

Transfer Rule

SECTION 12. TRANSFER RULE. A student that enrolls in one school and later transfers to, or enrolls in, another school shall not be eligible immediately to represent the latter school in any athletic contest.

Note: For eligibility purposes a student is normally considered enrolled when the student has attended school for two days.

A student that transfers from any non-member school to a member school shall be eligible at the beginning of the next semester (first or second) if they meet all other requirements.

A **member school** is one that has been accepted by the Central Board as a member of the AHSAA. A new member school's official date of entry into the AHSAA is considered the first day of its school year.

Note: If a Board of Education policy allows a student completing the eighth grade in a gifted program to transfer within its system to an International Baccalaureate program (IB), that student would have immediate eligibility if all other requirements are met. A student placed out-of-zone within a school system based on a Special Education Individual Education Plan (IEP) would also have immediate eligibility if all other requirements are met.

Exception 1. Completion of Highest Grade Taught. Any student, upon completion of the highest grade taught in any school that offers less than the number of years required for high school graduation, becomes eligible immediately at the member school that serves the area in which the student's parents reside if all other requirements are met.

Note: A student transferring under Exception 1 circumstances will become eligible immediately only at the member school within the same school system that serves the area in which the student's parents reside if all other requirements are met.

If a student, before completion of the highest grade taught in a member school, transfers to another member school that serves the same area where the student's parents reside, that student is ineligible for one year at the new school according to regulations for overlapping school zones. (See Overlapping School Zones, page 33.)

Exception 2. Non-Resident Attendance Requirement. Any student, after completing one year's attendance in a school and fulfilling all other requirements, becomes eligible in that school and the high school that it feeds in the same system. (This does not apply to foreign exchange students who participate in athletics during their first year of attendance.)

Exception 3. Bona Fide Move. A student whose parents make a bona fide move completely out of one school zone into another may transfer all his/her rights and privileges to the member school that serves the area where his/her parents reside. If the change of school precedes the bona fide move on the part of the parents, the student is ineligible until the parents make a bona fide move.

Determining a Bona Fide Move – Sometimes it is very difficult to determine what constitutes a bona fide move. Family and home conditions differ and must be considered. The following factors are basic guidelines for determining a bona fide move:

- a. The household furniture of the family must be moved into an unoccupied house or apartment.

- b. All principal members of the family must reside in the new place of residence.
- c. The original residence should be closed, rented or disposed of and not used by the family.
- d. Nine months at the new residence will be required to make a move bona fide.

If a family moves into a new school zone and remains there for less than nine months, the move will not be considered bona fide and the family's child who is enrolled in the new school zone becomes ineligible there the day the family leaves the new school zone.

The student remains ineligible for a full calendar year from the date the family moved out of the new zone. However, if the student did not participate in athletics, the period of ineligibility will be 12 months from the date of the student's initial enrollment.

When there is any possibility of doubt about a move being bona fide, the principal shall present the facts in writing to his/her District Board or to the Executive Director of the AHSAA for a decision. The District Board or Executive Director will review the facts submitted and may conduct an investigation if necessary.

Under unusual circumstances the Executive Director or a District Board may decide a move to be valid even if all the above conditions have not been met. Each questionable case will be decided on its individual merits.

Note: Students entering the seventh grade for the first time are eligible where they enroll.

Just as in all other cases, the decision of the Executive Director may be appealed to the District Board and a District Board's decision may be appealed to the Central Board of Control. In the final analysis, whether a move is bona fide or not will be determined by the Central Board.

Change In Residence: In order for a student to establish residence with a new family, that student must reside in the home for one year.

A **foreign exchange student** attending a member school located in the school zone where the host family resides is eligible to receive a waiver of the Transfer Rule for a period of one year provided this is the student's first year as a foreign exchange student. The student must be assigned by a program on the current Advisory List of International Educational Travel and Exchange Programs published by the Council on Standards for International Educational Travel.

This waiver is granted under the stipulation that the foreign exchange student meets all other eligibility requirements of the AHSAA and has not received a high school diploma or its equivalent.

Note: A Foreign Exchange Student Registration Form (No. 4) must be completed and filed with the State Office before eligibility can be determined on any foreign exchange student. After approval, the student must be submitted to the State Office via online reporting.

When a student is forced into a new home due to an emergency caused by a disaster, the District Board or the Executive Director may reduce the required time for establishing the residence with the new family.

Divorce: The eligibility of a student whose parents are divorced is determined by the following:

(a) If there has been a divorce or a legal separation in a family and sole or physical custody has been awarded by the court granting the divorce to one of the parents, the athletic eligibility of the student will be established at the school that serves the area where that parent resides.

Note: If joint custody has been awarded and a transfer is involved, the student must attend the new school for one year before becoming eligible.

(b) If it becomes necessary at a later date for the student to reside with the other parent, the move will be accepted as a bona fide move if the court that granted the divorce changes the custody to this parent. This type of move will be accepted for immediate athletic eligibility purposes only one time. Therefore, if a student subsequently decides to return and reside with the first parent in a different school zone, the student will be ineligible for a period of one year.

Custody and Legal Guardianship: Custody or legal guardianship assigned to anyone (including relatives) will not establish immediate athletic eligibility.

Note: (1) If a student transfers to another school zone to live with an appointed guardian without a bona fide move into that school zone by the parents, that student would be ineligible under the Transfer Rule.
(2) If a student has been declared a “ward of the state” and placed by the

Department of Human

Resources (DHR), that student would meet the Transfer Rule requirement in the school zone where the student has been placed.

Exception 4. Home Rule. If a student attends a member school that does not serve the area where the student’s parents reside, the student may return to his/her home school and be eligible at the beginning of any school year if all other requirements are met. If the change of schools is made after the school year has started, the student will not be eligible until the beginning of the next school year. (This does not change the existing rule concerning transfers within overlapping school zones in which both schools serve the area where the student’s parents reside.)

If a student attends a non-member school, that student may return to his/her home school and be eligible at the beginning of the first or second semester if all other requirements are met.

A student who attends a magnet school that does not offer interscholastic athletics may participate in athletics at the student’s home school within the same school system if all eligibility requirements are met. The home school is based on the parents’ residence.

Even though parents may move to an address that does not serve the school where a student is attending, the student may remain eligible at that school. However, if the student attends longer than the end of the school year in which the parents’ move occurred, the student will not become eligible immediately at the school serving the parents’ new address unless the transfer is made at the beginning of the new school year. If the transfer is made after the school year begins, the student will not become eligible until the beginning of the next school year if the transfer is from a member school.

Note: Determination Of Undefined School Zones. School bus routes within county and city school systems establish the school zones used to determine athletic eligibility. When bus routes cross county or city boundary lines, these routes will establish the school zones used in determining eligibility if there is an agreement between the school systems involved.

Private and/or parochial school zone lines for eligibility purposes are limited to the municipality in which the school is located. If the school is not located within a municipality, the school zone lines are the county system where it is located.

Overlapping School Zones: A student whose parents reside in an area served by more than one school lives in the school zone of each school, thus in overlapping school zones. A student who changes schools within these overlapping school zones is ineligible for one year at the new school.

Note: A student that transfers from a school within these overlapping

school zones remains ineligible for one year at any of the other schools within these overlapping school zones.

Examples of the Transfer Rule are as follows:

If a student transfers from Montgomery Academy (a private school in Montgomery) to Sidney Lanier High School (Montgomery), the student must attend the new school one year before establishing eligibility.

If a student transfers from Murphy High School to Davidson High School (both in Mobile), the student will be eligible five days after being submitted to the State Office via online reporting if the parents actually move from the Murphy zone to the Davidson zone. If the parents do not move, the student must attend Davidson one year before establishing eligibility.

If a student transfers from Gadsden High School to Marion Military Institute and a year later returns to Gadsden High without a change of residence by the student's parents, the student will become eligible at the beginning of the school year five days after being submitted to the State Office via Form 3 online reporting.

If a student who is eligible at Francis Marion High School withdraws after attending four weeks and moves with his/her parents to Selma, the student will become eligible at Selma High School five days after being submitted to the State Office via Form 3 online reporting.