

ELIGIBILITY RULES AND REGULATIONS

Table of Contents

| | Page |
|--|------------|
| Rationale for Eligibility Rules | 1 |
| Scholastic Eligibility | 1 |
| Age Eligibility..... | 1 |
| Enrollment/Attendance | 1 |
| Eight Consecutive Semesters | 1 |
| Transfer/Residency | 1 |
| Non-School Participation..... | 1 |
| Medical Examination | 2 |
| Rules and Regulations Pertaining to Eligibility..... | 2 |
| Annual Eligibility Reports | 2 |
| SDHSAA Constitution and By-Laws | 2 |
| Open Enrollment..... | 2 |
| Computerized Version/Printouts..... | 2 |
| Catastrophic Insurance..... | 2 |
| Determining Eligibility Prior To Competition..... | 2 |
| Students Residing in a SD School District that does not Operate a High School | 3 |
| Loss Of Eligibility During The School Year | 3 |
| Penalties For Ineligible Competing In Contests..... | 3 |
| Seventh and Eighth Grade Eligibility | 3 |
| SDCL 13-36-8 7 th and 8 th Grade Nonpublic Elementary or Middle School Students..... | 3 |
| Seventh and Eighth Grade Contestants | 3 |
| No Sixth Grade Contestants..... | 3 |
| Eligibility of Students in an Approved CSIET International Exchange Program | 4 |
| U.S. Government Regulations Regarding International Youth Exchange | 4 |
| Legal Requirements for Foreign Students in Public Schools..... | 4 |
| Participation of Alternative Instruction Students..... | 5 |
| Eligibility Checklist for Alternative Instruction Students | 6 |
| Alternative Instruction Compliance..... | 7 |
| FORMS: | |
| Fine Arts Eligibility Report..... | ELIG - #1 |
| Annual Athletic Eligibility Report | ELIG - #2 |
| Guidelines for Open Enrollment Students..... | ELIG - #3 |
| Open Enrollment – Transfer of Athletic Eligibility | ELIG - #3A |
| Open Enrollment – Transfer of Athletic Eligibility South Dakota/North Dakota | ELIG - #3B |
| Guidelines for Consideration of Waiver of the Transfer Rule | ELIG - #4 |
| Waiver of the Transfer Rule Due to Hardship..... | ELIG - #4A |
| Guidelines and Application for Waiver of Scholastic/Eight Semester Eligibility Rules..... | ELIG - #5 |
| Family Educational Rights and Privacy Act | ELIG - #6 |

RATIONALE FOR ELIGIBILITY RULES

SCHOLASTIC ELIGIBILITY

A strong activities program can and should compliment a school's academic program. Participation in the various activity programs is predicated upon successful work in the academic classroom. Scholastics eligibility is based upon the fundamental principal that each student must earn passing marks in the academic curriculum in order to be eligible to participate in the activities curriculum that are sponsored at the secondary level. The scholastics rule, more than any other eligibility rule, is the rule that enables member schools to maintain the appropriate balance between the academic and activities programs offered at the secondary level. This rule also helps keep sports in their proper educational perspective.

AGE ELIGIBILITY

An age limitation requirement provides: commonality between students and schools in interscholastic competition; inhibits the possibility of red-shirting; allows the participation of younger, and less experienced players; enhances the opportunity for more students to participate; and helps to further diminish the inherent risk of injury associated with participation in interscholastic athletics.

A line must be drawn at some point to determine the cut-off date for age eligibility. Use of a specific cut-off date gives notice to all parties involved in interscholastic athletics and maintains equality of eligibility amongst schools.

ENROLLMENT/ATTENDANCE

A student enrollment requirement: promotes loyalty and school spirit which lends itself to cohesion of the student body.

An attendance requirement helps ensure students will adhere to a school's attendance plan which, in turn, prompts students to maintain the academic standard required for participation, and promotes graduation in a common time frame.

EIGHT CONSECUTIVE SEMESTERS

A maximum participation requirement promotes graduation in a common time frame by discouraging students from delaying or interrupting their high school education; disallows students to enroll for one semester each school year to increase athletic ability and skill; and discourages transfer from one school to another for athletic purposes.

A maximum participation requirement promotes harmony and fair competition amongst member schools by maintaining equality of eligibility. Each student is afforded the same number of semesters of athletic eligibility, which increases the number of students who will get an opportunity to participate in interscholastic athletics.

A maximum participation requirement is conducive to the prevention of red-shirting; exploitation by coaches seeking to obtain transfers or to delay a student's normal progress in school; and assists in preventing misuse by students or parents of an athletic program for possible college scholarships or additional honors.

TRANSFER/RESIDENCY

A transfer/residency requirement: assists in the prevention of students changing schools in conjunction with the change of athletic season for athletic purposes; impairs recruitment, and reduces the opportunity for undue influence to be exerted by persons seeking to benefit from a student-athletes prowess.

A transfer/residency requirement: promotes stability and harmony amongst member schools by maintaining the amateur standing of high school athletics; by not letting individuals other than enrolled students participate, and upholding the principle that a student should attend the high school in the district where the student's guardian(s) reside.

A transfer/residency requirement: also prohibits foreign students, other than students who are participants in an established foreign exchange program accepted for listing by the Council on Standard for International Educational Travel (CSIET), from displacing other students from athletic opportunities.

NON-SCHOOL PARTICIPATION

A non-school participation requirement protects students from exploitation by those who seek to capitalize on their skill and/or reputation; non-school athletic programs that do not have insurance protection; pressure of outside organizations to compete on non-school teams; any unfair advantage a student who participated in non-school athletics may have over a student who did not participate, and protects students from having too many distractions from academics and other responsibilities. A non-school participation requirement also provides some control over the trend towards year-round competitive sports seasons.

A non-school participation requirement alleviates any conflict which may arise due to time conflicts of practices, games, play-offs, differing coaching philosophies of the school coaching staff as well as the non-school coaching staff and team loyalty.

MEDICAL EXAMINATION

A medical examination requirement provides for the protection of all participants by insuring all participants have had the benefit of a physical exam, which could possibly detect a latent health problem in an early stage, preclude from participation a student who has a potentially serious health problem, and inhibits the possibility of a student with an infectious health condition from spreading it to other players. A medical examination requirement is also necessary for liability reasons.

RULES AND REGULATIONS PERTAINING TO ELIGIBILITY

ANNUAL ELIGIBILITY REPORTS

Member schools are expected to submit the following reports to the SDHSAA office:

1. Submit the Annual Athletic Eligibility Report Form by June 1 of each school year. **\$50 FINE IF NOT SUBMITTED BY DUE DATE.**
2. Submit the Annual Fine Arts Eligibility Report Form by June 1 of each school year. **\$50 FINE IF NOT SUBMITTED BY DUE DATE.**

The two Annual Reports must include an unduplicated count of each and every participating student involved with athletic activities and/or fine arts activities respectfully.

SDHSAA CONSTITUTION AND BYLAWS

CHAPTER II, PART II, SECTION 6

- a. Prior to the start of any sport or fine arts activity, the high school principal or his/her designee shall verify to the coaching staff in each sport respectively and to the director of each fine arts activity respectively, that the students participating in those activities meet all the eligibility requirements set forth in Chapter I, page 8, Part IV and Chapter II, page 10, Part I of the Bylaws.
- b. In the event an ineligible student is allowed to participate in an interscholastic contest, forfeiture will be automatic. Additionally, the Board of Directors shall determine other penalties as deemed appropriate.
- c. On or before June 15, each high school principal or his/her designee shall submit to the Executive Director the Annual Athletic Eligibility Report Form listing the names and other pertinent data of all students who participated in interscholastic athletics for the school year just completed.
- d. On or before June 15, each high school principal or his/her designee shall submit to the Executive Director the Annual Fine Arts Eligibility Report Form listing the names and other pertinent data of all students who participated in interscholastic fine arts activities for the school year just completed.
- e. In the event a student becomes ineligible at any time during the school year, it shall be the duty of the high school principal or his/her designee to so inform the athletic coach or fine arts director at which time the student will be immediately withdrawn from all interscholastic competition.

OPEN ENROLLMENT

1. The SDHSAA Open Enrollment Form is not required for out-of district students entering high school as a freshman. All freshmen are automatically eligible for interscholastic athletics regardless where their parents might live.
2. The SDHSAA Open Enrollment Form is not required if parents move out the district as long as the student remains at his/her former school.
3. The privilege of transferring athletic eligibility as an open enrollment student is granted only one time during a student's high school career. Any subsequent transfers without a corresponding move by the parents will render the student ineligible for one year.
4. There are no deadline dates that parents and member schools must meet relative to submitting the Open Enrollment Form to the SDHSAA.
5. The Open Enrollment Bylaw can be located in Chapter II, Part I, Section 1, Sub-Section (n), page 12 of the SDHSAA Constitution and Bylaws.

COMPUTERIZED VERSION/PRINTOUTS

Member schools have the option of reporting the data required by completing the SDHSAA forms as collated into this section of the Handbook or they may attach a computerized printout provided all of the data is included as set forth on the SDHSAA forms. If the computerized printout is submitted, each member school should attach it to the appropriate athletic form and fine arts form with all dates, signatures, etc. completed as required.

CATASTROPHIC INSURANCE

Catastrophic insurance premiums for each member school, for the ensuing school year, will be based upon the number of students reported on the "Annual Athletic Eligibility Report Form".

DETERMINING ELIGIBILITY PRIOR TO COMPETITION

It shall be the duty of the high school principal or his/her designee to verify to the coaching staff of each athletic sport as well as the instructors of each fine arts activity that each student meets all of the eligibility requirements of the SDHSAA.

This must be done prior to any student participating in any interscholastic contest. The elimination of Master Eligibility Lists did not negate the need to monitor eligibility status of each and every participating student.

STUDENTS RESIDING IN A SOUTH DAKOTA SCHOOL DISTRICT THAT DOES NOT OPERATE A HIGH SCHOOL

Students in grades nine (9) through twelve (12) who reside in a South Dakota school district that does not operate a high school would be eligible to participate at the first SDHSAA member high school in which they enroll. If said student was enrolled at the beginning of the school year, or at the beginning of the second semester, said student would be eligible immediately. Should said student enroll at any other time, the student would become eligible on the eleventh scheduled day of school in a school which operates a five (5) day school week or on the ninth scheduled day of school in a school which operates a four (4) day school week. Following enrollment at an SDHSAA member school, all transfer rules would be applicable. This would apply to the initial transfer only.

LOSS OF ELIGIBILITY DURING THE SCHOOL YEAR

In the event a student should lose his/her eligibility during the course of a school year, it shall be the duty of the high school principal or his/her designee to immediately notify the student, the coaching staff and/or fine arts instructor of the ineligibility and thus avoid penalties.

PENALTIES FOR INELIGIBLE COMPETING IN CONTESTS

1. In the event an ineligible student is allowed to participate in an interscholastic contest, forfeiture will be automatic. Any ineligible athlete, who suits up for a game, whether said athlete plays or does not play in the contest, is considered to be a violation of Part II, Section 9, page 15 of the Bylaws.
2. Additionally, the Board of Directors shall determine other penalties as deemed appropriate.

SEVENTH AND EIGHTH GRADE ELIGIBILITY

SDCL 13-36-8 7th and 8th GRADE NONPUBLIC ELEMENTARY OR MIDDLE SCHOOL STUDENTS

Any seventh or eighth grade student who attends a nonpublic elementary or middle school that is not affiliated with a nonpublic high school may participate in interscholastic activities at a nonpublic high school, at the discretion of the nonpublic school, if the student meets the same scholastic standards required by the South Dakota High School Activities Association for high school participation. **Adopted 2005 Legislative Session.**

SEVENTH AND EIGHTH GRADE CONTESTANTS

Chapter I, Part IV, Section 3 of the SDHSAA Bylaws provides that member schools may use seventh and eighth grade students on high school teams, provided they meet scholastic standards fully equivalent to those required by the Association for high school contests.

Seventh and eighth grade students who reside in a school district that does not operate a high school would be eligible to participate at the first SDHSAA member school in which they enroll. If said student was enrolled at the beginning of the school year, or at the beginning of the second semester, said student would be eligible immediately. Should said student enroll at any other time, the student would become eligible on the eleventh scheduled day of school in a school which operates a five (5) day school week or on the ninth scheduled day of school in a school which operates a four (4) day school week. Following enrollment at an SDHSAA member school, all transfer rules would be applicable. This would apply to the initial transfer only.

This language coincides with SDCL 13-36-8 which was adopted by the SD Legislature during the 2005 Legislative Session:

NO SIXTH GRADE CONTESTANTS

Member schools should be advised that the interpretation of Chapter I, Part IV, Section 3 of the SDHSAA Bylaws prohibits any student from participating in high school athletic contests who might be in grade six or below. This pertains to both boys and girls athletics, and there is no exception to the rule.

ELIGIBILITY OF STUDENTS IN AN APPROVED CSIET INTERNATIONAL EXCHANGE PROGRAM

A student who is enrolled in an approved CSIET International Exchange Program is eligible for one year from the date of enrollment provided the following criteria are met:

1. The student satisfies all SDHSAA eligibility requirements as per Chapter I, Part IV, Section 1, page 8 of the SDHSAA Bylaws.
2. The student shall not have graduated from high school or received a high school diploma in his/her foreign country.
3. The student has not previously attended a high school in the United States.
4. Neither the school the student attends, nor any person associated with the school, has had any input in the selection of the student.
5. The student has not been terminated from the CSIET program.
6. Pass a physical examination as set forth by SDHSAA Bylaws, Chapter II, Part I, Section 3, page 12.

The APPROVED LIST for the current school year, as determined by the Council on Standards for International Educational Travel, can be found on the CSIET Web-site (www.csiet.org). If there are further questions, contact the SDHSAA office.

U.S. GOVERNMENT REGULATIONS REGARDING INTERNATIONAL YOUTH EXCHANGE

Further information regarding international youth exchange programs may be found on the CSIET website. On the CSIET home page, click on Advisory List, on the Advisory List page, click on Visa Information. In this section, you will find information on various visa categories and programs, responsibilities of sponsors and students, and other valuable information relative to international youth exchange programs and opportunities.

LEGAL REQUIREMENTS FOR FOREIGN STUDENTS IN PUBLIC SCHOOLS

Public Law 104-208, section 625 8 USC section 1184 (m) (1) places the following restrictions on foreign students in F-1 nonimmigrant status:

- Prohibits their attendance in public elementary schools (grades K through 8) or publicly-funded adult education programs;
- Limits their attendance in public secondary schools (grades 9 through 12) to a maximum of (12) months; and
- Requires them to reimburse public secondary schools for the full unsubsidized per capita cost of education for the intended period of study. There is no provision in the law that would permit a public school to waive the tuition fee or make any contribution toward the full cost of that fee.

PARTICIPATION OF ALTERNATIVE INSTRUCTION STUDENTS

At the discretion of the local, member school, alternative instruction students under SDCL 13-27-3 may be granted permission by an accredited member school to participate in interscholastic contests by annually fulfilling the following conditions:

1. Demonstrate compliance with CHAPTER I, PART IV – STUDENT ELIGIBILITY and CHAPTER II, PART I – FURTHER ELIGIBILITY REQUIREMENTS FOR ATHLETIC CONTESTS (as applicable) by submitting the SDHSAA Eligibility Checklist for Alternative Instruction Students.
2. Providing documentation of the SDCL 13-27-3 APPLICATION FOR PUBLIC SCHOOL EXEMPTION CERTIFICATE REQUEST and nationally standardized achievement tests in grades tested under the state testing program.
3. Complying with all member school eligibility requirements with the exception of attendance requirements. Scholastic/academic eligibility shall be verified per local school administrative policy following the same procedure used to accept credits towards graduation when an alternative instruction student requests a transfer to the local school district.
4. Any student, who was unable to maintain academic eligibility in an accredited school, shall be ineligible to participate as an alternative instruction student for a period of one year. After one year, the student may regain eligibility per local school administrative policy.
5. Satisfying the responsibilities and standards of behavior and performance, including related class or practice requirements, as expected of other student participants as a condition for both the initial acceptance and continued membership in the activity including but not limited to:
 - (a) All local school training rules and/or codes of conduct will be applicable.
 - (b) In order to be eligible to audition for and/or participate in Region Music Contests, All-State Chorus, All-State Orchestra or All-State Band, the student must be currently enrolled and attending the local school's parallel musical organization (if one exists) i.e. vocal music, instrumental music, orchestra. (This is the same rule that applies to students attending a member school.)
 - (c) A student who is a member of a high school team may not participate in games, practice, tryouts, etc. in that particular sport during the same season on an independent or non-high school team or as a member of any "all-star" team, or completely unattached on an individual basis. (This is the same rule that applies to students attending a member school.)
 - (d) All references to calendar shall refer to the calendar of the member school where the alternative instruction student is participating.
6. Eligibility will be established at the first member school the alternative student decides to participate.
7. The student may transfer their eligibility one time to another member school. If this occurs at the beginning of the school year, the student would become eligible immediately. If the transfer occurs after the first day of school, the student would become eligible as per the following guidelines:

For students not enrolled on the first day of the school year at the school they are open enrolling to:

 - **Open enrollment students enrolled in a SDHSAA member school which operates a five (5) day week shall become eligible on the forty-sixth (46th) scheduled day of school provided all other SDHSAA regulations are met.**
 - **Open enrollment students enrolled in a SDHSAA member school which operates a four (4) day week shall become eligible on the thirty-seventh (37th) scheduled day of school provided all other SDHSAA regulations are met.**
8. A student who leaves an accredited school for any reason to enter an alternative instruction program shall be ineligible for interscholastic competition for a period of one year, beginning on the date the student enters the alternative instruction program. Re-enrollment in a member school shall not nullify the year of ineligibility.

SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

ELIGIBILITY CHECKLIST FOR ALTERNATIVE INSTRUCTION STUDENTS

(Completed on an Annual Basis)

Member School _____ Date Completed _____

Student Name _____ Grade _____

The alternative instruction student must comply with all the items on this checklist in order to participate in SDHSAA sanctioned events. Please check (X) each requirement that has been fulfilled. The aforementioned student:

- ___ meets age/grade requirements (grade 7 or higher, but has not reached his/her 20th birthday)
- ___ has not attended more than 4 first semesters and 4 second semesters of school in grades 9-12. These semesters must be consecutive
- ___ has completed 20 hours of high school work per week for the preceding semester, unless entering high school for the first time. Twenty hours is equivalent to four full time academic subjects
- ___ will attend a minimum of 20 hours of high school work per week, at the alternate instruction site, during each semester of the current school year
- ___ seventh and eighth grade students may compete on high school teams provided they meet scholastic standards fully equivalent to those required for students in grades 9-12
- ___ has not graduated from a regular four-year high school or institution of equivalent rank
- ___ was attending classes by the 16th school day of the current semester
- ___ has not been absent from classes for more than 10 consecutive school days (illness of the student or a death in the immediate family excepted)
- ___ resides with either a parent or a legal guardian (or court placement documents)

Additional Athletic Eligibility Rules

- ___ has current forms for parent permit and SDHSAA athletic physical examination
- ___ has never participated in an athletic contest under an assumed name
- ___ has never participated in athletics in any institution of higher rank than a standard secondary school
- ___ has never violated his/her amateur standing
- ___ is not participating as an individual or as a member of another team during the same sport season while a member of a high school team (i.e. playing on a Y-basketball team during the high school basketball season)

Additional Fine Arts Eligibility Rules

- ___ is currently enrolled and attending the local school's parallel musical organization prior to auditioning and/or participating in Region Music Contests, All-State Chorus, All-State Orchestra or All-State Band. If a student tries out for and makes an All-State event, after which the student quits the high school music organization, the student is not eligible to perform in the All-State event for he/she is no longer actively involved in the local school's music group.

ALTERNATIVE INSTRUCTION COMPLIANCE

Student:

- _____ has provided school officials with acceptable documentation of compliance with all rules governing alternative instruction programs

- _____ has met all member school eligibility requirements as per SDHSAA Bylaws, Chapter I, Part IV, Section 1, page 8 relating to age, enrollment, eight semester rule and the scholastic/academic eligibility rules

- _____ has not been declared academically ineligible in any accredited school during the past year. If a student has been declared academically ineligible, he/she is ineligible to participate in SDHSAA events as an alternative instruction student for a period of one year.

- _____ has not been enrolled in an accredited school during the past calendar year

- _____ has not transferred eligibility from another member school. If so, list member school previously competing with and date of transfer. (Previous school: _____
Date of transfer :_____). This is allowed one time during the four years of eligibility. If this occurs at the beginning of the school year, the student would become eligible immediately. If the transfer occurs after the first day of school, the student would become eligible following 45 school days. This is applicable to the initial transfer only. Any subsequent transfer results in ineligibility for one year from the date of transfer.

We verify that we are in compliance with Chapter 1, Part IV, Section 1, page 8 of the SDHSAA Constitution and Bylaws relating to age, enrollment, eight semester rule and the scholastic/academic eligibility rules and SDCL 13-27-3 rules and regulations. Furthermore, we acknowledge and accept that fulfillment of the same responsibilities and standards of behavior and performance, including related class or practice requirements, as other students, participating in the interscholastic activity is a condition of participation.

(Signature of parent/guardian)

(Signature of student)

I verify that to the best of my knowledge _____ has complied in all respects with the conditions of SDCL 13-27-3 and Chapter 1, Part IV, Section 2 of the SDHSAA Constitution and Bylaws relating to age, enrollment, eight semester rule and the scholastic/academic eligibility rules and that he/she has received permission from our school to participate in interscholastic activities at this high school and will be added to the SDHSAA annual eligibility report.

(High School Principal)

(Athletic/Activities Director)

SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION GUIDELINES FOR OPEN ENROLLMENT STUDENTS

OPEN ENROLLMENT

1. The SDHSAA Open Enrollment Form is not required for out-of district students entering high school as a freshman. All freshmen are automatically eligible for interscholastic athletics regardless where their parents might live.
2. The SDHSAA Open Enrollment Form is not required if parents move out the district as long as the student remains at his/her former school.
3. The privilege of transferring athletic eligibility as an open enrollment student is granted only one time during a student's high school career. Any subsequent transfers without a corresponding move by the parents will render the student ineligible for one year.
4. There are no deadline dates that parents and member schools must meet relative to submitting the Open Enrollment Form to the SDHSAA.
5. The Open Enrollment Bylaw can be located in Chapter II, Part I, Section 1, Sub-Section (n), page 12 of the SDHSAA Bylaws.
6. In order for open enrollment students to be eligible immediately for participation in interscholastic athletics of the SDHSAA, the student must have been enrolled on the first day of the school year at the school they are open enrolling to. All other open enrollment students shall become eligible as per the following guidelines:
 - **Open enrollment students enrolled in a SDHSAA member school which operates a five (5) day week shall become eligible on the forty-sixth (46th) scheduled day of school provided all other SDHSAA regulations are met.**
 - **Open enrollment students enrolled in a SDHSAA member school which operates a four (4) day week shall become eligible on the thirty-seventh (37th) scheduled day of school provided all other SDHSAA regulations are met.**
7. In addition, all such students must meet all other eligibility requirements.
7. All necessary forms must be filled out and filed with the SDHSAA prior to being allowed to compete.

BYLAWS, CHAPTER II, PART I:

Any student who transfers from a member high school to another member high school shall be eligible to participate in interscholastic athletics provided such student has met the standards for open enrollment as defined in the following paragraph.

- **Open enrollment students transferring from one high school to another must have the school (s)he leaves file a transcript of credits with the principal of the school to which (s)he is transferring. Until such transcript is filed the student is ineligible.**
NOTE: The open enrollment statutes SDCL 13-28-40 through 13-18-47 do not change the Bylaws of the SDHSAA. Thus Chapter II, Part I, Section 1, Sub-Sections (a) and (f) apply to sports eligibility for all open enrollment students.
- **If an open enrollment student participates in one or more SDHSAA sub-state tournament(s) or play-off game(s) at the school previously attended, said open enrollment student would be ineligible at the new school in that sport.**
- **Once enrolled in a nonresident district or nonassigned school, the student may remain enrolled and is not required to resubmit annual applications.**

In addition, all such students must meet all other of the general requirements as found in the Bylaws PART IV, SECTION 1:

- (a) **Age:** The student must be under 20 years of age at the time of participation.
- (b) **Enrollment:** The student must have enrolled not later than the sixteenth school day of the current semester.

(c) Eight Semester Rule: Only students who have not fulfilled requirements for graduation are eligible for interscholastic activities. A student shall be eligible for four first semesters and four second semesters of interscholastic competition. For the purpose of this subsection, enrollment in school for fifteen school days or participation in one or more contests shall count as a semester of eligibility. Once a student enrolls as a ninth grader, all semesters must be consecutive unless waived as per Article VII, Section 3 (1), page 4 of the Constitution.

(d) Scholastic/Academic Eligibility Rule:

(1) Preceding Semester. The student, unless they are entering high school for the first time, shall have successfully earned a minimum of two (2) units of credit which are used in the issuance of a diploma for the preceding or for the most recent semester of attendance in any accredited high school. For the purposes of this subsection, enrollment and attendance in school or participation in one or more contests shall constitute a semester in determining eligibility. However, the Board of Directors or the Executive Director shall have the authority to waive the attendance rule when and if a student withdraws from school as a result of an injury or illness and does not return to any school for the remainder of the semester and the student does not receive any high school course credits.

NOTE: Failure to earn two (2) units of credit the previous semester causes the student to become ineligible the entire following semester.

NOTE: Only credits accepted by the school for graduation may be used in determining whether a student successfully earned two (2) units of credit. Source: Minutes of the January 10-11, 2001 Board of Directors Meeting.

(2) Current Semester. The student shall (a) be enrolled in an accredited high school and attend courses for which a minimum of two (2) units of credit may be earned towards the issuance of a diploma, (b) be receiving alternative instruction as set forth in SDCL 13-27-3, or (c) any student in grades ten, eleven, or twelve may apply to an institution of higher education or a postsecondary vocational education institution as a special student in a course or courses offered at the institution of higher education or postsecondary vocational education institution. Correspondence/college courses approved in advance by the high school principal for which credits earned are used in the issuance of a high school diploma may count towards the two (2) units of credit eligibility requirement.

For purposes of this By-Law “standards for open enrollment” shall mean such standards authorized by a public school board as required by SDCL 13-28-40 through and including SDCL 13-28-47. In the case of a non-public school, such comparable standards and time-lines, as set forth in SDCL 13-28-40 through and including SDCL 13-28-47 would be applicable to such school.

In such cases, eligibility is applicable to the initial open enrollment transfer only. Any subsequent open enrollment transfer to another high school shall render the student ineligible for one year with one exception. **The exception:** In the event a student returns to: **A.)** his/her former school or **B.)** where his/her parents reside, the student will be ineligible until the beginning of the following school year.

OPEN ENROLLMENT BETWEEN SCHOOLS IN A COOPERATIVE AGREEMENT

As per Board of Directors minutes, November 25, 2002: “Students who open enroll from one school in a cooperative to the other school (s) in the same cooperative will not have to sit out the 45 day waiting period providing all schools in the cooperative coop in all athletic activities in the same gender.”



Open Enrollment - Transfer of Athletic Eligibility

Chapter II, Part I, Section 1 of SDHSAA Bylaws

Parent/Guardian: Complete Sections I, II, III & Sign.

| I. Parent/Guardian Information | | |
|--|---|--|
| Parent/Guardian Name (Last, First, M.I.) | Home Telephone () | Work Telephone () |
| | Work Telephone () | Fax Number () |
| Parent/Guardian Address | City | Zip Code |
| School District/Attendance Area in which family resides: | | |
| II. Student Information | | |
| Student Name (Last, First, M.I.) | | |
| High School Previously Attended: | 2008-09 Grade Level | 2009-10 Grade Level |
| Sports Previously Participated In: | | |
| III. School Information | | |
| SDHSAA Member High School to which student wants to transfer: | Was/will this student be enrolled in your school on the 1 st day of the 2009-10 school year? <input type="checkbox"/> Yes <input type="checkbox"/> No | Athletic eligibility is applicable to the initial transfer only. <input type="checkbox"/> Please check as indication that parents understand this restriction |
| The above information is true and correct to the best of my knowledge. | | |
| _____ Signature of Parent/Guardian | | _____ Date |

Receiving School: Complete Section IV, V, & Sign

| IV. Date Application Received By SDHSAA Member School | | |
|---|----------------------------------|-------------------------------------|
| Date Application Received | Date Governing Board Took Action | School Representative (Please Sign) |
| V. Receiving High School Approval/Disapproval | | |
| Following review of this application, with due consideration to the laws and rules applicable to the open enrollment program, this application is hereby (check one): | | |
| <input type="checkbox"/> APPROVED: The receiving high school will send signed copies of this application to 1) the former high school, 2) the parent/guardian, and 3) the South Dakota High School Activities Association. A copy will be kept on file in the high school receiving the student. | | |
| <input type="checkbox"/> DISAPPROVED: The receiving high school will send signed copies of this application to 1) the former high school, 2) the parent/guardian, and 3) the South Dakota High School Activities Association. A copy will be kept on file in the high school receiving the student. The application was disapproved for the following reason(s): | | |
| _____ Signature of School Board President or Designated School Official | | _____ Date |

ACTION TAKEN BY THE SDHSAA

| |
|--|
| <input type="checkbox"/> APPROVED Eligible for sports immediately |
| <input type="checkbox"/> APPROVED Eligible for sports on the 46 th /37 th scheduled day of school following enrollment at _____ High School |
| <input type="checkbox"/> DISAPPROVED Student previously transferred under open enrollment |
| <input type="checkbox"/> NOT NEEDED Reason: _____ |
| _____ Signature |
| _____ Date |



SOUTH DAKOTA/NORTH DAKOTA
Open Enrollment - Transfer of Athletic Eligibility
Chapter II, Part I, Section 1 (m) of SDHSAA Bylaws
SDCL 13-28A-1 THROUGH 13-28A-11
Parent/Guardian: Complete Sections I, II, III & Sign.

| I. Parent/Guardian Information | | |
|--|---|----------|
| Parent/Guardian Name (Last, First, M.I.) | Home Telephone () Work Telephone () Fax Number () | |
| Parent/Guardian Address | City and State | Zip Code |
| School District in which family resides: | | |

| II. Student Information | | |
|------------------------------------|---------------------|---------------------|
| Student Name (Last, First, M.I.) | | |
| High School Previously Attended: | 2008-09 Grade Level | 2009-10 Grade Level |
| Sports Previously Participated In: | | |

| III. School Information | | |
|--|---|--|
| SDHSAA Member High School to which student wants to transfer: | Was/will this student be enrolled in your school on the 1 st day of the 2009-10 school year? <input type="checkbox"/> Yes <input type="checkbox"/> No | Athletic eligibility is applicable to the initial transfer only. <input type="checkbox"/> Please check as indication that parents understand this restriction |
| The above information is true and correct to the best of my knowledge. | | |
| _____ Signature of Parent/Guardian | | _____ Date |

Receiving School: Complete Section IV, V, & Sign

| IV. Date Application Received By SDHSAA Member School | | |
|---|----------------------------------|-------------------------------------|
| Date Application Received | Date Governing Board Took Action | School Representative (Please Sign) |

| V. Receiving High School Approval/Disapproval | |
|---|---------------|
| <p>Following review of this application, with due consideration to the laws and rules applicable to the open enrollment program, this application is hereby (check one):</p> <p><input type="checkbox"/> APPROVED: The receiving high school will send signed copies of this application to 1) the former high school, 2) the parent/guardian, and 3) the South Dakota High School Activities Association. A copy will be kept on file in the high school receiving the student.</p> <p><input type="checkbox"/> DISAPPROVED: The receiving high school will send signed copies of this application to 1) the former high school, 2) the parent/guardian, and 3) the South Dakota High School Activities Association. A copy will be kept on file in the high school receiving the student. The application was disapproved for the following reason(s):</p> <p>_____</p> | |
| _____ Signature of School Board President or Designated School Official | _____ Date |

ACTION TAKEN BY THE SDHSAA

| | |
|--|---------------|
| <input type="checkbox"/> APPROVED Eligible for sports immediately <input type="checkbox"/> APPROVED Eligible for sports on the 46 th /37 th scheduled day of school following enrollment at _____ High School <input type="checkbox"/> DISAPPROVED Student previously transferred under open enrollment <input type="checkbox"/> NOT NEEDED Reason: _____ | |
| _____ Signature | _____ Date |

GUIDELINES FOR CONSIDERATION OF WAIVER OF THE TRANSFER RULE

1. Waiver of transfer rule pursuant to Provisions in Article VII, Section 3, Sub-section (j):

(j) The Board of Directors, or the Executive Director, as hereinafter provided in Section 11, shall have authority to waive the enforcement of the transfer rule when it appears that an individual student would be unjustly penalized because of (1) death of a parent; (2) divorce; (3) court adjudicated separation of the parents; (4) change in economic status of the parents beyond the control of the student's family which forces the transfer. A waiver under this sub-section shall only be granted when the economic change is a foreclosure, bankruptcy, or parents loss of job which would require documentation by the parents;(5) assignment, by any governmental agency of a student to a particular school or school district; (6) assignment, by any governmental agency, of a student to a facility such as McCrossan Boys Ranch; (7) No Child Left Behind—NCLB, and (8) any other circumstance of a similar serious nature.

2. Definitions:

Death - death of a parent or legal guardian.

Divorce - dissolution of marriage by the courts.

Separation - separation of the parents under a court order.

Change in Economic Status - Financial problems beyond the control of the student's family as a result of foreclosure, bankruptcy or parent's loss of job.

Assignment - Assignment by a governmental agency of a student to a particular school, school district or facility such a McCrossan Boys Ranch, Our Home Inc., etc.

Other Circumstances - Matters of a very serious nature that do not fit the definitions set forth in the other categories.

3. Application for waiver of the transfer rule must be initiated by the member school receiving the student as per Article VII, Section 3, Sub-section (n), page 4.

4. It shall be the responsibility of the receiving school as well as the school last attended to complete the appropriate form(s) furnished by the SDHSAA.

5. Statements from federal, state and county officials, members of the clergy or others who are in position to furnish information concerning the reason(s) for the transfer should be included in the application.

6. A signature of the parents or legal guardians and the student on the appropriate form furnished by the SDHSAA shall be the responsibility of the school receiving the students.

As per constitutional amendment, June 2002: Chapter II, Part I—FURTHER ELIGIBILITY REQUIREMENTS FOR ATHLETIC CONTESTS:

Any student granted eligibility pursuant to Article VII, Section 3, sub-section (j)---waiver of the transfer rule due to hardship---would not be eligible until the beginning of the following school year should the student transfer to his/her school where his/her parents/guardians reside.

**SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION
WAIVER OF THE TRANSFER RULE DUE TO HARDSHIP**

To be completed by the designated authority of the school receiving the student and returned to the SDHSAA.

Article VII, Section 3, Sub-section (j):

(j) The Board of Directors, or the Executive Director, as hereinafter provided in Section 11, shall have authority to waive the enforcement of the transfer rule when it appears that an individual student would be unjustly penalized because of (1) death of a parent; (2) divorce; (3) court adjudicated separation of the parents; (4) change in economic status of the parents beyond the control of the student's family which forces the transfer. A waiver under this sub-section shall only be granted when the economic change is a foreclosure, bankruptcy, or parents loss of job which would require documentation by the parents; (5) assignment, by any governmental agency of a student to a particular school or school district; (6) assignment, by any governmental agency, of a student to a facility such as McCrossan Boys Ranch; (7) No Child Left Behind--NCLB; and (8) any other circumstance of a similar serious nature.

Under which condition(s) of Sub-section (j) are you submitting this application?

Death Divorce Separation Economic Status
 Government Assignment NCLB Other Circumstances

1. Name of Student _____ Date Enrolled _____

2. Student's Current Address _____

3. Student's Date of Birth _____ Student's Age _____

4. Name and Address of School Transferred from _____

5. Total Semesters of Eligibility Completed at the Time of Transfer. Circle Appropriate Semester(s) and Indicate Year(s).

Semester 1-2, _____ - _____ Semester 5-6, _____ - _____
 Semester 3-4, _____ - _____ Semester 7-8, _____ - _____

6. Name and Address of Parent(s) or Legal Guardian(s) _____

7. Status of family:

| Mother and Father | Mother | Father | Student previously lived with | Student currently lives with |
|---|--|--|--|--|
| <input type="checkbox"/> Living together <input type="checkbox"/> Divorced <input type="checkbox"/> Separated | <input type="checkbox"/> Living <input type="checkbox"/> Deceased | <input type="checkbox"/> Living <input type="checkbox"/> Deceased | <input type="checkbox"/> Mother & Father <input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Mother & Father <input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> Other: _____ |

8. Number of Seasons of Participation in grades 9-12:

Basketball Golf Track Competitive Cheer
 Cross Country Gymnastics Volleyball Competitive Dance
 Football Tennis Wrestling

9. STATE FULL DETAILS. It is the responsibility of both the school from which the student transfers and the school that receives the student to verify and document the conditions under which a move from one school to another is the result of death, divorce, separation, change in economic status, or government assignment. (ATTACH ALL DOCUMENTATION TO THIS FORM.)

10. The information obtained and documented on the APPLICATION is the result of an interview with the following people:

1. _____ Date _____
2. _____ Date _____
3. _____ Date _____
4. _____ Date _____
5. _____ Date _____

11. The above information is correct to the best of my knowledge.

Designated School Representative _____ Title _____
Name of High School _____
Address _____ City _____ Zip _____

To be completed by the student and her/his parents(s)/guardian(s).

Certificate of Application: This is to certify that all information herein contained is correct and I understand that ineligibility may result if the information proves to be incorrect through error or misstatement. I further certify that the transfer was not for athletic reasons.

Signature of Parent/Guardian Date Signature of Student Date

RETURN THIS FORM AND DOCUMENTATION IN ITS ENTIRETY TO:

South Dakota High School Activities Association
804 North Euclid, Suite 102
P.O. Box 1217
Pierre, SD 57501

_____ Approved _____ Not Approved

SDHSAA Executive Director

Date

SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

GUIDELINES AND APPLICATION FOR WAIVER OF SCHOLASTIC/EIGHT SEMESTER ELIGIBILITY RULES

Article VII, Section 3, Sub-section (1): The scholastic or eight-semester rule may be waived if the student loses eligibility because of serious illness, injury and/or other circumstances of a similar serious nature. In such cases, the illness, injury or other circumstances of a similar serious nature must be verified in writing by a licensed health professional or other professional personnel as per request from the SDHSAA office.

WAIVER OF THE SCHOLASTIC/EIGHT-SEMESTER RULE DUE TO HARDSHIP

Please check the appropriate box:

- Applicant requests waiver of the scholastic rule.
- Applicant requests waiver of the Eight-Semester Rule
- Applicant requests waiver of both eligibility rules

1. Name of Student _____

2. Student's Date of Birth _____ Student's Age _____

3. Total Semesters of Eligibility completed. Circle appropriate semester(s) and indicate year(s).

Semester 1-2, _____ - _____ Semester 5-6, _____ - _____

Semester 3-4, _____ - _____ Semester 7-8, _____ - _____

4. Number of seasons of participation in grades 9-12 in the following:

ATHLETICS:

_____ Basketball _____ Golf _____ Track _____ Competitive Cheer
_____ Cross Country _____ Gymnastics _____ Volleyball _____ Competitive Dance
_____ Football _____ Tennis _____ Wrestling

FINE ARTS:

_____ Debate & IE _____ Music _____ Oral Interpretation
_____ Journalism _____ One-Act Plays

- 5. Applicant must include a copy of the student's official transcript of grades.
- 6. Applicant must include medical documentation of the serious illness or injury that caused the student to become ineligible. Please attach all documents to this form.
- 7. Applicant must include form # 6 entitled, "Family Educational Rights and Privacy Act".

The information provided is correct to the best of my knowledge.

Designated School Representative

Title

Name of High School

Address

City

Zip

To be completed by the student and her/his parent(s)/guardian(s).

1. Certificate of Application: This is to certify that all information herein contained is correct and I understand that ineligibility may result if the information proves to be incorrect through error or misstatement.

Signature of Parent/Guardian

Date

Signature of Student

Date

RETURN THIS FORM AND DOCUMENTATION IN ITS ENTIRETY TO:

**South Dakota High School Activities Association
804 North Euclid, Suite 102
P. O. Box 1217
Pierre, SD 57501**

_____ Approved

_____ Not Approved

SDHSAA Executive Director

Date

SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

(This form to be submitted by the school receiving the student)

Date

Name of Student

Birth Date

do hereby authorize the

Name of Your School District

To transfer the above-named student's records or transcripts to the South Dakota High School Activities Association. Furthermore, I hereby authorize the South Dakota High School Activities Association Board of Directors, office staff, and appeal committee to view and examine the records of the above-mentioned student as part of a hardship hearing.

Signature of Student

Signature of Parent or Guardian

Address

Address

NOTE: Students who are eighteen years of age or older shall sign on their own behalf. In this case the signature of the parent or legal guardian is not required.