



## Regulations Summarized: 2018-19 Changing Schools and the Transfer Rule

**Note on the New Sport Specific Transfer Regulation:** The effective date is Aug. 1, 2018, with implementation felt during the 2019-20 school year. That is, what sports a student plays during the 2018-19 school year will determine their eligibility for 2019-20 should they transfer schools and not meet one of the 15 stated exceptions. See Page 8 for a summary of the Sport Specific Transfer Regulation.

### THIS IS A SUMMARY: ALWAYS CONSULT THE SCHOOL ATHLETIC DIRECTOR

Once a student who is enrolled in grades 9 -12 changes schools, that student is not eligible for sports in the new school UNLESS they meet one of the 15 exceptions, which generally have to do with a residential change or a school's status changing. Below are **brief summaries** of the 15 exceptions (these are not the full rule).

See **B** below on Athletic Related Transfer Students, **C** below on Athletic Motivated Transfers and **D** below International Students (those in the US on an F-1 or J-1 Visa). There are many situations which are NOT exceptions and the transfer student is not eligible (See I at end of page two).

#### EIGHT RESIDENCY EXCEPTIONS

1. Student moves with the people he/she was living with previously (full & complete)
2. Not living with either parent moves back to them +
3. Ward of the Court placed with foster parents.
4. Approved International Program student moves in with host family in district. 2 semesters/3 trimesters then sit one year and may resume eligibility.(See C)
5. Married student moves into school district.
8. Student moves with or to **divorced** parent or parents never married (See Int. 92) **(ETF) +**
12. An 18 year old moves without parents **(ETF) +**
13. A student resides in a boarding school **(ETF) +**

#### FIVE SCHOOL STATUS EXCEPTIONS

6. School ceases to operate, not merged (Int. 64 & 90)
7. School is reorganized or consolidated
9. School Board ordered safety or enrollment shift transfer.
11. Achieved highest grade available in former school
15. New school established; enrolled on first day

#### TWO STUDENT STATUS EXCEPTIONS

10. Incoming 1<sup>st</sup> time 9<sup>th</sup> grader (Not applicable to J-1 or F-1 Visa Students)
14. Expelled student returns under pre-existing criteria

**+Four Exceptions** (2, 8, 12 & 13) are allowed once in grades 9-12.

**(ETF) = Educational Transfer Form** is only used for these 3 exceptions (8, 12 & 13). The current MHSAA form must be completed by both school principals certifying that the transfer is not significantly related to or motivated by athletics and returned signed by the MHSAA before the student participates in a game or scrimmage. There is an allowance for students whose parents never married to use this form. (See Interpretation 92).

- A. How long is a transfer student not eligible?** Generally, if there was no recruiting violation, except for a transfer that is Athletic Motivated or Athletic Related (See **B & C** below) or certain International Students (See **C** below) a student who does not meet one of these exceptions is not eligible for about half a year.
- A student who changes schools in the first half the year (enrolled before the 4<sup>th</sup> Friday after Labor Day) becomes eligible on Dr. Martin Luther King, Jr. Day (Jan. 15, 2018).
  - A student who changes schools in the 2<sup>nd</sup> half of the year (enrolled before the 4<sup>th</sup> Friday of February) becomes eligible August 1 for fall sports.

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- B. Athletic Related Transfers** – After starting the 9<sup>th</sup> grade, a transfer student who has played high school sports and who does not meet one of the 15 exceptions would be ineligible for 180 school days in that sport if the transfer is into a school where one of the following links existed in the previous 12 months: The student was involved in a non-school activity that was coached or directed by a school coach, administrator or parent of the new school. The student was coached by a personal trainer who is a coach, attended an open gym and then transfers schools, or is involved in summer activities with the new school before being registered to enroll at that school. Transfer students who are not signed up to attend a school should not be involved in summer activities with school coaches.

Note: It is against the rules for a person directly or indirectly associated with a school or student to attempt to secure or encourage attendance because of athletics. The **anti-recruiting rule** (undue influence) has a maximum penalty of up to four years of ineligibility for a student or four years of suspension of a coach or other adult involved in any recruiting related to athletics.

- C. Athletic Motivated Transfers** – After starting the 9<sup>th</sup> grade, a transfer student who has played high school sports and who does not meet one of the 15 exceptions may be declared ineligible in all sports for 180 school days if the transfer is primarily for athletic purposes. The former school must make an allegation with additional proofs to the MHSAA Executive Director within 40 calendar days of the student's enrollment (first day of class) in the new school. An Athletic Motivated Transfer is defined as but not limited to the following (see the MHSAA *Handbook* for specific language): The student or parent is dissatisfied or has a conflict with playing time, team position, philosophy relating to sports, etc. The student seeks to nullify actions by the former school relating to discipline or eligibility. The student or parent seeks to play on a less successful team to rank higher among players on that team or a more successful team to gain exposure to higher competition and/or college scouts. The student seeks to participate with teammates or coaches with which the student had participated with previously. The MHSAA will not be involved in investigating or mediating athletic motivated transfer issues between member schools of the same school district or when one school releases the student to another district.

**See Page 6 for the Athletic Motivated Transfer Regulation.**

**Note to B and C:** Even if the student's circumstances subsequently satisfy one of the exceptions of Section 9(A) that would normally allow a transfer student immediate eligibility, the student shall remain ineligible for 180 scheduled school days at this or any other MHSAA member school.

- D. International Students:** (F-1 or J-1 Visa) including incoming 9<sup>th</sup> graders are only eligible if they meet a residency exception or if they are placed by an Approved International Student Program (AISP). AISP students are eligible immediately for one year and then wait one year (play one, wait one). International students who are not from an AISP program may be eligible at the sub varsity level after sitting out as under Section 9 D (MLK or Aug 1), without any special approval if the school desires. Otherwise, international students are not eligible for varsity sports for up to 8 semesters or 12 trimesters. The 2018-19 MHSAA – AISP list is at <https://www.mhsaa.com/portals/0/Documents/AD%20Forms/csietlists.pdf>

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**E. Two special considerations – Executive Committee waivers through school Athletic Director:**

**90 Days** - For those who just miss being enrolled in the new school by the above 4<sup>th</sup> Friday (See **A**). With Executive Committee approval the period of ineligibility can be reduced to 90 scheduled school days of enrollment (not days when practice is held in August) - but only for those who just miss the 4<sup>th</sup> Friday by a brief number of days.

**Sub Varsity** – The school may request a subvarsity waiver for a 9<sup>th</sup> or 10<sup>th</sup> grade transfer student who never played in any high school game or scrimmage in **any** MHSAA sport. Only for grades 9 and 10 with no prior high school sports and only with Executive Committee advance approval. Sub varsity eligibility, if approved is to 9<sup>th</sup> grade or JV team sports, not in MHSAA tournaments, or in **non-scoring** matches, races or heats in individual sports (e.g.: golf, tennis, x-country, swimming or track & field).

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**F. Changes of residency must be full and complete (Exception 1)** (As defined by MHSAA Interpretations)

Students who change residence may be eligible immediately if the residential change was full and complete. Residential changes which grant immediate eligibility are intended to be somewhat permanent. All the people the student lived with previously must move, and the previous residence must be disposed of (either vacant or sold, or rented to non-family). Other documentation must also be provided to the school including a changed driver's license. See points G and H below. The MHSAA.com for the Residential Change Check List. Click on schools, parents, then see Regulations Summary on the right.

<https://www.mhsaa.com/portals/0/documents/AD%20Forms/residential%20change.pdf>

**G. Changes of residency must be from one public school district to another public school district.**

Multi-High School Districts such as Detroit, Dearborn and Lansing consider each school attendance area as a separate district for the purposes of the transfer rule. Transfer students into district wide schools are not eligible immediately at such schools but sit out required period of time (See **A**).

**H. A student who changes schools under a residency exception is eligible at:**

- 1) The same school - a student does not have to change schools because they change their residence.
- 2) **The public school of their new district or attendance area.**
- 3) The closest Non-Public School to the new residence:
  - a. School of the same denomination if the student had most recently been attending such a school.
- 4) The closest Charter School to their new residence.
 

The "closest school" is measured by drivable highway miles.

**I. Transferring after a season begins:** A student who transfers and meets an exception, such as changing residences, is eligible for MHSAA tournaments **only** if they are enrolled prior to October 1 for fall sports, February 1 for winter sports tournaments and May 1 for spring sports tournaments.**J. Common situations where a student changing schools after beginning 9<sup>th</sup> grade is NOT eligible:**

- School of choice
- **Returning to a school of residence after choosing to attend elsewhere under school of choice**
- Changing schools because the former school does not sponsor a sport
- Guardianship
- Categorized as homeless (the situation may warrant the school requesting a waiver)
- A student under 18 moving in with a relative or friend (not moving with people he/she lived with previously)
- Financial considerations including not being able to afford tuition
- Transferring to a school because it sponsors no sports or a specific sport or a sport is dropped

## MHSAA TRANSFER RULE FOR 2018-19

Athletic Related Transfer (Links)

### ATHLETIC RELATED TRANSFERS (Links)

This is a summary. See the next page from the 2018-19 *Handbook* for actual language

A high school student who changes schools and would be ineligible for about half the year would be ineligible for 180 scheduled school days in that sport if, in the past 12 months, there is a **link** in that sport to the new school.

#### In the past 12 months did the transfer student:

1. Attend an open gym at our school and then transfers into our school.
2. That student participated as an individual or on a non-school team or activity coached, **coordinated or directed** by any of that high school's **parents (former or current) or administrators or by any of its coaches** in the sport involved for either gender, including summer or at camps or clinics.
3. Played sports for a coach from the student's former school that now coaches at our school.
4. Receive instruction by one of our coaches who was or is a personal trainer or strength/conditioning coach.

#### The Athletic Related Transfer Rule:

- A. Is activated after a student enters the 9<sup>th</sup> grade and plays in an MHSAA contest or scrimmage.
- B. Is sport specific: Except for contact with a strength or conditioning coach (# 4 above), only that sport involved in the link impacts eligibility for 180 days in that sport at the new school. Boys and girls sports and varsity and sub varsity levels are the same for the purpose of this rule (basketball, soccer, track & field, cross country, swimming & diving, bowling, lacrosse, tennis, golf).
- C. Does not apply to students who meet an exception to the sit out period, for example: full and complete residential changes somewhat simultaneous with enrollment, moving between divorced parents and completing an ETF, former school closed, etc. **Unless there is recruiting, these students would be eligible immediately even if a link is present.**

#### Implementation of the Athletic Related Transfer Rule:

1. **ADs are to complete a New Student Transfer Information Form for each new student-athlete and exchange with the former school AD to check for the existence of past links.**
2. New students who plan to change schools over the summer and participate in summer activities with players and coaches from the new school must be registered to enroll at the new school prior to these activities or they will be considered to have a past link to the new school (# 2 above). These students would be ineligible for 180 scheduled school days. **Only allow students who are officially signed up to attend your school to be involved with players and coaches from your school in summer activities.**
3. If a coach with a past link to a transfer student is hired after a student has transferred or the discovery of a past link is made after a student participates in a scrimmage or game or if other compelling circumstances exist the new school may petition the MHSAA Executive Director for eligibility and the determination of forfeiture. It could be the same period as the transfer rule, half a year, the full 180 days or 180 days from discovery of the past link.

**Continued:**

## MHSAA 2018-19 Handbook –Regulation I, Section 9 (F)

### The Athletic Related Transfer Regulation

Section 9 (F) - A student who changes schools and is ineligible under Section 9(A) and applicable interpretations is ineligible to compete in the sport involved for 180 scheduled school days to participate in an interscholastic scrimmage or contest for the high school to which that student transferred if any one of the following circumstances existed during the previous 12 months:

1. That student participated at an open gym at that high school to which the student has transferred.
2. That student participated as an individual or on a non-school team or activity coached, coordinated or directed by any of that high school's parents (former or current) or administrators or by any of its coaches in the sport involved for either gender, including contact permitted under Regulation II, Section 11(H) 2 b (summer days of competition) or at camps or clinics.
3. A transfer student's participation in otherwise allowed out-of-season or summer activity with staff (coaches or administrators) of the new school, prior to being on the written or electronic records of the school that the student transfers into would cause the student to be ineligible for 180 school days in that sport. A new student's enrollment information must be on file in the offices of the superintendent or principal or athletic director prior to participation in otherwise allowed out-of-season or summer activity.
4. One of that high school's coaches served as a personal sport trainer, conditioner or instructor (paid or volunteer) for that student. Note: The 180 days of ineligibility will apply to all sports a student previously participated in when transferring into a school where a non-sport-specific instructor (strength and conditioning coach) is on staff.
5. That student transfers to a school where the coach of his/her previous high school is employed (any level, paid or volunteer), even if the transfer of the student precedes the hiring of the coach.

This Section 9(F) applies only to students who have participated in an interscholastic scrimmage or contest on any interscholastic team of the previous high school of enrollment and only in the sport or sports in Items 1 through 4 above. Even if the student's circumstances subsequently satisfy one of the exceptions of Section 9(A) that would normally allow a transfer student immediate eligibility, the student shall remain ineligible for 180 scheduled school days at this MHSAA member school in the sport(s) involved. Eligibility in the specific sport begins on the first calendar day following the 180<sup>th</sup> scheduled school day.

A student's new school may petition the MHSAA executive director for eligibility as under Section 9(D) when an adult described in No. 2, 3, 4 or 5 becomes a school coach at the new school AFTER a student has enrolled or under compelling circumstances. The school must provide the basis for the request with sufficient documentation to make a decision. The executive director will make eligibility determinations on a case-by-case basis as to the student's period of ineligibility and possible forfeitures. The student's period of ineligibility could be as under Section 9(D) or 180 scheduled school days from the point of discovery or 180 scheduled school days from the date of enrollment.



## MHSAA ATHLETIC MOTIVATED TRANSFER RULE 2017-18

**Summary - Athletic Motivated Transfers** – After starting the 9<sup>th</sup> grade, a transfer student who has played high school sports and who does not meet one of the 15 exceptions may be declared ineligible in all sports for 180 school days if the transfer is primarily for athletic purposes. **The former school must make an allegation** with additional proofs to the MHSAA Executive Director **within 40 calendar days** of the student's enrollment (first day of class) in the new school. An Athletic Motivated Transfer is defined as but not limited to the following (see the MHSAA *Handbook* for specific language): The student or parent is dissatisfied or has a conflict with playing time, team position, philosophy relating to sports, etc. The student seeks to nullify actions by the former school relating to discipline or eligibility. The student or parent seeks to play on a less successful team to rank higher among players on that team or a more successful team to gain exposure to higher competition and/or college scouts. The student seeks to participate with teammates or coaches with which the student had participated with previously. The MHSAA will not be involved in investigating or mediating athletic motivated transfer issues between member schools of the same school district or when one school releases the student to another district.

### **MHSAA 2018-19 Handbook –Regulation I, Section 9 (E) The Athletic Motivated Transfer Regulation**

When the administration of the school from which a student who is ineligible under 9 (A) and applicable interpretations has transferred, alleges that the motivation for the transfer is primarily for athletic reasons, the granting of eligibility as in Section 9(D) is not automatic. The burden of proof will be for the administration of the accusing school to demonstrate to the MHSAA Executive Director or designee that the transfer has more to do with inter scholastic athletics than with other compelling factors. A transfer for athletic reasons is defined as, but not limited to:

1. The student, or a parent or guardian, or an adult with whom the student resides, is dissatisfied with the student's position or the amount of playing time which he/she receives;
2. The student, or a parent or guardian, or an adult with whom the student resides, has a problem with a coach at either a personal or professional level;
3. The student, or parent or guardian, or an adult with whom the student resides, seeks relief from conflict with the philosophy or action of an administrator, teacher or coach relating to sports;
4. The student, or parent or guardian, or an adult with whom the student resides, seeks to nullify punitive action by the previous school, relating to sports eligibility;
5. The student, or a parent or guardian, or an adult with whom the student resides, desires that the student play on a less successful or lower profile team in order to be ranked higher among the players on that team;
6. The student, or a parent or guardian, or an adult with whom the student resides, desires that the student play on a more successful or higher profile team to gain a higher level of competition and/or more exposure to college scouts.
7. The student seeks to participate with a teammate or teammates or coach or coaches with whom he/she participated in non-school competition during the preceding 12 months.

A challenge that a transfer is athletically motivated must be received by the MHSAA Executive Director in writing with initial proofs within 40 consecutive calendar days of the student's new enrollment (See Interpretation 3). Notification of the challenge will be made to the school that the student is currently attending so the receiving school has the opportunity to respond and to have input into the determination by the Executive Director.

An ineligible transfer student who is confirmed to have transferred for athletic reasons is ineligible for 180 scheduled school days to participate in an interscholastic contest for the school to which the student transfers.

Even if the student's circumstances subsequently satisfy one of the exceptions of Section 9(A) that would normally allow a transfer student immediate eligibility, the student shall remain ineligible for 180 scheduled school days at this or any other MHSAA member school. Eligibility begins on the first calendar day following the 180<sup>th</sup> scheduled school day. If undue influence is alleged, Section 10 applies. (See Interpretation 2d.). Note: The MHSAA will not be involved in investigating or mediating athletic motivated transfer issues between member schools of the same school district or when one school releases the student to another district.

## **SUMMARY OF SPORT-SPECIFIC TRANSFER RULE**

A “sport-specific” transfer rule proposal has been adopted by the MHSAA Representative Council for 2019-20. It has two major components:

1. More Lenient –

Students in grades 9 through 12 who have not participated in an interscholastic scrimmage or contest on a school-sponsored team in Michigan or elsewhere in an MHSAA sport one season may transfer from one school to another with no delay in eligibility at any level in that sport the next season. No MHSAA action is required.

2. More Restrictive –

Unless one of the 15 stated Exceptions applies, students in grades 9 through 12 who have participated in an interscholastic scrimmage or contest in an MHSAA sport on a school-sponsored team in Michigan or elsewhere during the previous season for a sport, and then transfer to an MHSAA member school, are ineligible at all levels of that sport at that school through the next complete season in that sport, including the MHSAA tournament.

Students who transfer during a season in which they are participating, and do not meet one of the 15 stated Exceptions, are ineligible at all levels of that sport for the remainder of that season, including the MHSAA tournament; and they remain ineligible at all levels of that sport through the next complete season in that sport, including the MHSAA tournament.

The revised rule means a transfer student has . . .

- **immediate eligibility** in a sport **not played** the previous season for that sport  
and (unless one of the 15 Exceptions applies)
- **no eligibility** for the upcoming season in a sport actually **played** the previous season in that sport (participated in an interscholastic scrimmage or contest).

If the administration of the student’s new school requests in writing on a timely basis, the MHSAA Executive Committee **may** approve a waiver that reduces the period of ineligibility to 90 scheduled school days at the new school. The Executive Committee also has authority to approve immediate eligibility.

The effective date is Aug. 1, 2018, with implementation felt during the 2019-20 school year. **That is, what students do during the 2018-19 school year will determine their eligibility for 2019-20 should they transfer schools and not meet one of the 15 stated exceptions.**

**For more information on the New Sport Specific Transfer Regulation See MHSAA.com Click on schools, then click on administrators or parents, or coaches. See the Regulations Summary on the right. *Sport Specific Transfer Regulation.***