



TRANSFER TRACKING FORM

[Transfer Tracking Form](https://tinyurl.com/ye9dvbrr) (<https://tinyurl.com/ye9dvbrr>)

State of Delaware Interscholastic Athletics Transfer Law

On Friday, August 2, 2024, Governor John Carney signed Senate Bill 281 into law. The new transfer law requires any student in grades 9 through 12, who transfers to a DIAA member school, and intends to participate in interscholastic athletics, comply with the provisions outlined in the transfer law.

Purpose of the New Transfer Law

A Task Force was established to review the waiver process required for transfer students. The review focused on the amount of time that the waiver process takes and how to make the process more efficient and more equitable for the students. The Task Force concluded that moving the waiver process out of regulations and into the Delaware Code is the most efficient way to streamline the process, thereby benefitting student athletes and allowing the DIAA Board to operate more efficiently.

Will transfer students have to obtain a waiver to participate in athletics?

If the student's Transfer Tracking Form meets the "Immediate Eligibility" requirements, then a waiver is not required. If the "Immediate Eligibility" criteria is not met, then a waiver will need to be granted by the Executive Director.

Eligibility - First Transfer

- A student is immediately eligible to participate in an interscholastic athletic sport if they **have not previously participated in that sport** at their previous school. The student must be enrolled at the receiving school.
- A student who is placed with the Department of Children, Youth and their Families is immediately eligible to participate in an interscholastic athletic sport upon enrollment at the student's receiving school.
- **First Transfer = Immediate Eligibility**
 - A student who has participated in interscholastic athletics at the high school level during the previous 180 school days **may transfer one time** to an Association member school and be immediately eligible to participate if the below criteria is met:
 - i. The student must be enrolled at the receiving school before the earliest allowable start date of the fall athletic season of the student's THIRD YEAR of eligibility at the high school level.
 - ii. The student does not participate (take part in tryouts, practices, scrimmages, or games) in the same sport for different schools during the same school year.

Eligibility - Second Transfer

If it is the second time a student has transferred schools, there will be a period of ineligibility and/or the student must apply for a waiver from the Executive Director.

Period of Ineligibility - 30 days or no more than ½ of the maximum number of contests

A student is subject to a period of ineligibility of 30 days or no more than ½ of the maximum number of contests (whichever is less) and is ineligible for post-season play for each interscholastic athletic sport in which the student participated during the previous 180 school days, if either of the following apply:

- The student has already transferred schools at least 1 time.
- The student transfers after the earliest allowable start date of the fall interscholastic athletic sport season of the student's third year of eligibility at the high school level.
- The period of ineligibility (30 days or no more than ½ of the maximum number of contests) begins on the receiving schools first day of competition for the relevant sport. ***Please note: Ineligibility period begins on the first day of competition, not the first day of practice.***

Exceptions to Ineligibility

A student is not subject to a period of ineligibility and is not required to seek a waiver, if any of the following apply: (Any required documentation must be submitted with the Transfer Tracking Form)

- **Homelessness.** The student's transfer is the result of the student becoming homeless, as "homeless children and youths" is defined under the McKinney-Vento Education for Homeless Children and Youths Act.
- **Court Action.** The student's transfer is the result of court action. A copy of the court order signed by a judge, commissioner, or master of a court of competent jurisdiction is required to meet this exception.
- **Caregivers School Authorization.** The student's transfer is under § 202(f) of this title.
- **Unsafe School Choice Option Policy.** The student's transfer is based on the student attending a sending school that is a persistently dangerous school or the student is the victim of a violent felony while in or on the grounds of the sending school, and the student opts to transfer to safe school.
- **HIB transfer.** The student's transfer is because the student experienced harassment, intimidation, or bullying at the student's sending school. This exception is established through documentation from the student's sending school noting that the school investigated a complaint and determined that the proper action to remediate the complaint is an alternative placement or school transfer.
- **Change at sending school.** The student's sending school has closed or discontinued all of the school's interscholastic athletics sports programs.
- **In-State Change in residence.** The student's transfer follows a change in the student's primary residence, and was made with the intent that it is permanent and not primarily for athletic purposes. A student is immediately eligible if any of the following apply:
 - Military assignment
 - Family changing legal residence. Proof of the change in residence must be provided. Methods to prove a change in residence include a utility bill, closing documents, voter registration, or other legal documentation.
 - The student must move into a new district or school zone, and the bona fide change of residence affidavit must be completed.
- **Out-of-state change in residence.** The student changes residences from out-of-state and into this state, and is attending a high school in this state for the first time.

Does the Transfer Tracking Form have to be submitted for a student's first transfer?

Yes. The form must be submitted for all transfer students who have previously participated in a sport and plan to participate at their new school. If a transfer has not previously participated in a sport, they do not need to complete a Transfer Tracking Form prior to trying out for a team.

If a student qualifies for an exemption, is a waiver required?

No. A student who meets an exemption is not required to seek a waiver but must provide documentation relevant to the exemption. The supporting documentation must be submitted with the Transfer Tracking Form.

Who completes the DIAA Transfer Tracking Form?

The receiving school's Athletic Director or School Administrator must initiate the process and submit to the student's sending school a tracking form. The sending AND receiving schools must complete the required sections on the form. The receiving school must submit the completed form to the DIAA Executive Director.

Does the Transfer Law apply to all levels of sport, or just the Varsity level?

The Transfer Law applies to all levels of participation (grades 9-12) in an interscholastic athletic sport, not only the varsity level.

If a student transfers after the start of a season, are they eligible to play?

A student may not participate in the same sport, for two different schools, within the same year. If a student begins practice with School A, and then transfers to School B, they are not eligible to participate in that same sport. Participation is defined as taking part in tryouts, practices, scrimmages, or games.

When does the Ineligibility Period start?

The period of ineligibility begins on the receiving schools first day of competition for the relevant sport, not the first day of practice.

During the Ineligibility Period, can students still participate in practices?

Yes. Players who are deemed ineligible are still permitted to attend and participate in practices, scrimmages and other team meetings.

Does a financial hardship qualify for an eligibility exemption?

No. The Senate Bill 281 removed all hardships as exemptions.

Does a freshman who participated at the high school level as an 8th grader have to complete the Transfer Tracking Form?

No.

If a student transfers after the earliest allowable start date of the fall interscholastic sport season, of the student's third year of eligibility at the high school level, do they still have to submit a Transfer Tracking Form?

Yes. Eligibility will be determined by the DIAA Executive Director.

If a student decides to transfer back to their school of residence, does this count as an additional transfer?

Yes. If a student decides to transfer back to their school of residence, it will count as an additional transfer and a Transfer Tracking Form must be submitted.

If a student has previously transferred in another state, do those transfers count in Delaware?

Yes. All transfers, regardless of where they have taken place, must be noted on the Transfer Tracking Form. However, students who transfer with a bona fide change in residency and provide the proper documentation could be granted an eligibility exemption by the DIAA Executive Director after review of the Transfer Tracking Form.

If a student transfers more than once, are they eligible for post-season participation?

No. Students who transfer more than once are ineligible for post-season participation, in addition to the 30-day or half-season ineligibility period (unless they qualify for an exemption). The ineligibility period & post season ineligibility are served one time per each sport that has been played in the previous 180 school days.

If a student is deemed to be ineligible, can a waiver application be submitted?

Yes. Please refer to Title 14 Section 315: Waivers of ineligibility for more details and requirements of the application.

What does the waiver process entail? What documentation is required when applying for a waiver?

An explanation of the waiver process and a full list of required documentation can be found on the DIAA website at education.delaware.gov/diaa/governance/handbook.

(updated for accessibility August 2025)