

ARTICLE 20
ELIGIBILITY REQUIREMENTS

206 VALID CHANGE OF RESIDENCE

SUBSTANTIVE CHANGES INDICATED BELOW
(See also attached Proposals 206-1 & 206-2 & 206-3)

206 As written herein **ONLY DEALS WITH Initial Residential Eligibility and Valid Change of Residence—anything that requires a 207/510 application that was in this bylaw has been moved to 207. (i.e. married, boarding schools, military, foster, return to previous school, court order)**

- Rearrange the order of items in 206 C. Valid Change of Residence
- Add some language for clarification and to refer to changes made in 201.A. (Standards of Enrollment)

206. RESIDENTIAL ELIGIBILITY

A. Initial Residential Eligibility

A student has residential eligibility upon initial enrollment in: **(See also CIF Bylaw 201.A for definition of enrollment)**

- (1) The 9th grade of any CIF high school, a CIF junior high school, or a junior high school under provisions of Bylaw 303; OR
- (2) The 10th grade of any CIF high school from 9th grade of a junior high school in California.

B. Continuing Residential Eligibility –(See also CIF Bylaw 201.A)

A student retains residential eligibility as long as he/she is continuously enrolled in the CIF-member high school in which the student initially enrolled;

C. ~~Sections may require paperwork for the following provisions:~~

VALID CHANGE OF RESIDENCE:

A student may be determined to be residentially eligible, when a student, whose parent(s)/guardian(s)/caregiver, with whom the student was living when the student established residential eligibility at the prior school (School A) completes a valid change of residence as described herein when the following conditions are met:

- (1) **A valid change of residence must be made FROM a residence located in the public high school attendance area, (School A's attendance area) even if the student is not currently attending nor ever has attended, the school in which attendance area they reside, TO another public high schools' attendance area. (School B's attendance area).**
- (2) **School A may be a CIF-member school or a Non-CIF-member school or may be a school located outside of the United States.**

(3) CIF DEFINITION OF A VALID CHANGE OF RESIDENCE

A valid residence is defined as the location where the student's parent(s)/guardian(s)/caregiver (with whom eligibility has been established) live with that student and thereby have the use and enjoyment of that location as a residence. **A valid change of residence for eligibility purposes requires the former residence to have been vacated by the entire family for use as its residence. For athletic eligibility purposes a student (with the student's parent(s)/guardian(s)/caregiver with whom residential eligibility has been established) may only have one primary valid residence at one time.**

(4) DETERMINATION OF WHAT CONSTITUTES A VALID CHANGE OF RESIDENCE

Determination of what constitutes a valid change of residence depends upon the facts in each case. **In determining that a valid change of residence occurred, the following facts must exist:**

- a. The original residence must be abandoned as a residence by the immediate family. **The new school is responsible for validating this fact;** AND
- b. The student's entire immediate family must make the change of **primary residence** and take with them the household goods and furniture appropriate to the circumstances. For eligibility purposes, a family unit may not maintain ~~two or more residences;~~ **more than one primary residence** AND:
- c. The change of **primary** residence must be genuine, without fraud or deceit, and with permanent intent; AND

- NOTE: A student whose family makes a valid **change of residence** ~~move~~ into a new school's **attendance** area (See "iv" below) ~~is~~ immediately **may be** residentially eligible for varsity **competition upon receipt and recording of a CIF 206 Form by the CIF/Section of the student's new school.** A subsequent move into a different school boundary by the family (or other family members) during the next 12 calendar months will result in the student being declared ineligible until cleared for competition by the Section Commissioner.
- d. A request for transfer eligibility based on a valid change of residence by the student's entire immediately family must be supported by documentation. Documentation may be cumulative and no single document or any combination of documents listed below will be considered as definitive that a valid change of residence occurred. The documents must support a finding by the Section that a valid change of residence by the student's entire immediate family occurred prior to participation at the new school; that the previous residence was vacated as required above in paragraphs a. b and c. and that the family no longer has the use and enjoyment of that former residence. The Section Commissioner and school may request additional documents they deem necessary to establish that a valid change of residence occurred as defined above. Evidence may include:
 - Property tax receipts;
 - Bank account statements;
 - Credit card statements
- Other documentation that a Section and/or school/district may require that establishes **that the new address** is a person's primary residence ~~is living at the new address.~~ The Section Commissioner and/or school

has the discretion to request additional documents that he/she deems necessary to confirm **change in** residency. Examples may include:

- Real estate documents indicating and verifying a change of residence (sale and purchase, for instance);
- Court documents indicating a change of residence;
- Declaration of residency executed by the student's parent(s)/guardian(s)/ caregiver;
- Operative telephone and utility service at the student's new residence and terminated at the former residence;
- Utility service receipts;
- Proof of paying for utilities at the new residence including phone, gas, electricity, water, cable television, and garbage collection;
- Proof of submitting a change of address to the U.S. Postal Service to receive mail at the new residence;
- Proof of transfer of the parent(s)/guardian(s)/caregiver and age-appropriate student's motor vehicle registration;
- Proof of changed address on the parent(s)/guardian(s)/caregiver and age-appropriate student driver's license;
- Voter registration listing the new address;
- Proof of entering a long-term lease; **(minimum of 12 calendar months)**
- Rent payment receipts;
- Declaration of residency executed by the student's parent(s)/guardian(s)/ caregiver;

The Section Commissioner and/or school has the discretion to request additional documents that he/she deems necessary to confirm residency.

**Moved from
206.B. (10)**

(5) **CHANGE IN SCHOOL ENROLLMENT MADE IN ANTICIPATION OF A VALID CHANGE OF RESIDENCE** ~~Anticipated Residence Change~~

If a student transfers to a high school in advance of the anticipated change of residence by the student's parent(s)/guardian(s)/caregiver with whom the student was living when the student established residential eligibility, student shall become eligible when the parent(s)/guardian(s)/caregiver actually complete a valid change of residence to that school's attendance area.

(6) **CHOICE OF SCHOOLS AFTER A VALID CHANGE OF RESIDENCE:**

**(6) a. Just language
expansion
clarification
of current
practice &
interpretation**

A student choosing a school after making a valid change of residence in accordance with CIF's definition of valid change of residence ~~Such a student has a choice~~ **for residential eligibility** among as follows:

- a. **Remaining at the same School:** Continued attendance at the previous school **(School A)** maintains **residential** eligibility at **School A** ~~that same school~~ **as long as the student has remained enrolled in the same school under a district/school approved enrollment process (i.e., inter or intra or senior privilege etc. district/school program)** OR

- b. **Changing Schools:** A student must make a valid change of residence out of the public school (School A) attendance area in which their former family residence was located and into another public school's attendance area (School B) (this is true even if the student was not attending public school A but was enrolled in a private school or a charter school). Changing schools following such a valid change of residence will result in full residential eligibility if the following conditions are met:

(i) **SEE PROPOSALS 206-1, 206-2 & 206-3**

Whatever passes would insert here

- (ii) The student changes schools immediately following the family valid change of residence or no later than the beginning of the next school year following that family move; AND
- (iii) The new school verifies the family valid change of residence of the family; AND
- (iv) A CIF form 206 documenting the new school's verification of a the family's valid change of residence is completed by the new school and family and received by the CIF Section within 30 days of the valid change of residence and recorded by the respective CIF Section.
- (5) **VALID CHANGE OF RESIDENCE AFTER A DISCIPLINE SITUATION.**
Such a student will not be granted residential eligibility except as outlined in CIF 210 if the student is changing residence and schools, voluntarily or if compelled by the former school or district, as a result of a disciplinary situation at the previous school. **(See also Bylaw 210)**
- (6) **PRE-ENROLLMENT CONTACT:**
Such a student will not be granted residential eligibility until the Pre-Enrollment Contact Affidavit with the 206 form is completed by the family and school, received, and recorded by the CIF Section, verifying there is no evidence of the use of undue influence (recruiting) by anyone associated with either school in order to procure the student's enrollment in the new school. **(See also # 8 below and CIF Bylaw 510)**
- (3) **c. School Choice Following a Valid Change of Residence**
~~A student, whose parent(s)/guardian(s)/caregiver with whom the student was living when the student established residential eligibility at the prior school move from a residence in public high school attendance area "A" to a residence in public high school attendance area "B," has a choice among continued attendance at the previous school, attendance at School "B," attendance at a charter school within the boundaries of School "B" or attendance at a private school. The student is eligible if the student remains in School "A," or if the student enrolls and attends class immediately or no later than the beginning of the next school year in~~

**Moved to
206.C.3
Valid Change
of Residence**

~~School "B", a charter school within the boundaries of School "B" or a private school.~~

(7) **SAME SPORT AT TWO DIFFERENT SCHOOLS**

No student shall be eligible to participate in the same sport at two different schools in the same school year unless the student changed schools as a result of a valid change of residence by the student and his parent(s)/guardian(s)/caregiver. In the event of a change of schools due to a valid change of residence, a student will be allowed to participate in the same sport at two different schools not to exceed, in total, the maximum number of contests in that sport as established by the ~~Section~~ **CIF and/or** the CIF/Section. (Revised May 2010 Federated Council)

Moved from
206.2.C.

(8) **ATHLETICALLY-MOTIVATED VALID CHANGE OF RESIDENCE**

If a student completes a valid change of residence as provided in Paragraphs 206.1 & 2, a student may not be eligible to participate at the varsity level if there is evidence the move was athletically motivated or the student enrolled in that school in whole or in part for athletic reasons (See Bylaw 200; ~~207(e)~~ **510.B-G**)

Q: What is meant by an athletically motivated move or transfer?

A: Based on the CIF philosophy that the "student attend school to receive an education first; athletic participation is secondary" (Bylaw 200 B), individual Section Offices may limit eligibility for a student when there is evidence the transfer, or move is made to acquire athletic participation at "School B." Such evidence of an athletically motivated move may be, but is not limited to: Evidence of parental or student dissatisfaction with a coach or a coaching decision at the former school.

- Evidence the student's move would result in the assurance the student would gain varsity participation at the new school or result in more playing time.
- A move to a school by the student that is believed (objectively or subjectively) to be more competitive or athletically "visible".
- A demonstrated move or transfer that is prompted by association with club programs or outside agencies that use the facilities of the new school.
- A demonstrated move or transfer to a school with which the student has had an athletic association.
- A move or transfer to a school by a student who is associated with outside agencies that use the facilities or personnel at the new school of attendance.
- The preponderance of credible evidence the move was not made in good faith to secure greater educational advantage for the student.

The standard applied to the evidence of "athletic motivation" is that which is associated with a student move or transfer proffered to a hearing officer or Section Commissioner is that which a responsible person acting in a thoughtful manner would judge be with "athletic motivation"

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