



TRANSFER ELIGIBILITY REVIEW

GENERAL INFORMATION FOR STUDENTS AND PARENTS

The MSHSL understands that varsity eligibility is important to you. Below are some frequently asked questions regarding transfer eligibility. The information contained herein is not a bylaw or policy and is intended only to provide an overview of the transfer eligibility process. For the most current version of Bylaw 111 and MSHSL policies, please visit www.mshsl.org. Before transferring schools, please review the following so that you will understand the transfer's impact on your varsity eligibility.

1. What is a transfer?

A transfer student is a student who discontinues enrollment and attendance in any high school, public or non-public, and enrolls in any other high school in Minnesota, or outside of Minnesota. Essentially, a transfer occurs anytime a student's school of record changes. A transfer is considered complete when the student attends class or participates with an athletic program at the new school. This includes home schools, charter schools, and online schools.

2. If I transfer to a new high school, will I be eligible for varsity competition?

If you transfer to a new high school, you will be eligible for varsity athletic competition if:

1. You are enrolling in 9th grade for the first time;
2. Your entire family moves to a new residence in a different attendance area;
3. Your residence is changed pursuant to a court order;
4. Your parents are divorced and you move from one parent to another. (This option may be used just one time after you enroll in 9th grade); or
5. You and your family have moved to Minnesota from another state or country.

If none of the above apply, you will be ineligible (for one calendar year from the date of the transfer) from participating in interscholastic varsity athletic competition. You will, however, be eligible to participate in varsity tryouts, practices, scrimmages, jamborees, etc., and non-varsity (JV, B-squad, etc.) competitions. You will not be eligible for varsity competition.

3. What happens if none of the five provisions above apply and I am determined ineligible?

If none of the five provisions set forth above apply and you are determined ineligible, you can request that the MSHSL review the determination of ineligibility. There are seven circumstances with which you can request a review:

1. You are transferred to a new high school within the same school district;
2. A change in family circumstances such as adoption, abandonment, or death of a parent.
3. A substantial negative change in your family's economic status. For example, if one or both parent(s) loses their job or other means of income.
4. School student Bullying or Harassment as identified in Minnesota State Statutes 121A.03 and 121A.031.
5. Administrative error. For example, the receiving school misapplied MSHSL bylaws or policies.
6. You have completed a licensed program for chemical dependency or mental illness (provided all other eligibility rules are followed) and the receiving school will better serve the student's needs.
7. The principals and activities directors from both the sending and receiving school agree that varsity competition eligibility should be considered.

4. How do I request a Transfer Eligibility Review?

When you enrolled at your new school [receiving school] and indicated an interest in participating in athletics, the school compiled information and submitted a student transfer report to the MSHSL. The transfer report contains general information on your previous school(s) and the reason for your transfer. Based on this information, the receiving school makes an initial eligibility determination. That determination is sent to the MSHSL for review to ensure compliance with MSHSL bylaws and policies.

If you are determined ineligible, you can request further review by the MSHSL. Visit with the athletic director at the Receiving School and request a Transfer Eligibility Review. The athletic director will submit the request and supporting documentation to the League for review.

All denied Transfer Eligibility Review requests for varsity competition eligibility will be reviewed by the MSHSL Board of Directors Eligibility Committee for further review or referral to an Independent Reviewer.

Ultimately, the final decisions on eligibility will be made by the MSHSL Board of Directors.

5. What types of information and documentation should I provide in support of my request for a Transfer Eligibility Review?

You should provide a written explanation and documentation supporting your request for review. This is your opportunity to support your request for eligibility so please submit whatever relevant documentation/information you have. Below are common types of documentation the MSHSL looks for under each of the seven review options:

1. Internal district policies (for transfers in districts with multiple high schools)
 - The district policy or policies that precipitated the transfer
 - Correspondence from the school district describing the circumstances of the transfer
2. Adoption, abandonment, or death of a parent
 - Adoption Decree, death certificate, CHIPS order
3. Substantial negative change in the economic status
 - The MSHSL typically considers three years of tax returns showing a negative change in the Adjusted Gross Income.
 - You are encouraged to submit any other documentation showing a negative change in economic status. For example, employer notification indicating the recent loss of income or loss of employment, disability determinations from a medical professional or government agency that indicate a reduction in the ability to be employed.
 - *NOTE:* Discretionary spending decisions will generally not be considered to be a negative change in economic status.

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4. School Bullying/Harassment

- Documentation that a complaint was made under the district policy prior to the transfer
- A report from the sending school that it has investigated and determined a case of bullying or harassment pursuant to Minnesota Statutes 121A.03 and 121A.031.
- Any other documentation of bullying or harassment at the sending school

5. Administrative Error

- Documentation from a school administrator explaining the error or errors made in the initial eligibility determination.

6. Completion of a licensed program for treatment of alcohol or substance abuse, mental illness or emotional disturbance provided all other eligibility rules are followed.

- Documentation from the director of the treatment facility/provider showing completion of a licensed program by the student
- Documentation to show the receiving school provides specific after-care for the student.

7. School Administrators request for review

- The administrators from both schools agree varsity competition eligibility should be considered for the student. This Transfer Eligibility Review provision is applicable only for students who transfer from one MSHSL member school to another MSHSL member school.
- The written request from the administrators at both the receiving school and sending school should include all documents they believe support eligibility.
- This provision requires certification from both schools confirming no recruitment or inappropriate contact has occurred.

6. When will the Eligibility Committee review my request?

The eligibility committee meets the first and third Wednesdays of each month to conduct transfer eligibility reviews. Your review will be scheduled at the first meeting following your completed request.

7. Will I be able to speak to the Eligibility Committee?

Yes. The eligibility committee will review all of your information/documentation prior to the meeting and you will have an additional 15 minutes to speak and answer any questions they may have.

8. What options does the Eligibility Committee have?

The eligibility committee may recommend to the entire Board of Directors varsity eligibility, varsity ineligibility, or, in some circumstances, refer your request to a review officer for further factual findings.

9. What happens if my review is referred to a review officer?

If referred to a review officer, your request will be scheduled as soon as possible with a review officer selected at random from a list maintained by the MSHSL. The review officer will review the documentation and you will be given an opportunity to speak to the review officer. The review officer will then issue a recommendation to the entire Board of Directors of varsity eligibility or ineligibility.

10. What is my eligibility status pending the Eligibility Committee/review officer's recommendation?

The recommendation of the eligibility committee/review officer is effective and binding until a final decision by the Board of Directors at its next regularly scheduled meeting.

11. If I disagree with the recommendation, will I be able to address the Board of Directors?

Yes. If you disagree with the recommendation, you will be given an opportunity to speak to the Board of Directors prior to their final decision on your eligibility. The Board of Directors' decision is final and there are no further review options.

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