



## NEW IHSA RESIDENCY BYLAW AFFECTS ELIGIBILITY OF STUDENTS IN MULTIPLE HIGH SCHOOL DISTRICTS

By James Petrunaro

School districts with multiple high schools have a new IHSA bylaw to grapple with, aimed at prohibiting intra-district student transfers. Before July 1, 2010, IHSA rules permitted a student to compete for any school located within the school district boundaries in which the student resides. This allowed a student to attend High School A within the District one year and then transfer to High School B the following year, provided High School B was located within the same district.

After receiving complaints that school districts were permitting such intra-district transfers in an apparent attempt to create a sports powerhouse at one particular high school, the IHSA responded with a new residency bylaw, providing, (in pertinent part):

**3.031** Public School Students: Students attending public member schools shall be eligible at the public high school in which they enroll, provided:

**3.031.1** They reside full time ... within the boundaries of the attendance area of the high school they attend is located;

...

Accordingly, under the rule change, a student violates Bylaw 3.031.1 if he attends High School A one year and then transfers to High School B the next year without actually relocating within the attendance zone of High School B, regardless of the school district's attendance zone policy. The new bylaw appears to apply equally to entering freshmen who live in High School A's attendance zone but are permitted to enroll in High School B.

Violation of Bylaw 3.031.1 subjects the student to IHSA suspension of up to one year. It is unclear whether a student who violates Bylaw 3.031.1 and serves a one-year suspension is eligible to compete following the suspension if the student does not relocate within the new school's attendance zone.

The bylaw provides limited exceptions for extraordinary circumstances, court ordered education/assignment plans, sibling preference policies, etc. We have been informed that the IHSA is accepting and encouraging an open dialogue in advance of the competition season from school districts that will be affected by the new bylaw.

Although the fall competition season for some sports is already under way, we are committed to assisting you in avoiding IHSA penalties by obtaining guidance from IHSA specific to your District. Of particular concern is the impact of this new rule on school districts having "buffer zone" enrollment policies. Please contact James Petrunaro at 312-565-3100 ext. 257 or [jpetrunaro@edlawyer.com](mailto:jpetrunaro@edlawyer.com) should you desire assistance with the application of this new bylaw.

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