

## Hardship Eligibility Procedure

(July 2007)

The NDHSAA requires processing a Certificate of Transfer for all transfer students applying for a hardship eligibility. The student must meet all other rules and regulations of Part Two, Article XIV-Rules of Eligibility; such as Enrollment, Section I; Scholarship, Section V; Age, Section VII; Semester, Section XI; etc.

Most petitions for hardship eligibility are initiated due to an alleged hardship situation created by the death of one or both parents, by separation or divorce of parents, or when the student is forced from the home by circumstances beyond his/her control. It is not considered a broken home when a student cannot get along with his/her parents or when there is a desire to transfer to a different high school and reside with relatives or friends. The excuse that one school is better than another is not sufficient reason for changing schools insofar as high school eligibility is concerned. The Executive Secretary will give no consideration for waiver of transfer if the student's indifference, attitude and actions contribute to a transfer or pending transfer. Cases involving any choice on the part of the student or parents shall not be heard under this section. **Parent generated guardianship does not establish eligibility.**

**A letter from the parent/guardian indicating why the student is a victim of hardship should be attached to the application form when sent to the NDHSAA office. Unless this letter is filed with the NDHSAA, there is no reason to attempt to get the transfer of eligibility approved.**

### PROCEDURES FOR APPLICATION FOR HARDSHIP ELIGIBILITY

After reading the above, if it appears the transfer student qualifies under the hardship provisions, the principal or superintendent of the receiving school must complete the information pertaining to said student on SECTION A of the application. **REMINDER: TRANSFER STUDENTS ARE ELIGIBLE FOR NON-VARSITY COMPETITION WITHOUT GOING THROUGH THE HARDSHIP PROCESS.**

- A. Only current application forms will be accepted (July of current school year).**
- B. The letter from the parent/guardian indicating why the student is a victim of a hardship **should be attached** to the waiver form when sent to the NDHSAA office.
- C. On a separate sheet of paper, preferably official school letterhead, enumerate clearly and accurately the reasons why you believe the student is a victim of a hardship. This statement should also be attached to the application form as documentation.
- D. Complete the information on the application form requested of you, the receiving school. (Section A)
- E. After completing all information requested of the receiving school, send the application and attached documents to the administrator of the school from which the student is transferring (school last attended by the student) requesting the completion of the waiver form. The sending school will, after completing the portion requested of them, return the application form and all attached documents to the NDHSAA, P.O. Box 817, Valley City, ND 58072-0817.
- F. **No official consideration** will be given to the application until all of the above has been completed and filed with the NDHSAA.
- G. Upon receipt of the application form and documentation in the NDHSAA office, the receiving school will be contacted for further details.
- H. Approval or denial of the hardship application is the decision of the Executive Secretary.

**Hardship Eligibility Application**

The NDHSAA requires processing a Certificate of Transfer for all transfer students applying for a hardship eligibility. Use this Transfer-Eligibility Hardship form for waiver of the Transfer Rule when hardships are involved. **NOTE:** In addition, the student must meet all other rules and regulations of Part Two, Article XIV Rules of Eligibility. **NOTE: TRANSFER STUDENTS ARE ELIGIBLE FOR NON-VARSITY COMPETITION WITHOUT GOING THROUGH THE HARDSHIP PROCESS.**

**SECTION A** of this form is to be completed by the petitioning school AND FORWARDED TO THE ADMINISTRATOR of the school from which the student transferred, requesting the required information in **SECTION B**. **Enclose a stamped, self-addressed envelope with this form** to expedite the "sending" school's reply. The entire completed application should be sent to the NDHSAA, Box 817, Valley City, ND 58072, to be reviewed by the Executive Secretary.

**Transfer, Part Two, Article XIV - Rules of Eligibility, Section X (b)**

**HARDSHIP** - This rule applies only to transfer students who, because of unforeseen, unavoidable, or unusual circumstances; including but not limited to, broken home conditions, death of parents or guardian, abandonment or other exceptional emergency reasons, find it necessary to change schools.

- a. Rulings in such cases will be considered by the Executive Secretary only after a complete investigation by the NDHSAA professional staff and/or Board of Directors.
- b. The Executive Secretary may declare the student eligible, provided the change was necessary and there was no undue influence.
- c. If the Executive Secretary declares the student eligible under the foregoing circumstances, he or she shall be eligible for varsity competition upon notification.

The decision of the Executive Secretary may be appealed Pursuant to Due Process Procedures of Part Two, Article VI. Sections X through XVII of the NDHSAA By-Laws.

**SECTION A - To be completed by principal of school to which student has transferred**

Name of student \_\_\_\_\_ Date of birth \_\_\_\_\_ Age \_\_\_\_\_

Student's current address \_\_\_\_\_ City, Zip \_\_\_\_\_

Name of school to which student has transferred \_\_\_\_\_

Address \_\_\_\_\_ City, Zip \_\_\_\_\_

Date the student started attending above school \_\_\_\_\_ Student's grade in school \_\_\_\_\_

FATHER & MOTHER	MOTHER	FATHER	STUDENT PREVIOUSLY LIVED WITH	STUDENT CURRENTLY LIVES WITH
Living Together <input type="checkbox"/>	Living <input type="checkbox"/>	Living <input type="checkbox"/>	Mother <input type="checkbox"/>	Mother <input type="checkbox"/>
Divorced <input type="checkbox"/>	Deceased <input type="checkbox"/>	Deceased <input type="checkbox"/>	Father <input type="checkbox"/>	Father <input type="checkbox"/>
			Other _____	Other _____

Community in which parent(s) reside \_\_\_\_\_

School last attended \_\_\_\_\_ Last day of attendance there \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

School Address \_\_\_\_\_ City, State, Zip \_\_\_\_\_

**STATE FULL DETAILS**

It is the responsibility of the petitioning school to supply statements of proof why it was necessary for the student to transfer because of unforeseen, unavoidable or unusual circumstances. Be sure to include a complete explanation in the space provided below or on a separate document and attach to this form:

In filing this application, it is understood that you believe the transfer is necessary under Part Two, Article XIV, Section X (b) of the NDHSAA Constitution and By-Laws? **Please explain your reason(s) for transfer:**

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The above information, **SECTION A**, and this application for immediate eligibility is correct to the best of my knowledge. No undue influence was used by any person to encourage the transfer.

**TWO SIGNATURES REQUIRED:** Indicates there is administrative agreement as to filing this application.

Superintendent \_\_\_\_\_ Date \_\_\_\_\_

Principal \_\_\_\_\_ Date \_\_\_\_\_

Athletic/Activities Administrator \_\_\_\_\_ Date \_\_\_\_\_

Contact Email Address \_\_\_\_\_

## HARDSHIP ELIGIBILITY VERIFICATION

**SECTION B - To be completed by the principal of the school the student last attended.**

North Dakota High School Activities Association **Hardship/Transfer Rule** requires processing a Certificate of Transfer for all transfer students applying for hardship eligibility.

**SECTION A** has been completed by the school to which the student has transferred. Please complete **SECTION B**, and return this form in the stamped, self-addressed envelope provided. Enclose a copy of the student's transcript if one has not been sent. Your prompt reply is appreciated.

Student's Name \_\_\_\_\_

**Yes      No**

1. Would the student have been eligible for interscholastic activities if he/she remained in your school?    
If **NO**, why?

\_\_\_\_\_

2. Did the student pass four 1/2 credit subjects in his/her last semester of attendance at your school?    
(If the answer is **no**, the student would not qualify for immediate eligibility due to scholarship deficiencies.)

3. If the student withdrew from your school during the course of a semester, was he/she enrolled and in attendance in at least four 1/2 credit subjects (those not previously passed) at the time of withdrawal?    
(If the answer is **no**, the student would not qualify for immediate eligibility due to enrollment deficiencies.)

4. In your opinion, was the transfer necessary in order for the student to have a home?    
If **NO**, explain:

\_\_\_\_\_

5. Total semesters attended in the following grades:    7th \_\_\_\_\_ 8th \_\_\_\_\_ 9th - 12th \_\_\_\_\_

**Please complete #6 if this information is not part of the student's permanent record which is being forwarded to the receiving school.**

6. List participation in interscholastic activities by number of seasons or years. **NOTE:** Participation in any part of a game, contest, activity, etc., constitutes participation for a season in that activity.

ACTIVITY	#YRS	ACTIVITY	#YRS	ACTIVITY	#YRS	ACTIVITY	#YRS
Debate	_____	Baseball	_____	Gymnastics	_____	Track & Field	_____
Speech & Drama	_____	Basketball	_____	Hockey	_____	Volleyball	_____
Instrumental Music	_____	Cross Country	_____	Swimming	_____	Wrestling	_____
Vocal Music	_____	Football	_____	Soccer	_____	Other (non-athletic)	_____
Student Congress	_____	Golf	_____	Tennis	_____	Other (athletic)	_____

7. **Certification of principal of former school** - Please check the appropriate language:

The above information is correct to the best of my knowledge. I **do** \_\_\_\_\_ **do not** \_\_\_\_\_ certify the reasons for transfer as stated in **SECTION A** are correct.

In your opinion, should this hardship be approved by the NDHSAA Executive Secretary? Yes \_\_\_\_\_ No \_\_\_\_\_

Explanation Required \_\_\_\_\_

\_\_\_\_\_

**Required: Two Signatures from last school attended.**

Superintendent \_\_\_\_\_

Date \_\_\_\_\_

Principal \_\_\_\_\_

Date \_\_\_\_\_

Athletic/Activities Director \_\_\_\_\_

Date \_\_\_\_\_

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**NDHSAA OFFICE USE ONLY**

This application for immediate transfer eligibility is: **Approved** \_\_\_\_\_ **Denied** \_\_\_\_\_

Note: If not approved, the student is ineligible for varsity competition under the Transfer Rule for 180 school days for all activities.

Date: \_\_\_\_\_ NDHSAA Executive Secretary \_\_\_\_\_