

NYPHSAA TRANSFER RULES

NOTE: The Transfer Rule will be enforced as written with no variations permitted.

NOTE: A student's eligibility is determined by the situation/ facts at the time of registration.

- a. A student in grades 9-12 who transfers, with a corresponding change in residence of his/her parents (or other persons with whom the student has resided for at least six months) shall become eligible after starting regular attendance in the second school. A residence change must involve a move from one school district to another. Furthermore, when a student moves from public school district to another public-school district for athletic eligibility the student must enroll in the public school district or in a private school within that district's boundaries of his/her parent's residency. For athletic eligibility, a residency is changed when one is abandoned by the immediate family and another residency is established through action and intent. Residency requires one's physical presence as an inhabitant and the intent to remain indefinitely. The Superintendent, or designee, will determine if the student has met district residency requirements.

- b. A student who transfers without a corresponding change in residence of his/her parents (or other persons with whom the student has resided for at least six months prior) is **ineligible to participate at the varsity level** in any interscholastic athletic contest in a particular sport for a period of one (1) year if as a 9-12 student participated in that sport during the one (1) year period immediately preceding his/her transfer. A student's period of ineligibility begins with the date of registration at the student's new school. (May 2020) **NOTE:** Students in grades 7-10, shall be eligible to participate at the sub-varsity level and practice at all levels, while students in grades 11-12 shall be limited to practice (all levels) only. (July 2019). At no time during the one-year period of ineligibility at the varsity level should a student participate in a scrimmage or be an exhibition participant at the varsity level.

Students who transfer from any school to the public-school district of the residence of his/her parents (or other persons whom the student has resided for at least six months) or a private school within that district's boundaries shall receive a waiver from the Transfer Rule. Such a transfer without penalty will only be permitted once in a high school career. **Schools must submit the required transfer form to the Section office. Athletes are not permitted to practice before the form has been submitted. Athletes are not permitted to compete without approval.** **NOTE:** A student in a foreign exchange program listed by CSIET has a one-year waiver of the Transfer Rule. If such a student elects to stay a second year he/she becomes a foreign student at the start of the school year with item (b) in effect.

Exemptions to (b):

For athletic eligibility, a student must enroll in the public-school district or in a nonpublic school within that district's boundaries of his/her parent's residency. Note: Multiple High School Districts - The policies/boundaries of the school district will be followed. If the district has an open enrollment policy, the interpretation to be used will be the same as used for students of K-8 school districts. When a student enrolls in 9th grade, this is the district (building) of their residence. Any subsequent transfer would be subject to the Transfer Rule.

1. The student reaches the age of majority and established residency in a district and can substantiate that they are independent and self-supporting.
2. If a private or parochial school ceases to operate a student may transfer to another private or parochial school of his/her choice. Otherwise, a student must enroll in the public-school district of his/her parents' residency.
3. A student who is a ward of the court or state and is placed in a district by court order. Guardianship does not fulfill this requirement.
4. A student from divorced or "legally" separated parents who moves into a new school district with one of the aforementioned parents. Such a transfer is allowed once every six months. The

legal separation agreement must address custody, child support, spouses support and distribution of assets and be filed with the County Clerk or issued by a Judge.

5. A student who is declared homeless by the superintendent pursuant to Commissioner's Regulation 100.2.
6. A student of a military employee who is transferred to an active military base may enroll in the non-public school closest to their residence and maintain eligibility if the student enrolls in a non-public school immediately following the change in residence.

NOTE: It is provided, however, that each school shall have the opportunity to petition the section involved to approve transfer without penalty based on an undue hardship for the student. Educational Waivers will not be considered as an undue hardship.

- c. Transfer students trying out for sports before school opens in the fall shall register and be accepted by the principal of that school before the medical examination and the first practice. This shall constitute the start of the regular attendance for falls sports. NOTE: After approval by the school medical officer a student may practice immediately and must satisfy the specific sports standard according to the number of practice sessions.
- d. Practices at the previous school may be counted toward the minimum number of practices required provided the principal or athletic director of the previous school submits, in writing, the number and dates of such practices to the principal or athletic director of the new school.
- e. 7th and 8th graders that compete at the high school level will be subject to the transfer rule in “that” sport (July 2015).

Transfer Appeal Guidelines:

Financial - Appeals require documented proof of a significant loss of income or a significant increase in expenses.

- Written description outlining the circumstances that led to the financial hardship
- Appropriate documentation may include:
 - Evidence of loss income or change in financial obligation that are not self- imposed.
 - Family W2 forms – pay stubs
 - Notarized statement from parent
 - Statement from employer or professional with knowledge of circumstances
 - Most recent tax returns– two years

Health and Safety - Appeals are considered for safety, mental health, personal relationships and other similar circumstances.

- Written documentation is required from Superintendent of Schools or High School Principal of the sending school indicating the specific circumstances which necessitated the transfer.
- Supporting documentation from a third party outside of the school may be submitted (ex. police report)