

**Proposed Amendment to the
University Interscholastic League Constitution and Contest Rules**

A. Brief Explanation of Proposed Recommendation

This recommendation amends Section 27, *Penalties The State Executive Committee Can Impose*, UIL Constitution and Contest Rules by adding a new subsection (b), *Student Penalty Guidelines*.

B. Factual and Policy Justifications

This recommendation provides general guidelines for student violations of UIL rules. The Sunset Commission has required that penalty guidelines be implemented.

C. Proposed Recommendation

(b) STUDENT PENALTY GUIDELINES. STUDENT VIOLATIONS OF UIL RULES GENERALLY FALL INTO TWO CATEGORIES, CLASS A AND CLASS B. SEE SECTION 50. THESE GUIDELINES ARE INTENDED TO PROVIDE A HEARING PANEL OF THE STATE EXECUTIVE COMMITTEE WITH GENERAL GUIDANCE ONLY AND ARE NOT INTENDED AS A SUBSTITUTE FOR A CAREFUL REVIEW OF EACH CASE AND, BASED UPON THE FACTS OF EACH CASE, THE EXERCISE OF APPROPRIATE DISCRETION BY THE HEARING PANEL WHEN DETERMINING A PENALTY TO IMPOSE ON STUDENT. IN ADDITION TO ANY PARTICULAR SANCTION OR PENALTY STATED IN A SPECIFIC RULE, STUDENTS FOUND TO HAVE VIOLATED UIL ARE SUBJECT TO THE IMPOSITION OF PENALTIES CONSISTENT WITH THE FOLLOWING GUIDELINES:

(1) *CLASS A VIOLATIONS*

CLASS A VIOLATIONS FOR STUDENTS ARE:

- (A) VIOLATION OF ELIGIBILITY RULES;
- (B) FALSIFYING RECORDS OR REPORTS OR WITHHOLDING INFORMATION;
- (C) FAILING TO COMPLY WITH RULES PROHIBITING INTERACTIONS WITH OFFICIALS, JUDGES OR REFEREES (VERBAL OR PHYSICAL ABUSE), OR FIGHTING WITH OPPONENTS;
- (D) FAILING TO COMPLY WITH APPLICABLE STATE LAWS REGARDING EXTRA CURRICULAR ACTIVITIES; OR
- (E) FAILING TO COMPLY WITH AMATEUR RULES.

(2) *MINIMUM PENALTY*

IN ADDITION TO ANY SPECIFICALLY REQUIRED SANCTION OR PENALTY FOR VIOLATION OF A PARTICULAR RULE AS SET OUT IN THE CONSTITUTION AND CONTEST RULES AND ABSENT ANY GROUNDS FOR ENHANCEMENT, THE MINIMUM PENALTY FOR A CLASS A VIOLATION IS A PUBLIC REPRIMAND. A PUBLIC REPRIMAND SHALL BE IN WRITING AND SHALL STATE THE VIOLATION FOUND.

(3) *ENHANCED VIOLATIONS*

- (A) REPEAT OFFENSE – IN CASES WHERE A CLASS A VIOLATION IS FOUND AND THE STUDENT HAS PREVIOUSLY BEEN FOUND IN VIOLATION OF THE SAME RULE, THE PENALTY MAY BE ENHANCED. AN ENHANCED PENALTY FOR REPEAT VIOLATORS OF A CLASS A VIOLATION MAY INCLUDE A PROBATIONARY PERIOD OF UP TO THREE YEARS AND MAY ALSO INCLUDE THE IMPOSITION OF REASONABLE CONDITIONS WHICH MUST BE FULFILLED. AN ENHANCED PENALTY FOR SUCH VIOLATORS MAY ALSO INCLUDE A PERIOD OF SUSPENSION FROM COMPETITION, INCLUDING PRACTICES, IN ALL GERMANE ACTIVITIES FOR A PERIOD OF ONE DAY TO THREE YEARS.
- (B) PRIOR CONDITIONS/PROBATION – IN CASES WHERE A CLASS A VIOLATION IS FOUND AND THE STUDENT HAS FAILED TO COMPLY WITH PREVIOUSLY IMPOSED CONDITIONS DUE TO A PRIOR VIOLATION OF UIL RULES OR HAS COMMITTED A CLASS A VIOLATION

DURING A PREVIOUSLY IMPOSED PROBATIONARY PERIOD, THE PENALTY FOR A CLASS A VIOLATION MAY BE ENHANCED. AN ENHANCED PENALTY FOR SUCH VIOLATORS MAY INCLUDE A REQUIREMENT THAT THE PRIOR CONDITIONS BE SATISFIED AS WELL AS ANY NEW REASONABLE CONDITIONS IMPOSED AND/OR THE IMPOSITION OF A PROBATIONARY PERIOD OF UP TO THREE YEARS AND MAY ALSO INCLUDE A PERIOD OF SUSPENSION FROM COMPETITION, INCLUDING PRACTICES, IN ALL GERMANE ACTIVITIES FOR A PERIOD OF ONE DAY TO THREE YEARS.

- (C) INTENT/HARM - IN CASES WHERE A CLASS A VIOLATION IS FOUND TO BE DELIBERATE AND TO HAVE PROVIDED A COMPETITIVE ADVANTAGE TO THE STUDENT VIOLATOR OR THE VIOLATION CAUSED PHYSICAL HARM TO A PERSON OR PROPERTY, THE PENALTY FOR A CLASS A VIOLATION MAY BE ENHANCED. AN ENHANCED PENALTY FOR SUCH VIOLATORS MAY INCLUDE REASONABLE CONDITIONS AND/OR THE IMPOSITION OF A PROBATION PERIOD OF UP TO THREE YEARS AND MAY ALSO INCLUDE A PERIOD OF SUSPENSION FROM COMPETITION, INCLUDING PRACTICES, IN ALL GERMANE ACTIVITIES FOR A PERIOD OF ONE DAY TO THREE YEARS.
- (D) OTHER FACTORS - IN CASES WHERE A CLASS A VIOLATION IS FOUND AND TWO OR MORE ENHANCEMENT FACTORS ARE PRESENT OR THERE ARE OTHER CIRCUMSTANCES FOUND THAT IN THE OPINION OF THE STATE EXECUTIVE COMMITTEE HEARING PANEL WARRANT INCREASED SANCTIONS, THE PENALTY MAY BE ENHANCED. AN ENHANCED PENALTY FOR SUCH VIOLATORS MAY INCLUDE REASONABLE CONDITIONS AND/OR THE IMPOSITION OF A PROBATION PERIOD FOR UP TO THREE YEARS AND MAY ALSO INCLUDE A PERIOD OF SUSPENSION FROM COMPETITION, INCLUDING PRACTICES, IN ALL GERMANE ACTIVITIES FOR A PERIOD OF ONE DAY TO THREE YEARS.

(4) *CLASS B VIOLATIONS*

CLASS B VIOLATIONS FOR STUDENTS ARE:

- (A) FAILING TO COMPLY WITH RULES AND GUIDELINES CONTAINED IN CONTEST PLANS AND WRITTEN INSTRUCTIONS IN MANUALS AND HANDBOOKS PROVIDED FOR CONTESTS;
- (B) SELF-RECRUITING OR RECRUITING OTHERS; OR
- (C) FAILING TO REPORT KNOWN VIOLATIONS IN A TIMELY MANNER.

(5) *MINIMUM PENALTY*

IN ADDITION TO ANY SPECIFICALLY REQUIRED SANCTION OR PENALTY FOR VIOLATION OF A PARTICULAR RULE AS SET OUT IN THE CONSTITUTION AND CONTEST RULES AND ABSENT ANY GROUNDS FOR ENHANCEMENT, THE MINIMUM PENALTY FOR A CLASS B VIOLATION IS A PUBLIC REPRIMAND. A PUBLIC REPRIMAND SHALL BE IN WRITING AND SHALL STATE THE VIOLATION FOUND.

(6) *ENHANCED PENALTY FACTORS*

- (A) REPEAT OFFENSE - IN CASES WHERE A CLASS B VIOLATION IS FOUND AND THE STUDENT HAS PREVIOUSLY BEEN FOUND IN VIOLATION OF THE SAME RULE, THE PENALTY MAY BE ENHANCED. AN ENHANCED PENALTY FOR REPEAT VIOLATORS OF A CLASS B VIOLATION MAY INCLUDE A PROBATIONARY PERIOD OF UP TO THREE YEARS AND MAY ALSO INCLUDE THE IMPOSITION OF REASONABLE CONDITIONS WHICH MUST BE FULFILLED.
- (B) PRIOR CONDITIONS/PROBATION - IN CASES WHERE A CLASS B VIOLATION IS FOUND AND THE STUDENT HAS FAILED TO COMPLY WITH PREVIOUSLY IMPOSED CONDITIONS DUE TO A PRIOR VIOLATION OF UIL RULES OR HAS COMMITTED A CLASS B VIOLATION DURING A PREVIOUSLY IMPOSED PROBATIONARY PERIOD, THE PENALTY FOR A CLASS B VIOLATION MAY BE ENHANCED. AN ENHANCED PENALTY FOR SUCH VIOLATORS MAY INCLUDE A REQUIREMENT THAT THE PRIOR CONDITIONS BE SATISFIED AS WELL AS ANY NEW REASONABLE CONDITIONS AND/OR THE IMPOSITION OF A PROBATIONARY PERIOD OF UP TO THREE YEARS.
- (C) INTENT/HARM - IN CASES WHERE A CLASS B VIOLATION IS FOUND TO BE DELIBERATE AND TO HAVE PROVIDED A COMPETITIVE ADVANTAGE TO THE STUDENT IN QUESTION OR THE VIOLATION CAUSED PHYSICAL HARM TO A PERSON OR PROPERTY, THE

PENALTY FOR A CLASS B VIOLATION MAY BE ENHANCED. AN ENHANCED PENALTY FOR SUCH VIOLATORS MAY INCLUDE REASONABLE CONDITIONS AND/OR THE IMPOSITION OF A PROBATION PERIOD OF UP TO THREE YEARS.

- (D) OTHER FACTORS – IN CASES WHERE A CLASS B VIOLATION IS FOUND AND TWO OR MORE ENHANCEMENT FACTORS ARE PRESENT OR THERE ARE OTHER CIRCUMSTANCES FOUND THAT IN THE OPINION OF THE STATE EXECUTIVE COMMITTEE HEARING PANEL WARRANT INCREASED SANCTIONS, THE PENALTY MAY BE ENHANCED. AN ENHANCED PENALTY FOR SUCH VIOLATORS MAY INCLUDE REASONABLE CONDITIONS AND/OR THE IMPOSITION OF A PROBATION PERIOD FOR UP TO THREE YEARS.

D. Potential Fiscal Impact of the Proposed Rule to Member Schools

This recommendation should have no fiscal impact on member schools.

E. Legislative Council Consideration; Effective Date

The Standing Committee on Policy moves that the Legislative Council pass this amendment, to be effective August 1, 2016, if approved by the Commissioner of Education.