

University Interscholastic League

State Executive Committee

Case No. 17-0322-11

DECISION ON APPEAL

March 22, 2017

Austin, TX

On the above date, the University Interscholastic League (UIL) State Executive Committee (SEC) held a hearing to consider the appeal of a District Executive Committee's (DEC) decision to deny student/Appellant varsity eligibility for one calendar year for changing schools for athletic purposes. Student/Appellant was represented at the hearing by his mother, father and a select baseball coach who is also his father's employer. The following members of the SEC were present and participated in the decision of this case: Mike Motheral, Chair, Johanna Denson, Paul Galvan, Gil Garza, Amy Jacobs, and Marcus Nelson.

Background and Facts

Appellant sought to overturn the DEC's decision to deny varsity eligibility for one calendar year for violation of the rule that prohibits students from moving for athletic purposes, Section 443, *UIL Constitution and Contest Rules*.¹ Appellant met a select baseball coach from Texas during a baseball tournament near his home in Puerto Rico. The coach then invited Appellant to play in a baseball tournament in Florida. While in Florida, Appellant's family decided to stay in America and so the select baseball coach offered his father a job. Appellant has attended his current school district for nearly two years, during which time he has completed the eighth grade and is currently attending the ninth grade.

State Executive Committee Discussion

Appellant sought to overturn the DEC's decision to deny varsity eligibility for one calendar year. Appellant and representative were allowed to present facts relevant to the case, answer questions from the SEC, and close the hearing with a summary statement. Among other things, SEC members inquired about how Appellant met the select baseball coach who became his father's employer, why he moved from Puerto Rico to Texas, and about the select baseball teams he has played for. Appellant's father testified that Puerto Rico was dangerous because of drugs and violence. He said that he had friends in Texas who recommended they move to their current school district. Appellant's father verified

¹ Section 443, of the *UIL Constitution and Contest Rules* states that the district executive committee (DEC) is to determine whether or not a student changed schools for athletic purposes, when considering each student who changed schools and has completed the eighth grade, whether or not the student has represented a school in grades night through twelve. A student who changes schools for athletic purposes is not eligible to compete in varsity League contest(s) at the school to which he or she moves for at least one calendar year.

that he met his current employer at a select baseball tournament while living in Puerto Rico. After their meeting in Puerto Rico, the select baseball coach invited Appellant to play in a tournament in Florida. During this tournament, Appellant and his family decided they wanted to stay in America and attend the same school district that the select baseball coach is zoned for. The select baseball coach offered Appellant's father a job with his company.

Appellant's current athletic director testified that he looked into Appellant's situation because of his connection with the select baseball coach who hired his father. The athletic director stated that he checked Appellant's rental agreement and verified that they were bonified residents of the school district.

The Chair of the DEC explained that they voted 4-3 to deny eligibility because Appellant moved to the school district after his father was hired by the select baseball coach.

Appellant and representatives were afforded the opportunity to respond to other testimonies and give a summary statement. Appellant's father testified that if they had not met the select baseball coach, they would have still moved to their current school district because they have a lot of friends in Texas. Appellant's mother explained that they were just looking for a quiet, peaceful and safe place to live because they wanted to escape living in the most dangerous part of Puerto Rico.

Decision

After hearing the argument and evidence presented by the Appellant and representatives, the SEC voted 5-0 to deny the Appellant's request to overturn the District Executive Committee's decision. As a result, the decision of the DEC is upheld and the Appellant's request for varsity eligibility is denied.