

TSSAA Guidance on Hardship Exceptions to the First-Time Transfer Rule

(1) The New First-Time Transfer Law.

According to Tenn. Code. Ann. § 49-2-901(a), the new first-time transfer law, a student who transfers is immediately eligible to participate in interscholastic athletics at the new school if two conditions are met: (1) it must be the student's "**first transfer** in grades six through eight (6-8) or nine through twelve (9-12), as applicable;" and (2) the transfer must occur during the summer between school years. Tenn. Code Ann. § 49-2-901(b) explains:

"To maintain academics as the primary purpose of secondary education, to prevent the exploitation of children for interscholastic athletic purposes, and to preserve stability in the interscholastic athletic programs of member schools, **the immediate eligibility provided in subsection (a) does not apply to a transfer that occurs during the school year or to a second or subsequent transfer at the middle or high school level.**"

(2) TSSAA's First-Time Transfer Rule.

TSSAA revised its Transfer Rule in April 2026 to correspond with the new transfer law. In accordance with the new transfer law, the TSSAA Transfer Rule makes a student eligible the "**first time**" the student transfers in grades 6-8 or 9-12, respectively, while clarifying that the rule does not apply in the case of a second or subsequent transfer.

(3) Hardship Rule Exceptions to the "First Time" Requirement of the revised TSSAA Transfer Rule.

Some people have asked whether TSSAA would consider an exception under the Hardship Rule to the "first time" limitation of the revised TSSAA Transfer Rule. This guidance provides and explains TSSAA's response to those inquiries.

The purpose of the new First-Time Transfer Rule is to allow a student **one opportunity** during his middle school or high school years to transfer without loss of athletic eligibility. The new rule, like the new law, applies only to the student's first transfer in an effort to minimize academic disruption that would come with multiple transfers. Consistent with that objective, the Legislative Council decided, when it adopted the new rule, that a student who already transferred one or more times before the new rule became effective would not be able to rely on the new rule for yet another transfer.

With these considerations in mind, and to make administration of the new rule manageable, ***the unforeseen or unavoidable circumstances in a hardship application must relate to the transfer at issue, not to a previous transfer.***

(5) Hypothetical Examples.

Here are some examples to illustrate how the Hardship Rule will be applied to eligibility questions under the First-Time Transfer Rule where a second or subsequent transfer is involved. Each hypothetical involves “John,” a hypothetical student whose family moved from Florida to Knoxville in the summer of 2025, after John’s 9th grade year in school, because his father had a job transfer. John played basketball on his school team in Florida during 2024-25. In Knoxville he enrolled at Bearden HS. John was eligible to play basketball at Bearden in 2025-26, despite being a transfer student, because his family had a bona fide change of residence. Basketball is the only sport in which John has an athletic record, so the examples that follow apply only to basketball—John is immediately eligible in all other sports where he has no athletic record:

- (A) In the summer of 2026, John transfers to Farragut HS because some of his best friends attend school there. John is ineligible by rule in basketball at Farragut HS for 12 months from his last participation date at Bearden HS since the move was not his first transfer. It is likely that TSSAA would deny a hardship application in these circumstances because, even though his first transfer (in 2025 to Bearden HS) may have been for reasons that were unforeseen and unavoidable, his second transfer (in 2026 to Farragut HS) was not.
- (B) In the summer of 2026, John transfers to Fulton HS for legitimate mental health reasons because he suffered significant trauma at Bearden HS. John is ineligible by rule in basketball at Fulton HS for 12 months from his last participation date at Bearden HS since the move was not his first transfer. A hardship application might be approved,¹ however, if sufficient information is provided to establish that the reasons for his second transfer appear to be unforeseen and unavoidable and that application of the rule to him would not serve the purposes for which the rule is intended.
- (C) In the summer of 2026, John transfers to Christian Academy of Knoxville (CAK) because his family is now able to obtain an Education Freedom Scholarship, without which the family previously could not have afforded the CAK tuition. John is ineligible by rule in basketball at CAK for 12 months from his last participation date at Bearden HS since the move was not his first transfer. A hardship application might be approved, however, because his ability to attend CAK was unforeseen until he obtained the Education Freedom Scholarship.

¹ The word “might” is used here because all hardship applications are discretionary and because John might be ineligible under some other eligibility rule that is not part of these hypothetical examples. These examples do not guarantee approval under the hypothetical circumstances. They are intended only to illustrate how the circumstances must relate to the transfer for which the hardship exception is sought and not to a prior transfer.