



CIF/CENTRAL COAST SECTION

6830 Via Del Oro, Suite 103
San Jose CA 95119
408-224-2994 / 408-224-0476 (FAX)
www.cifccs.org

TO: CCS EXECUTIVE COMMITTEE
ADAC
LEAGUE COMMISSIONERS
CCS BOARD OF MANAGERS

1st reading
January 25, 2012

FROM: CCS COMMISSIONER, Nancy Lazenby Blaser

Action anticipated
May 2, 2012

DATE: DECEMBER 15, 2011

Implementation
Fall 2012

SUBJECT: CIF-reorganization of Article 20
CIF-Change of Choice of schools following Valid change of Residence
CIF-Change in Transfer Rule

Attached you will find three proposals for CIF rule changes on which we need to take action.

1. **CIF, Article 20, Bylaws 200-210**—No substantive changes are contained in this proposal. It includes some new language that is reflective of current practices and interpretations, and some movement of items to new bylaw locations, but no substantive changes. See Attached
2. **CIF 206**—Choice of Schools Following Valid Change of Residence: There are three competing proposals on this issue. See Attached
206-1 Makes the choice of schools the same for public and private schools by making less restrictions on choice than the current bylaw has.
206-2 Makes the choice of schools the same for public and private schools by placing more restrictions on choice than the current bylaw has.
206-3 Status quo—leave the current rule as it is.
3. **CIF 207/208/209/510**—Substantive changes in the way that transfer students become eligible.
This moves all of 209.B (foreign transfers not in a program) into 207 so they are treated just like domestic transfers.
Keeps Limited and Unlimited eligibility as currently written and defined in the rule.
Changes exceptions to the Limited Eligibility transfers--
 - A. Hardships are more narrowly defined and limited to documentable hardship exceptions
 - B. Remove 1 easy move for sophomores
 - C. Allow students who do not meet the more narrow hardship definition to play at the varsity level after a pre-prescribed date establishing a consistent Sit Out Period. Such students would be allowed to play approximately the last 6 weeks of each season.

200—Philosophy and Rules References--no substantive changes

201—Standards of Enrollment-new language reflecting current practice and interpretation of standards of enrollment

202—Accurate Information-no changes

203—Age Requirement-no changes

204—8 Semester—no substantive changes

205—Scholastic Eligibility-no substantive changes

206-Valid Change of Residence—Substantive Changes in Choice of Schools following a valid change of residence:

206-1 PROPOSAL

This proposed language change gives the student more options of school choice after a valid change of residence. This language attempts to treat all schools the same and is less restrictive than the current language.

RATIONALE: If a student can choose to go to any private school after a valid change of residence, why do we limit which public schools they can attend? If a public school district allows a student to enroll in a school other than the school into whose attendance area the family moved, why does the CIF try to restrict this?

- (i) **student enrolls, attends, and/or is carried on the attendance roll at the new public school (School B) into whose attendance area the family moved, or another public school in accordance with the district(s) policies or a private school or a charter school; AND**

206-2 PROPOSAL

This proposed language change is more restrictive and 206-1 AND more restrictive than the current language. This language attempts to treat all school the same, but is more restrictive in limiting the choice of private schools as it does for public and charter schools.

RATIONALE: Student should only be eligible in the public school into whose attendance area they move. This restricts which private school(s) in which they can enroll; also restricts which charter schools in which they can enroll and gain athletic eligibility after a valid change of residence.

- (i) **student enrolls, attends, and/or is carried on the attendance roll at the new public school (School B) into whose attendance area the family moved or a private school closer geographically to the new family residence than any other private school or a charter school within the boundaries of School B's attendance area; AND**

206-3 PROPOSAL

CURRENT BYLAW with expanded language

This proposal reflects the current bylaws but adds and changes some words to fit in with the "rewrite" and "reorganization: of Article 20.

- (i) Student enrolls, attends, and/or is carried on the attendance roll at the new public school (School B) into whose attendance area the family moved or a private school or a charter school within the boundaries of School B's attendance area;, AND

=====**end of 206 Choice of Schools following valid move**=====

OVERVIEW OF PROPOSAL FOR SUBSTANTIVE CHANGE TO TRANSFER STUDENT ELIGIBILITY DETERMINATIONS

Overview of Sit Out Period (SOP) for Transfer Students

- A transfer student is one who changes schools, but the family does not make a valid change of address (no change)
- All transfer students must complete CIF Forms 207/510 (no change).
- Student must be academically eligible at the time of transfer. If not, student cannot be deemed eligible until the first full grading period at the new school. (no change)
- Transfer students will be deemed ineligible if they are transferring due to a discipline issue at their prior school (Bylaw 210). (No change)
- The principal and athletic director of both schools must attest in writing that the move was not in violation of Undue Influence (CIF Bylaw 510). This will be as it is now done on Form 510. (no change)
- Student cannot transfer to a school where their former coach has relocated or where a club coach with whom they have been associated, is coaching. This is Bylaw 207. C (3) and (4). (no change)
- A student could be made eligible by a section commissioner quickly and easily in any sport that they did not compete in the prior 12 months.
- Upon transfer to new school and written approval, a student may be determined to be eligible by a section commissioner quickly and easily at the sub-varsity level, in a sport that they have played in the previous 12 months. A student who is granted eligibility under this provision at the lower level in such a sport cannot compete at the varsity level in that sport for the duration of that sport season, including section and state playoffs.
- Student may be deemed eligible for unlimited varsity eligibility in all sports by a section commissioner ONLY if the student meets one of the following hardship criteria:
 1. Court Ordered Transfers
 2. Children of Divorced Parents (eligible in the attendance area of the parent's domicile where they are residing).
 3. Individual Student Safety Incidents (must be documented with the school and/or police).
 4. Return to Previous School (no change).
 5. Foster Children (no change).
 6. Military Service (no change).
 7. Married Status (no change).
 8. Board of Education Ruling (no change)

- All other transfer students who don't qualify for an exception under the hardship criteria above, but want to play varsity) will have a Sit Out Period (SOP) for any sport that they have played in the previous 12 months. They will become eligible for competition on the following days for the next two years:

Fall: Monday of NFHS Week 14
2012-October 1, 2012
2013-October 6, 2013

Winter: Monday of NFJS Week 27
2012-December 31, 2013
2013-January 6, 2014

Spring: Monday of NFHS Week 40
2012-April 1, 2013
2013-April 7, 2014

- Students who transfer into a school after the first game will have their SOP period determined by the Section Commissioner so that it is equivalent to the SOP of other students who transferred before the first game.
- The Section Commissioner/staff will meet with school officials if their school has three or more transfers for a given sport in the same school year to discuss and the review their transfer guidelines.
- Appeals: The only appeal will be in regard to a finding by the Section Commissioner that the student was in violation of CIF Bylaw 207 C (following a coach) or 510 (undue influence). There are no appeals in regard to the Sit Out Period (SOP)
- Hardships are not appealable other than in these two categories because all the hardship conditions are factual documentable circumstances. Either the student and their family are able to document the hardship to meet on of these three criteria or they do not.

207/208/510 b LIMITED AND UNLIMITED

PROPOSAL FOR CHANGE

OUTLINE: 207

A. DETERMINATION OF TRANSFER STUDENT STATUS-STANDARDS OF ENROLLMENT
(SEE ALSO 201.A.3.)

B. CIF TRANSFER RULE

1. Mandatory Applications for Eligibility Determination
2. Pre-enrollment Disclosure requirements
3. Transfers to a CIF member school from within the U.S.-Domestic Transfers
4. Transfers to a CIF member school from outside the US not in approved program –Foreign

Transfers

5 APPLICATIONS FOR TRANSFER ELIGIBILITY DETERMINATIONS AND EXCEPTIONS

(a) LIMITED ELIGIBILITY APPLICATIONS

- (1) academically eligible
- (2) not athletically motivated –new 510(b) language
- (3) not disciplinary
- (4) not following coach
- (5) can't play same sport at two schools
- (6) complete form
- (7) can't play JV and later play varsity

(b) VARSITY ELIGIBILITY APPLICATIONS-(Non-Hardship)-SIT OUT PERIOD

- (1) Academically eligible
- (2) not athletically motivated–new 510(b) language
- (3) not disciplinary
- (4) not following coach
- (5) can't play same sport at two schools
- (6) has not played jv
- (7) Sit Out Periods established

(c) UNLIMITED HARDSHIP ELIGIBILITY APPLCIATIONS-NO SIT OUT--HARDSHIP

- (1) academically eligible
- (2) not athletically motivated|
- (3) not disciplinary
- (4) not following coach
- (5) can't play same sport at two school
- (6) has not played jv
- (7) documentation provided
- (8) received and approved

REMOVE CURRENT e.

KEEP CURRENT POLICIES AS FOLLOWS:

(d) RETURN TO PREVIOUS SCHOOL

(e) FOSTER CHILDREN

(f) MILITARY SERVICE

(g) MARRIED STATUS

(h) BOARD OF EDUCATION RULING

C. PRE-ENROLLMENT COMMUNICATION OR CONTACT—KEEP-NO CHANGES

D. APPEALS—CHANGE—LIMITED APPEALS

207 TRANSFER ELIGIBILITY

A. DETERMINATION OF TRANSFER STUDENT STATUS-STANDARDS OF ENROLLMENT (SEE ALSO 201.A.3.)

B. CIF TRANSFER RULE

All students transferring at any time during their enrollment in high school, to a CIF member school

1. **MANDATORY APPLICATIONS FOR ELIGIBILITY DETERMINATION**
2. **PRE-ENROLLMENT DISCLOSURE REQUIREMENTS (Please see also 201.A.1 & 4 and 510)**
3. **TRANSFERS TO A CIF-MEMBER SCHOOL (described as New School or School B) FROM SCHOOLS (described as Former School or School A) LOCATED IN THE UNITED STATES, A U.S. TERRITORY, CANADA OR A U.S. MILITARY BASE**
4. **FOREIGN TRANSFERS NOT IN A CIF-APPROVED FOREIGN EXCHANGE PROGRAM**

NEW

Limited and

Hardship Rules

follow

5. **APPLICATIONS FOR AN EXCEPTION TO WAIVER OF TRANSFER ELIGIBILITY LIMITATIONS DETERMINATIONS AND EXCEPTIONS**
The CIF recognizes that, in certain circumstances, students may transfer from one school to another due to a compelling hardship need or situation that is beyond a student's or their family's control. In response to such cases, the CIF allows for the CIF/Section to make an exception to the limited eligibility status of a student when the case meets one of the three hardship circumstances outlined in CIF Bylaw 208. Note-Foreign Transfers: Foreign Transfers as described in 207.A.4 above are subject to all provisions of 207.A.5 that follows except that whenever there is a reference to "sports in which the student has participated at their previous school" foreign students shall read "sports in which the student has participated at their previous school OR ON ANY CLUB TEAM."

**Students May
 play sub-varsity
 upon submission
 & approval of a
 simple form**

a. **LIMITED ELIGIBILITY APPLICATIONS**

Any student who submits a limited eligibility application to their respective CIF/Section may be made eligible to play at the sub-varsity level in any sports in which they have participated at any previous school in the twelve months prior to this transfer under the following conditions:

**no athletic
 reasons**

- (1) The student was academically eligible at the time of transfer from the former school. Students who are academically ineligible at their previous school will not be eligible to compete at their new school until the requirements in Bylaw 205 are met and the new school has completed a grading period to verify that the student has met the CIF and school district academic eligibility requirements. A student cannot be placed on probation at the new school to fulfill this requirement; AND

**not
 disciplinary**

- (2) The principal of the former school attests in writing that the move was not made in violation of CIF Bylaw 510 (b); AND

**not following
 coach**

- (3) The student is not transferring either voluntarily or because their former school has determined they must withdraw, because of a disciplinary infraction at the former school as defined in CIF Bylaw 210.C(1); AND
- (4) The student is not found by the CIF/Section to have transferred to a school where their former high school coach has relocated or where a club coach, with whom they have been associated, is coaching per CIF Bylaw 207.C. (3) or (4); AND

**no same sport
 in 2 schools**

- (5) No student shall be eligible to participate in the same sport at two different schools in the same school year; AND

**completed
 application
 received
 & approved**

- (6) A completed 207/510 Limited Transfer Application is received by the respective CIF/Section office and has been processed and approved; AND

**when
 eligible**

- (7) The student who is approved by their respective CIF/Section office and competes in a contest at the sub-varsity level following such approval and before the Sit Out Period (SOP) dates described in b.(6) I, ii and iii below, is ineligible for and may not compete at the **varsity** level in that sport for the remainder of that school year. This applies through the end of any Section, Regional or State championship finals in that sport.

**Sit Out
Period
Provision**

b. **VARSITY ELIGIBILITY APPLICATIONS-(Non-Hardship-Sit Out Period)**

Any student who transfers and whose circumstances causing the transfer do not meet any of the Hardship Exceptions outlined in c.5. below, may become eligible for varsity competition for the sport(s) in which they competed in the last twelve months at the former school or any other school, upon submission, review and approval by their respective CIF/Section under the following provisions

**(1)-(5)
Same as
above**

- (1) The student was academically eligible at the time of transfer from the former school; AND
- (2) The principal of the former school attests in writing that the move was not the move was not made in violation of CIF Bylaw 510 (b); AND
- (3) The student is not transferring either voluntarily or because their former school has determined they must withdraw, because of a disciplinary infraction at the former school as defined in CIF Bylaw 210.C(1); AND
- (4) The student is not found by the CIF/Section to have transferred to a school where their former high school coach has relocated or where a club coach, with whom they have been associated, is coaching per CIF Bylaw 207.C. (3) or (4); AND
- (5) No student shall be eligible to participate in the same sport at two different schools in the same school year; AND

**student
can't play
JV before**

- (6) The student has not competed at the new school at the sub-varsity level in that sport following the transfer during the current school year; AND

**sit out
dates**

- (7) The student shall remain out of any competition at any level in each sport in which they competed in the last twelve months at the former school or any other school in accordance with the following Sit Out Periods (SOP):
 - i Fall Sports: The Monday of the NFHS week 14
2012: October 1
2013: October 6
 - ii Winter Sports: The Monday of the NFHS week 27
2012: December 31
2013: January 6
 - iii Spring Sports: The Monday of the NFHS week 40
2013: April 1
2014: April 7
 - iv The student who transfers to a school after school B's first game will have a SOP equivalent to the SOP of all other students who transferred before the season started. The respective CIF/Section Office will provide the actual date once the proper forms are received, reviewed and approved.

c. **UNLIMITED ELIGIBILITY APPLICATIONS**

~~Waivers of~~ **Exceptions to** the determination of limited eligibility under 207. B (application for unlimited residential eligibility in all sports) may be applied for by the new school (CIF Form 207/510) on behalf of the student. Consideration for unlimited residential eligibility will be given by the respective CIF/Section upon review of the application ONLY under the following provisions.

**(1)-(5)
Same as
above**

- (1) The student was scholastically eligible at the time of transfer from the former school. Students who are scholastically ineligible at their previous school will not be eligible to compete at their new school until the requirements in Bylaw 205 are met and the new school has completed a grading period to verify that the student has met the CIF and school district scholastic eligibility requirements. A student cannot be placed on probation at the new school to fulfill this requirement; AND
- (2) The student is NOT transferring, either voluntarily or because their former school has determined they must withdraw, because of a disciplinary infraction at the former school as defined in CIF Bylaw 210.C(1); AND
- (3) The student is not found by the CIF/Section to have transferred to a school where their former high school coach has relocated or where a club coach, with whom they have been associated, is coaching per CIF Bylaw 207.C. (3)

or (4); AND

- (4) The student has not competed at the new school at the sub-varsity level in that sport at any time following the transfer to the new school; (students who chose to play at the sub-varsity level under the provisions outlined in 5.a **LIMITED ELIGIBILITY APPLICATIONS**. above may not subsequently be granted unlimited eligibility for that same sport during the same season at the new school); AND
- (5) No student shall be eligible to participate in the same sport at two different schools in the same school year; AND
- (6) A completed 207 Unlimited Transfer Application and documentation required by the CIF/Section is received by the respective CIF/Section office and has been processed, reviewed and approved; AND
- (7) One of the following three hardship circumstances are documented to the satisfaction of the respective CIF/Section

NEW (a) - (c)
ONLY 3 specific
hardship
circumstances
(replace 208)

(a) **Court Ordered Transfers:**

Unlimited eligibility may be granted by the CIF/Section in which the student's new school is located in cases where a student is residentially placed from one school attendance area to the attendance area of the new school by a court order or a child protection order and all provisions listed above in c. 1-6 are met. The student may be determined to have unlimited residential eligibility upon receipt of the 207/510 application and sufficient documentation (including but not limited to a copy of the court order) to satisfy that CIF/Section Commissioner that the circumstances meet this criteria. The student will become eligible for varsity competition upon notification to the new school of the approval of such an application by the CIF/Section.

(b) **Children of Divorced Parents:**

Unlimited eligibility may be granted by the CIF/Section in which the student's new school is located when a student changes residence from one parent's domicile to the other parent's domicile as a result of a court-ordered custody change, or joint custody agreements and all provisions listed above in c. 1-6 are met. The student may be determined to have unlimited residential eligibility upon receipt of the 207/510 application and sufficient documentation (including but not limited to a copy of the divorce papers and custody agreements) to satisfy that CIF/Section Commissioner that the circumstances meet this criteria. The student will become eligible for varsity competition upon notification to the new school of the approval of such an application by the CIF/Section.

(c) **Individual Student Safety Incidents**

Unlimited eligibility may be granted by the CIF Section in which the student's new school is located when a student is transferring as a result of a specific safety incident in which the student was involved and all provisions listed above in c. 1-6 are met. The student may be determined to have unlimited residential eligibility upon receipt of the 207/510 application and sufficient documentation is submitted to satisfy that CIF/Section Commissioner that the circumstances meet this criteria. Documentation may include, but is not limited to documentation from the former school about the specific safety incident that occurred at the former school and/or police records (if any). The student will become eligible for varsity competition upon notification to the new school of the approval of such an application by the CIF/Section.

(d) **Return to Previous School**

When a student eligible in School "A" transfers to School "B" and is residentially not eligible, the student may return to School "A" and **shall be determined to be immediately residentially eligible for unlimited participation in interscholastic sports** provided the student did not participate in an interscholastic athletic contest while at School "B" and provided the student's parent(s)/guardian(s)/ caregiver still reside in School "A's" attendance area.

(e) **Foster Children**

A student under the court ordered supervision of the California Foster

(d) - (h)
is same as
current
language

Care System who has changed residences pursuant to a court order and as a result, has transferred schools, **shall be determined to be immediately residentially eligible for unlimited participation** in interscholastic athletics provided all other CIF rules and regulations are met. A change of residence ordered by a social worker of the California Foster Care System shall be acceptable, provided all other CIF rules and regulations are met (Approved May 2009 Federated Council.

(f) **Military Service**

A student **shall be determined to be immediately residentially eligible for unlimited participation** interscholastic athletics when returning from military service provided:

- i. The student was eligible when the student entered into the Armed Forces; AND
- ii. The student enrolls in the same school which the student attended before leaving for the service, or enrolls in the school in the district in which the student's parent(s)/guardian(s)/ caregiver reside; AND
- iii. The student enrolls in the school no later than the succeeding semester after being discharged; AND
- iv. Provided student did not receive a dishonorable discharge; AND
- v. The student is fully eligible under all other rules of the CIF.

(g) **Married Status**

A student who marries and lives with the student's spouse **shall be determined to be immediately residentially eligible for unlimited participation** in interscholastic athletics in the school in the attendance area in which the student **and their spouse** resides.

(h) **Board of Education Ruling:**

A student, or group of students, who transfer as a direct result of a ruling by the Board of Education of a school district that has two or more high schools and which mandates a change of school attendance boundaries **shall be determined to be immediately residentially eligible for unlimited participation** in interscholastic athletics in the school in the attendance area in which the student(s) are required to attend, provided the Board of Education Ruling is not a result of a disciplinary situation.

d. **APPEALS.**

**NEW
limited
appeals!**

All eligibility determinations made by the respective CIF/Section office under the provisions of 207.5.c are final as all three of these hardship circumstances are factual in nature and can be documented. Students whose eligibility determinations are made because they do not meet one of the criteria outlined below may appeal that portion of their eligibility determination in accordance with CIF bylaws, Article 1100. Students may appeal a determination by their respective CIF/Section if they have been found to not meet the following criteria:

1. 207.B.5.(a)(2) or (b)(2) or (c)(2)-Conflict with Coach at former school
2. 207.B.5.(a)(4) or (b)(4) or (c)(4)-Following Coach

C. **PRE-ENROLLMENT COMMUNICATION OR CONTACT**

Keep C. No changes

E. **APPEALS**

**APPEALS
MOVED TO
207.5.d
above**

~~Appeals of residential eligibility determinations made by a CIF/Section involving transfer students must be in accordance with all relevant provisions of the CIF appeal process as set forth in Bylaw 1100.~~

~~(Revised May 2010 Federated Council)~~

208. HARDSHIP WAIVERS

The following definition of hardship may be used in conjunction with the other required aspects of 207 in the consideration of a hardship waiver for transfer students.

The CIF recognizes that, in certain circumstances, students may transfer from one school to another due to a hardship beyond a student's control. In such cases the Section may waive the transfer limitation imposed on a student when the case meets the definition of a hardship. (See "A." below.) Consideration of any hardship request under this bylaw requires documented proof of the hardship circumstance, and all facts to be considered must be submitted at the time of application. Consideration will be given to the circumstances in which the student's decision to transfer was influenced by pending disciplinary action or classification of information (See also Bylaw 202).

- A. A hardship is defined as an unforeseeable, unavoidable and uncorrectable act, condition or event that causes the imposition of a severe and non-athletic burden upon the student or his/her family. Sections may only waive the transfer limitation if the conditions of this bylaw are met and the student provides sufficient documentation to support the hardship claim. Sections may not waive the applicable rule if the conditions of hardship are not met.
- B. Consideration of any hardship request to a Section requires documentation. Such documents may include, but not be limited to copies of current transcripts, financial documents, medical statements and/or supportive statements from the previous school attended.

**REMOVE 208
HARDSHIP DEFINITION for transfers
no longer applies.**

COVERED UNDER 214 for 8 sem, 20 units, age.

CHANGES PROPOSED TO 510.(b) As Referenced Above

510. UNDUE INFLUENCE, PRE-ENROLLMENT CONTACT, FAILURE TO DISCLOSE PRE-ENROLLMENT CONTACT AND ATHLETICALLY MOTIVATED TRANSFERS

- a. The use of undue influence by any person or persons to secure or retain a student or to secure or retain one or both parent(s)/guardian(s)/caregiver of a student as residents may cause the student to be ineligible for high school athletics for a period of one year and shall jeopardize the standing of the high school in the CIF.
- b. ~~Transferring and enrolling in a school, in whole or in part, for athletic reasons may jeopardize a student's eligibility.~~

Transferring and enrolling in a school after a student and/or their parents/caregivers/guardians have had a verbal, written or physical altercation with the coach or anyone else associated with the athletic department of the student's former school and/or team(s) may jeopardize a student's eligibility and be considered transferring with athletic motivation.

NOTE: Undue influence is any act, gesture or communication (including accepting material or financial inducement to attend a CIF-member school for the purpose of engaging in CIF competition regardless of the source) which is performed personally, or through another, which may be objectively seen as an inducement, or part of a process of inducing a student, or his or her parent(s)/guardian(s)/caregiver, by or on behalf of, a member school, to enroll in, transfer to, or remain in, a particular school for athletic purposes.

=====END OF 207/208/510 CHANGES=====

CIF 209: Foreign Transfers—

209.A. Foreign Exchange Students--no changes to foreign exchange transfers

209.B. Foreign Transfers not in an exchange program—moved to 207-treated the same as domestic transfers. Count club sports participation the same as high school sports participation.

210- Disciplinary Transfers—no changes