

**Section IX Athletic Council
N.Y.S.P.H.S.A.A.**



N.Y.S.P.H.S.A.A. Section IX Eligibility Committee

Mr. Thomas Cassata, Chairperson

**Red Hook High School
103 West Market St.
Red Hook, NY 12571**

Phone: (845) 758-2241 ext. 18800 Fax: (845) 758-9444

Members

Phone Number

Tom Cassata

758-2241 Ext. 18800

From NYSPHSAA Handbook:

31. TRANSFER:

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 CSJET 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)

Transfer – NYSPHSAA

- Your school's guidance department should notify you that there is a new student in the district and fill out the Transfer Student Information form.
- If you are satisfied that the student transferred into the district meeting the criteria in Standard 30a. or that the student did not participate in a particular sport during the one (1) year period immediately proceeding his/her transfer (standard 30b.) or that the student meets one of the six exemptions to (b) and that student meets all other Eligibility Standards, you may determine the student is eligible.
- If you determine that the student does not meet the above criteria for Standard 31, you must fill out the Request for Waiver of NYSPHSAA Standard #31 – Transfer. Please mail or fax to Tom Cassata, Chairperson.
 1. Upon receipt of this request (page one only) Section IX will grant a waiver of the transfer rule for any student athlete transferring to his/her public school district of residency or a private school within that district's boundaries from any school. The waiver will be granted only one time per athlete.
 2. Upon receipt of this request (page one only) Section IX will grant a waiver of the transfer rule for any student who will play at the JV level only for one year from the date of transfer.
 3. If this form is to request a transfer without penalty based on an undue hardship for the student (Standard 31b. – Note: be sure to attach all three pages and supporting material documenting the undue hardship. The Eligibility Committee will render a decision at the next Section IX meeting.

REMINDER: TO ALL CONCERNED

The transfer rule is still in effect and without a waiver an athlete for which the rule applies remains ineligible. Schools using ineligible athletes are subject to the forfeit penalty, which cannot be made retroactive. Athletic Directors are urged to set up a system to track all transfer students.

Duration of Competition Extensions (Standard 8i)

Review NYSPHSAA Standard 8. Duration of Competition.

Review the details with the student and parent(s) and obtain documentation that the pupil's failure to enter competition during one or more seasons of a sport was caused by illness, accident, or similar circumstances beyond the control of the student (Standard 8i). Determine that the student meets other Eligibility Standards (age etc.)

Fill out Duration of Competition Extension Application (Standard 8i) and attach supporting material and documentation. Please mail or fax to Thomas Cassata, Chairman. The Eligibility Committee will render a decision at the next Section IX meeting.

TO BE USED BY GUIDANCE OFFICES FOR ALL
TRANSFERS AND FORWARDED TO
ATHLETIC DIRECTORS

TRANSFER STUDENT INFORMATION

All transfers in grades 9-12 must complete this form. Upon completion, forward to the Athletic Office.

Student's Name _____ Date of Birth _____
Date of transfer _____ Grade level _____
Current Address _____

Date of entrance into the ninth grade _____

Parents' Names _____

Current Address (es) _____

Telephone Numbers _____

How long has student resided at the current address? _____

With whom is student residing? _____

Relationship of this (these) person(s)? _____

Reason for transfer _____

Student's previous address _____

How long did student reside at previous address? _____

With whom did student reside at previous address? _____

Relationship of this (these) person(s)? _____

PREVIOUS SCHOOL _____

Previous School Address _____

Date of entry into previous school _____

Did student participate in interscholastic athletics at previous school?

YES NO

If Yes, please complete Sport History page.

REQUEST FOR WAIVER OF
NYSPHSAA ELIGIBILITY STANDARD #31 – TRANSFER

INCOMPLETE OR PARTIAL FORMS WILL NOT BE ACCEPTED

All three pages MUST be completed in order for a request to be considered for transfer public to private or private to private.

Only this page needs to be completed private to public returning to his/her school district of residency.

PAGE ONE TO BE COMPLETED BY STUDENT’S PRESENT SCHOOL

School submitting request _____
Student’s Name _____ Date of Birth _____
Date of Transfer _____ Grade Level _____
Current Address _____

Parent’s Names _____
Current Address(es) _____

Telephone Number(s) _____
How long has student resided at the current address? _____
With whom is student residing? _____
Relationship of this (these) person(s) _____
Reason for transfer _____
(Attach supporting material and documentation.)
Previous School/Address _____

TO BE SIGNED BY SCHOOL ADMINISTRATORS OF SCHOOL WHERE STUDENT IS CURRENTLY ENROLLED AFTER RECEIPT OF PAGES TWO AND THREE FROM THE SCHOOL STUDENT PREVIOUSLY ATTENDED:

The undersigned hereby certify that the student named herein has transferred to his/her present school without inducement, recruitment or having sought an athletic advantage.

Superintendent’s Signature _____ Date _____

Principal’s Signature _____ Date _____

Athletic Director’s Signature _____ Date _____

APPROVED Signature _____ Date _____

DISAPPROVED Thomas Cassata
Section IX Eligibility Chairperson

REFERRED TO ELIGIBILITY COMMITTEE

PAGE TWO TO BE COMPLETED BY SCHOOL STUDENT PREVIOUSLY ATTENDED AND RETURNED TO STUDENT'S PRESENT SCHOOL

Name of Student _____

Name of School Student Attended Prior to Transfer _____

Address of School _____

Date of entrance to this school _____

Date of entrance into the ninth grade _____

Date of withdrawal from this school _____

Reason for withdrawal _____

Student's address while attending the above school _____

With whom did student reside at this address? _____

Relationship of this (these) person(s)? _____

Did student participate in interscholastic athletics at previous school? Yes _____ No _____

If Yes, please complete Sport History page three.

The undersigned have no knowledge that the student named herein has transferred to his/her present school with inducement, recruitment or having sought an athletic advantage.

Superintendent's Signature _____ Date _____

Principal's Signature _____ Date _____

Athletic Director's Signature _____ Date _____

If unsigned, please state reason(s) _____

PAGE THREE
TRANSFER STUDENT SPORT HISTORY

Student Name

School

	<u>YEAR</u>	<u>SPORT</u>	<u>LEVEL</u>	<u>SCHOOL</u>
9 th Grade	_____	_____	_____	_____
		_____	_____	_____
		_____	_____	_____
10 th Grade	_____	_____	_____	_____
		_____	_____	_____
		_____	_____	_____
11 th Grade	_____	_____	_____	_____
		_____	_____	_____
		_____	_____	_____
12 th Grade	_____	_____	_____	_____
		_____	_____	_____
		_____	_____	_____

Athletic Director Signature

Date

NEW YORK STATE PUBLIC HIGH SCHOOL
ATHLETIC ASSOCIATION, INC.

SECTION NINE
DURATION OF COMPETITION
EXTENSION APPLICATION (Standard 8i)
TO BE FORWARDED TO ELIGIBILITY COMMITTEE

I. Personal Data

Pupil Name: _____ Telephone #: _____
Address: _____ Zip Code: _____
Age: _____ Date of Birth: _____
School: _____
School Telephone #: _____
Seasons and Sports Requested: _____
Pupil's Athletic History:

Sport	No. of Seasons Participated	School Years
_____	_____	_____
_____	_____	_____
_____	_____	_____

II. Date of Entry (Beginning of Sport Participation in High School Level of Competition). Attach Transcript

A. Date of entry into ninth grade: _____
Month Day Year

B. Date of entry into eighth grade: _____
Month Day Year

C. Date of entry into seventh grade: _____
Month Day Year

III. Reason for Request for Extension

Describe the reason for requesting an extension for duration of Competition as it relates to the appropriate circumstance and attach supporting documents providing such evidence. The evidence must include documentation showing that as a direct result of the illness, accident, or similar circumstance, the pupil will be required to attend school for one or more additional semesters in order to graduate.

A. Illness:

B. Accident:

C. Other Circumstances:

Superintendent's Signature: _____ Date: _____

Principal's Signature: _____ Date: _____

Athletic Director's Signature: _____ Date: _____

Parent's Signature: _____ Date: _____

APPROVED

Signature: _____ Date: _____

Thomas Cassata, Eligibility Chairperson

DISAPPROVED