A hardship exists only when some unique circumstances concerning the student's physical or emotional status exist and only when such circumstances are not the result of acts or actions by the student or family unit.

B. The circumstances must be totally different from those that exist for the majority or even a small minority of students (e.g., usual maturation problems or family situations that do not cause severe and abnormal emotional problems, and academic or athletic deficiencies in a school's curriculum or co-curricular activities do not constitute a hardship).

C. There must be no reason to believe that the decision and/or the execution of the decision concerning the student's academic status was for athletic purposes.

D. The burden of providing evidence that a hardship exists shall be borne by the student.

E. There shall be a direct, causal relationship between the alleged hardship and the student's inability to meet the specific eligibility rule(s).

18.25.2 Exceptions to student eligibility regulations based upon a hardship shall be subject to the following limitations:

A. Loss of eligibility in itself or an injury in itself that prevents the student from being able to participate are not to be considered hardships. In addition, attending a school that does not offer interscholastic activities is not to be considered a hardship, nor shall it justify extending eligibility beyond the four (4) consecutive year period allowed.

B. A hardship exception shall not be granted if there is sufficient evidence to make it reasonable to believe that the non-compliance to the eligibility rule in question was motivated by the student's, parents' or school's efforts to gain a desired athletic outcome or to intentionally circumvent a rule, or

C. To grant additional eligibility based upon a hardship condition, a student must demonstrate that normal progression towards graduation has been significantly interrupted as a result of either a long-confining illness (which can include a learning disability), an injury, or a family hardship, and that the interruption prevented the student from graduating in four (4) consecutive years.

18.25.3 The District Eligibility Committee shall waive the junior varsity rule in the case of a transfer student for a specific sport if the petitioner can provide documentation in one or more of the following criteria on Form 5 in the WIAA Eligibility Packet.

A. A transferring student has not participated on a school or club/community team for which the student is requesting a varsity level eligibility for one (1) year prior to participation in that sport.

B. A transferring student has not participated at the school level or the club/community equivalent in that sport for one (1) year prior to his or her transfer.

C. A transferring ninth grade student from a middle level school to a four year high school shall not have played on an eighth grade team or club/community equivalent.

D. A transferring tenth grade student from a junior high school to a three year high school shall not have played on a ninth grade team or club/community equivalent.