

SECTION 3. TRANSFERRING STUDENT’S REASON(S) FOR TRANSFERRING

When transferring the DIAA allows for certain exceptions to the transfer rule, that would waive the periods of ineligibility as listed in regulation 1029. If any of the exceptions listed below apply to your transfer, please select the exception. **Please note ALL exceptions listed below require proof in the means of documentation, this documentation MUST be submitted with this form.**

- McKinney-Vento Act (Homeless Students) - The transfer is the result of the student becoming homeless as defined in the McKinney-Vento Education for Homeless Children and Youths Act, 42 U.S.C. §11434a(2).
- Transfer Due to Court Action - The transfer is caused by an order from a court of law affecting legally committed students. In the case of a transfer of guardianship or custody, the transfer shall be the result of a court order signed by a judge, commissioner, or master of a court of competent jurisdiction. A petition for the transfer of guardianship or custody, an affidavit, or a notarized statement signed by the affected parties shall not be sufficient to render the student eligible to participate in interscholastic athletics.
- Relative Caregivers School Authorization – The transfer is based upon the submission of a Caregivers School Authorization in accordance with 14 Del.C. §202(f)
- Unsafe School Choice Policy - The student attends a persistently dangerous school or is the victim of a violent felony while in or on the grounds of a school in which the student is enrolled and the student opts to transfer to a safe school in the same school district in accordance with 14 DE Admin. Code 608 Unsafe School Choice Option Policy.
- A “HIB transfer” (harassment, intimidation, bullying) will exist when a school, after investigating a HIB complaint, determines that the proper action to remediate the complaint is an alternative placement or a school transfer.
- Transfer Because Sending School Closed or Dropped Sport/Athletic Program. A sending school drops its athletic program when it discontinues all of its interscholastic athletics sports programs. For this exception to apply, adequate documentation must be submitted to the receiving school and sent to the DIAA Executive Director for approval.
- Military Assignment. A student transferring in a situation where change in education and living arrangements is directly related to an order from any branch of the United States military service, including the reserve components.
- Bona Fide Change or Residence. A change of residence occurs when an out-of-state student changes residence and attends high school for the first time in Delaware or a Delaware student moves and is required to transfer to a new school as verified by the receiving school. A student shall not participate in interscholastic athletics following a change in primary residence unless it is made for a bona fide purpose. A bona fide purpose means that the change in primary residence is not for athletic purposes. **(If this exception applies to you, please complete the Bona Fide Change of Residence Affidavit found on the next page)**

A. If none of the above exceptions apply, the transferring student and/or the student's parent(s) or guardian(s) should set forth the reason(s) for the Transfer:

B. Identify participation in any non-school athletics (e.g. AAU, 7v7, American Legion, club team, or other non-school teams) the transferring student participated which is Coached by a person affiliated with the school to which the student transferred to and/or the majority of the members of that Team were from the school to which the student transferred to:

I (We) acknowledge that the information set forth in SECTION 2, TRANSFERRING STUDENT INFORMATION, and SECTION 3, TRANSFERRING STUDENT’S REASON(S) FOR TRANSFERRING, is accurate, complete, and truthful.

(Signature of Parent(s) or Guardian(s))

(Date)

(Signature of Student)

(Date)

BONA FIDE CHANGE OF RESIDENCE AFFIDAVIT

(Only complete this form if you selected Bona Fide Change of Residence as an exception)

1. I am the **biological/adoptive/step/legal guardian (circle one)** _____ of _____
(list relationship-mother,father, etc) (name of transfer student)

2. My "current resident address" is located at _____
Street City Zip

3. The public school district and designated feeder school is _____

4. Our family moved to this address on (date and year) _____

5. I own/rent (**circle one**) this current address.

6. I receive my utility bills at the address above (circle one) YES OR NO

7. I receive the bulk of my mail at the address above (circle one) YES OR NO

8. I eat and sleep the majority of the time at the address above (circle one) YES OR NO

9. I intend to make this current residence my permanent residence, and I further affirm that the move to this current residence is not intended to be temporary. I understand that DIAA regulations require this move to be a permanent one. _____ (**Initials of Affiant**)

10. I am not attempting to establish residence at the current resident address solely for athletic purposes, nor am I attempting to establish residence at the current resident address in order to circumvent any of the Regulations or rules of the Delaware Interscholastic Athletic Association. _____ (**Initials of Affiant**)

11. I understand my previous residence must be abandoned by the student's family as a residence; that is sold, rented or disposed of as a residence, and must not be used as residence by any member of the family; _____ (**Initials of Affiant**)

12. My "previous resident address" is located at _____
Street City Zip

13. My previous public school district and designated feeder school is _____

14. I and my family (including spouse if applicable and all children) completely vacated this residence on (date and year)

15. I understand that according to DIAA regulation 1029 I can not maintain dual residency for the purpose of athletics. _____ (**Initials of Affiant**)

16. The reason my family moved from our previous residence to our current residence is

17. I understand that falsification of information contained in this affidavit will adversely affect the eligibility status of the child/children listed herein. Furthermore, should eligibility of said child/children be predicated in whole or in part upon any information contained herein, which information is later learned to be false, the future eligibility of said child/children, will be in jeopardy as well as potential penalties to the team. _____ (**Initials of Affiant**)

Signature of Affiant (Parent or Legal Guardian)

Date

As part of the completed Bona Fide Change of Residence approval process the applicant family must provide at **least two** pieces of the following documentation. Please circle which documents you are enclosing.

Legal Closing Document

Rental/Lease Agreement

Utility Bill (Gas, Water, Electric)

Voter Registration

SECTION 4. REVIEW AND CERTIFICATION OF ATHLETIC DIRECTOR OR ADMINISTRATOR OF SCHOOL TO WHICH THIS STUDENT TRANSFERRED (RECEIVING SCHOOL).

(STUDENT NAME)

(Print or Type Name of Athletic Director/Administrator of School to Which This Student Transferred)

(Title)

E-mail address of Athletic Director or Administrator: _____

(Signature of Athletic Director or Administrator of School to Which This Student Transferred) (Date)

Upon signing above, I hereby certify that, to the best of my knowledge, information, and belief, the student's transfer information is accurate, complete, and truthful. Furthermore to the best of my knowledge the student is not transferring solely for an athletic purpose.

SECTION 5. REVIEW AND CERTIFICATION OF SCHOOL FROM WHICH THIS STUDENT TRANSFERRED (SENDING SCHOOL).

(Print or Type Name of Athletic Director/Administrator of School from Which This Student Transferred)

(Title)

E-mail address of Athletic Director or Administrator: _____

The above listed student leaves our school in good standing

I am aware of other facts or circumstances which would lead me to believe that individuals affiliated with the school to which the student transferred engaged in recruiting the student for the purpose of participating in athletics. (If checked, please attach detailed evidence/information for this claim.)

(Signature of Athletic Director or Administrator of School FROM Which This Student Transferred) (Date)

