

# Transfer



Please complete this form and turn into the Activities Office. The Minnesota State High School League requires this information for all transfer students. **Please answer each question as complete as possible – omission of information will delay your clearance.**

Out of State Transfers must meet additional requirements – please notify the activities office if you are an out-state transfer.

Along with this form – you will need to provide your transcripts and physical. This is the **student's responsibility** to secure all paper work from their previous school. Please include this when you turn this in.

Transfer students are not eligible to participate **in practice, games, scrimmages, tryouts, etc, until they have been cleared by the MSHSL** and the Activities Office. Participating without this clearance will result in additional eligibility loss and the team forfeiting all varsity competitions that the ineligible student participated in.

If you have any questions – please contact your activities Director

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**ALL INFORMATION BELOW MUST BE COMPLETED IN ORDER TO PROCEED!  
Minnesota State High School League Student Transfer Form**

TO: School Administrators Responsible for the Eligibility of Transfer Students

Sports
Fall:
Winter:
Spring:

FROM: MSHSL Office

NO TRANSFER STUDENT WILL BE ELIGIBLE TO PARTICIPATE AS A MEMBER OF ANY VARSITY TEAM IN YOUR SCHOOL UNLESS HE/SHE HAS MET THE PERIOD OF INELIGIBILITY OR HAS MET ALL TRANSFER REQUIREMENTS AND HAS THIS FORM ON FILE IN THE ACTIVITIES OFFICE.

Transfer Student Name: \_\_\_\_\_ Grade: \_\_\_\_\_ Age: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Family email address: \_\_\_\_\_

Date Student Entered 9th Grade: \_\_\_\_\_ School: \_\_\_\_\_  
Date Student Entered 7th Grade: \_\_\_\_\_ School: \_\_\_\_\_  
First day of attendance or first day of fall practice at your school, which ever takes place first?  
Previous Address: \_\_\_\_\_

Previous School Information:

Where did student attend school last year? \_\_\_\_\_ Is this your first transfer? Yes No

Former address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

**Type of Transfer:**

**Minnesota-Minnesota      Domestic: US State-Minnesota      Foreign/International: Outside US-Minnesota**

If no, please list the schools, dates of attendance: (MUST BE COMPLETE)

- |                            |                     |                   |
|----------------------------|---------------------|-------------------|
| 1) School: _____           | Date Started: _____ | Date Ended: _____ |
| Reason for Transfer: _____ |                     |                   |
| 2) School: _____           | Date Started: _____ | Date Ended: _____ |
| Reason for Transfer: _____ |                     |                   |
| 3) School: _____           | Date Started: _____ | Date Ended: _____ |
| Reason for Transfer: _____ |                     |                   |
| 4) School: _____           | Date Started: _____ | Date Ended: _____ |
| Reason for Transfer: _____ |                     |                   |

To list additional Transfers, use back page

Last MSHSL affiliated High School: \_\_\_\_\_

**NOTE: The student is ineligible to complete at the varsity level at East/Denfled H.S. for a 15 calendar day period from the first day the student attends practice in the fall or attends class for the first time.**

Does the student elect to decline the 15 day Return to Former School Policy that conditionally allows the student to return to the sending school? Yes No Date: \_\_\_\_\_ parent initial \_\_\_\_\_

**Reason for Transfer:**

8. Bylaw 111.00, Transfer and Residence, lists several means by which a student can transfer from one school to another. Which condition of transfer applies in this instance?

- 1) \_\_\_\_\_ **Entering 9th Grade for the first time.**

Please provide an official copy of the student's transcript to make your determination?

2) \_\_\_\_\_ **Change of residence and occupancy by the student's parents or legal guardians.**

Please identify the documents you reviewed to confirm a bona fide family residence change has occurred: TWO required

- New mailing address of the parents or guardians
- Voting registration of parents of guardians that coincides with the new residence
- Driver's license registration that coincides with the new residence
- Purchase or rental agreements
- 

3) \_\_\_\_\_ **Residence is changed pursuant to a child protection order placement in a foster home, or a juvenile court disposition order.** (court order)

Please provide the child protection order or the juvenile court disposition order that places the student in our school?

4) \_\_\_\_\_ **Open enrollment / Secondary enrollment options.**

Did the student's first day of attendance at East or Denfeld High School occur before the first day of classes for the current school year?      Yes      No

Background Information:

1. Did you provide a copy of your current physical      Yes      No

2. Were you in good standing at the time of transfer?      Yes      No

If no, Why: Please provide detailed background on any suspensions, sanctions, or penalties

3. PLEASE ATTACH A LETTER FROM YOUR PREVIOUS SCHOOL STATING YOUR ELIGIBILITY STATUS AND GOOD STANDING AT THE TIME OF YOUR TRANSFER. (please use attached)

4. Are you under 20 years of age? Yes No Date of Birth: \_\_\_\_\_

5. Are you fully enrolled at Duluth East High School as defined by the Dept. of Children, Families and Learning? Yes No

6. Have you participated in fewer than **four** seasons in any sport beginning in the 9th grade? Yes No

If no, please identify the sport(s) in which the student has participated in more than four seasons.

7. Have you completed the terminal grade in your previous school in the U.S. or foreign country or earned a GED?  
Yes No

8. Have you repeated a grade? Yes No If yes, which grade did the student repeat? \_\_\_\_\_

9. Have you completed 8 semesters of eligibility? Yes No

10. Have you received money (played professionally) in an MSHSL-sponsored sport? Yes No

11. Did you receive reduced tuition or a scholarship to attend school? Yes No

If yes, please identify the reason for the tuition/scholarship. Be complete in your response.

\_\_\_\_\_

12. PLEASE ATTACH A COPY OF YOUR TRANSCRIPT TO THIS FORM.

13. Do you live in the East Attendance District? Yes, If no – what school's attendance district do you reside in?

**Here is what MUST be included:**

- 1) Official Transcript – for ALL schools where the student attended
- 2) Physical Form – updated. For 10<sup>th</sup> grade – must be after June 1.
- 3) Enrollment Information (MUST BE COMPLETE)
- 4) Reason for Transfer to Duluth East
- 5) List of all violations at the previous schools
- 6) Any other support materials.

**\*\*Student can't participate until they are cleared by the Activities Office!**

**Student is eligible for 12 semesters of participation from Fall 1st Year through the spring of 6th Year**

**\*\*Previous School Contact Info (last High School attended):**

AD Name:

Phone #:

Email:

School Address:

City:

Zip:

**HIGH SCHOOL ATHLETIC RESIDENCE INFORMATION**

In accordance with bylaw 111.00 of the Minnesota State High School League, we declare that the information herein is true, correct and complete.

- We have established a permanent new residence at:

This residence is in the East High School Attendance District                      Yes                      No

- Our intent is to reside indefinitely at the new residence in Minnesota and terminate all occupancy in our previous residence for the duration of our child's enrollment.
- Both parents\* and all minor siblings will reside at this new residence.
- Our new residence is in a different public school attendance area from our previous residence.
- Parent must provide East High School with the following information that helps to verify our new residence.

\_\_\_\_\_ Our new mailing address

\_\_\_\_\_ Driver's license registration with the new residence (both parents)

\_\_\_\_\_ Purchase or rental agreements as they pertain to the new residence

\_\_\_\_\_ Any other reliable evidence of residency

Parent/Guardian \_\_\_\_\_

Parent/Guardian Name \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

**If any of the information you provided is inaccurate, the student will become ineligible, and sanctions may be imposed upon Duluth East High School by the League's Board of Directors.**

\*In the event of divorce, parent shall be the parent with legal and physical custody of the student.

Please return this form to the East HS Athletic Office, Athletic Director.

## The Transfer Eligibility Appeal and Hearing Process: Frequently Asked Questions

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The Minnesota State High School League provides an opportunity for students who wish to have their transfer eligibility determination reviewed. The MSHSL Transfer Eligibility Appeal Procedures is a student advocacy process available for all students who wish to appeal a school administrator's determination of their transfer eligibility. The MSHSL Transfer Eligibility Appeal Procedures can be found on pages 25-26 in the 2013-2014 MSHSL Official Handbook. The most current version of the MSHSL Transfer Eligibility Appeal Procedures in the Official Handbook is posted on the League website: [www.mshsl.org](http://www.mshsl.org).

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The information below responds to some of the most frequently asked questions about the transfer eligibility appeal process.

**1. Where can I find information about the transfer eligibility appeal process?**

All of the information can be found in the MSHSL Official Handbook. The MSHSL Transfer Eligibility Appeal Procedures can be found on pages 25-26 in the 2013-2014 MSHSL Official Handbook.

**2. How do I appeal my eligibility determination and how does the appeal process work?**

The appeal process begins with the athletic director. Once the athletic director informs you of your transfer eligibility, and if you choose to participate at the new or receiving school, you have 10 days to ask the athletic director to appeal the transfer eligibility determination. The athletic director will review the appeal request, focusing on the rationale for the request, and determine if the transfer is exceptional and if it fits one of the six appeal provisions of the MSHSL Transfer Eligibility Appeal Procedures on page 25 of the MSHSL Official Handbook.

If the athletic director agrees to submit the appeal, information will be gathered from the family, the new school administration, and the former school administration before it is forwarded to the League office for review. Documentation in support of the family rationale for the appeal is required. All documents are electronically submitted to the League for a review by League staff.

**3. Am I eligible to participate at the varsity level while my appeal is being reviewed?**

Your eligibility status does not change during the appeal or hearing process. You are asking to have your current participation eligibility changed. Only a successful appeal or a decision by the independent hearing officer can change your eligibility.

**4. How long does it take for a decision to be made regarding my transfer eligibility appeal?**

A League staff review of the appeal will be completed within 10-14 business days, once the electronic appeal document and the necessary supporting documents are received by the League. The League staff decision will be electronically submitted to the athletic director at your new school.

**5. What do I do if the athletic director denies the appeal request?**

If the athletic director denies your request for a transfer eligibility appeal you have 10 days to request, in writing, a League level hearing before an independent hearing officer. The MSHSL Transfer Eligibility Appeal Procedures details the steps. The letter should identify the specific rationale for your hearing request and you must also include all documents necessary to support your rationale for the hearing request.

**6. Who decides if a League level hearing will be granted?**

League staff will review your hearing request and determine if your request will be granted. Each hearing request is considered on its individual merits. However, decisions from previous transfer eligibility appeals and decisions from previous League level hearings may be used in the review process to determine if you will be granted a League level hearing.

**7. How long does the hearing process take?**

The hearing request will be reviewed by League staff within 10-14 business days. If the hearing request is granted, the hearing will be scheduled as quickly as possible. An independent hearing officer will be secured then the hearing will be scheduled on a date acceptable to all parties.

**8. Should I have legal representation at the hearing?**

The choice to have legal representation at the League level hearing is a family decision. As a family you will decide what is in your best interests.

**9. What happens at the hearing?**

The hearing officer provides you the opportunity to share all information relevant to your transfer situation. Representatives from both your current and former schools may also be in attendance and they too will be provided the opportunity to speak about your transfer. If you have legal counsel your counsel will also be provided the opportunity to speak on your behalf. Finally, a League representative will discuss the facts of your transfer, your eligibility determination, and also identify the MSHSL bylaws, rules and policies applied in your transfer situation.

**10. Who serves as the independent hearing officer?**

The League contracts retired district judges to serve as independent hearing officers. Their understanding of law, procedures, bylaws and administrative rules ensure the process will be credible and unbiased.

**11. I know that when I transfer between MSHSL member schools I can choose to participate at my new/receiving school or remain a participant at my former/sending school for one year? If I appeal my eligibility at the new school and the appeal is denied can I then choose to participate at my former school for one year?**

The first decision you make regarding your participation is binding. If you choose to participate at the new school and your appeal is denied your participation eligibility remains at the new school. You cannot decide to participate at your former school if the appeal is denied.

**12. If my appeal is denied and the decision from the independent hearing officer at the hearing does not grant me varsity eligibility at my new school can I then choose to participate at my old school?**

No. If you choose the new school for participation and the decision of the hearing officer who presided over your League level hearing does not grant you varsity eligibility you are not able to then decide to participate at your former school.

**13. Who should I contact if I have any additional questions?**

The athletic director at your school is the person to contact whenever you have eligibility questions. The athletic director will answer your questions, provide you with eligibility interpretations and determinations and also serve as your liaison to the League.

**BYLAW 111 POLICY PROCEDURES FOR DETERMINING TRANSFER STUDENT ELIGIBILITY**

1. **Policy.** It is the policy of the League to provide, promote, extend, manage and administer competitive activities for Minnesota youth. The League's member schools have determined that student movement from school to school should be restricted. To accomplish this goal, the League adopted Bylaw 111 to restrict student movement between schools to prevent athletic transfers and ensure competitive equity amongst schools regardless of athletic ability. The League has found that to best achieve this goal, it does not determine whether a transfer was for athletic purposes but rather determines that all Transfer Students are deemed presumptively ineligible for varsity athletics unless they meet one of the exceptions listed in Bylaw 111 or as outlined in these Independent Hearing Procedures.

2. **Transfer Eligibility Appeal Procedures.** The Application to Appeal a Transfer Eligibility Determination is limited to the following circumstances:

A) Documented internal Board of Education policies regarding the movement of students within the school district.

B) Adoption, abandonment, or death of a parent.

C) A documented substantial negative change in the economic status of the student's parents which requires the student to withdraw from their current school and enroll in the public school located in the public school district attendance area where the student's parents reside.

D) Intolerable conditions at the Sending School as affirmed in writing by the Sending School. When situations arise that the student or parents believe have created an intolerable condition, the acts complained of must first be reported to the appropriate administrators at the school so they have the opportunity to investigate and take any action they deem necessary to resolve the problem. If the parents believe that actions or situations are occurring that have an adverse impact on the physical or psychological

well-being of the student, the student must have been referred to an appropriate medical or psychological professional. That professional must prepare a written report that can be provided, on a confidential basis, to the school, the League office and the independent hearing officer if a hearing is required. If police action has been taken, copies of the reports showing that an investigation was actually conducted and the results of that investigation must be provided. In general, allegations alone are not sufficient. There must be some reasonable and believable substantiation presented to indicate an incident or incidents actually occurred. As well, the perpetrators must be identified.

E) Administrative error in addressing a student's initial eligibility. F) Completion of a licensed program for treatment of alcohol or substance abuse, mental illness or emotional disturbance provided all other eligibility rules are followed.

3. **Transfer Eligibility Appeal Process.** Transfer eligibility determinations and transfer eligibility appeals can only be submitted to the League after the student has completed the transfer. A transfer is considered complete when the student attends school at the Receiving School or participates in a fall sport practice prior to the first day of school for the school year.

A. The school administrator at the Receiving School shall make an initial eligibility determination based upon the factors outlined in Bylaw 111.1.B(i)-(v) and submit the electronic transfer form to the League office for review. The Receiving School administrator shall inform the student and the student's parent(s) or guardian(s) of the eligibility determination. The Receiving School administrator shall also inform the student, parent(s) and/or guardian(s) that the student can choose to participate at the Receiving School at the non-varsity level for one calendar year beginning with the first day of attendance or choose to participate at the Sending School at the varsity level for one calendar year pursuant to Bylaw 111.1.C. The choice of participation at the Receiving School or Sending School is an "either or" decision and, once made, the student can only participate at that school. For example, the student cannot participate at the sending school for a fall sport and then participate at the receiving school for a winter sport.

B. If the student chooses to participate at the varsity level at the Sending School for one year, these procedures are not applicable.

C. If the student chooses to participate at the Receiving School, staff at the League office shall review the Receiving School's initial transfer eligibility form and send an electronic response to the Receiving School administrator agreeing or disagreeing with the Receiving school's initial eligibility determination.

(i) If the student, parent(s) or guardian(s) appeal the initial eligibility determination and is subsequently not granted varsity eligibility at the Receiving School, the student may not then choose to participate at the Former School. The student cannot participate at the Receiving School, appeal eligibility and then if the appeal is not granted, participate at the Sending School.

D. The student, parent or guardian may appeal the Receiving School's initial transfer eligibility determination based upon the factors outlined in Bylaw Policy 111.2(A)-(F). The Receiving School administrator shall be solely responsible for submitting an appeal to the League, in writing, electronically or by hard copy. The appeal shall include the following:

(i) The rationale for the appeal and any supporting documentation from the student, parent or guardian;

(ii) Information and documentation from the Receiving School; (iii) Information and documentation from the

Sending School; E. League staff will review the appeal and take appropriate action, including but not limited to:

(i) Granting the appeal; ii) Denying the appeal; or (iii) Requesting additional documentation or information from the student, parent or guardian, and/or the schools;

F. If the appeal is denied, the student, parent or guardian may request an Independent Hearing at the League level. The request for an Independent Hearing shall be submitted by the Receiving School administrator and shall (i) be in writing; (ii) include the specific rationale describing why an Independent Hearing at the League level should be held; and (iii) include documentation supporting the rationale for a League-level Independent Hearing.

G. After a review of the request for an Independent Hearing, the League office will either grant or deny the request for an Independent Hearing. (i) If the request for an Independent Hearing is granted, the hearing will be held before an independent hearing officer appointed by the League and at the League's expense. If all parties agree, the hearing may be conducted by telephone. The student shall have a right to be represented by a person of the student's choice, which may include legal counsel. The independent hearing officer's recommendation shall be effective until reviewed by the League Board of Directors at its next regularly scheduled meeting. (ii) If the request for an Independent Hearing is denied, the transfer eligibility determination shall remain effective until reviewed by the League Board of Directors at its next regularly scheduled meeting. (iii) At its next regularly scheduled meeting, the League Board of Directors will accept or deny the recommendations of the independent hearing officer or accept or deny the transfer eligibility determination. The decision of the League Board of Directors shall be final.