

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

A. Brief Explanation of Proposed Amendment

The amendments to Section 403(f), Eligibility – Athletics, Section 443(f), Changing Schools for Athletic Purposes, and Section 463(a)(2), Application for Waiver put into rule a long-standing principle that in almost every situation, a student who meets the basic eligibility requirements for varsity athletics should have UIL varsity athletics eligibility at a UIL member school. The proposed changes relate to a student returning to their original school after having been found by a District Executive Committee, or the State Executive Committee, to have changed schools for athletic purposes.

B. Factual and Policy Justifications

This proposal addresses a troublesome issue that occurs when a student leaves their home school; is found to not have eligibility in a school they move to; and then, absent a waiver being granted, the student is unable to return and establish eligibility at the student's previous school. Unless there are specific sanctions in place concerning a student's participation or other similar circumstances, a student should be eligible for varsity competition.

C. Proposed Amendment

Sections 403(f), 443(f) and 463(a)(2) of the UIL *Constitution and Contest Rules* would be amended as follows:

Section 403: ELIGIBILITY - ATHLETICS

- (f) is a resident of the member school district (See Section 442), and a resident of the attendance zone in which the member school being attended is situated,
- (7) A STUDENT WHO HAS ESTABLISHED VARSITY ELIGIBILITY UNDER THIS SECTION AT A MEMBER SCHOOL BUT WHO SUBSEQUENTLY MOVES TO ANOTHER MEMBER SCHOOL ZONE AND IS FOUND TO HAVE MOVED FOR AN IMPERMISSIBLE REASON, REMAINS ELIGIBLE AT THE SCHOOL WHERE ELIGIBILITY WAS FIRST ESTABLISHED WITHOUT THE NEED OF A WAIVER. A STUDENT MUST REENROLL IN THE SCHOOL WHERE ELIGIBILITY WAS PREVIOUSLY ESTABLISHED WITHIN THIRTY (30) DAYS OF BEING FOUND INELIGIBLE AT THE SCHOOL THE STUDENT MOVED TO FOR THIS PROVISION TO APPLY. THE EXECUTIVE DIRECTOR OR HIS OR HER DESIGNEE MAY INQUIRE INTO SUCH CASES AND MAY MAKE A DETERMINATION REGARDING A STUDENT'S QUALIFICATION FOR THIS EXCEPTION TO THE PARENT RESIDENCE RULE.
- (8) THIS SECTION AND THE RULES CITED HEREIN SHALL BE INTERPRETED AND APPLIED TO THE EXTENT REASONABLY POSSIBLE SO THAT, ABSENT A SPECIFIC SANCTION BARRING ATHLETIC PARTICIPATION, A STUDENT WHO MEETS BASIC VARSITY ATHLETICS ELIGIBILITY REQUIREMENTS SHOULD HAVE UIL VARSITY ATHLETICS ELIGIBILITY AT A UIL MEMBER SCHOOL. THIS IS A GENERAL RULE OF CONSTRUCTION THAT MAY BE IMPACTED BY THE FACTS OF A GIVEN CASE.

Section 443: CHANGING SCHOOLS FOR ATHLETIC PURPOSES

- (f) ELIGIBILITY DETERMINATION BY DISTRICT EXECUTIVE COMMITTEE
 - (3) If the District Executive Committee where the student now lives finds at any time that the change was made for athletic purposes, it shall declare that student ineligible to participate in athletic contests for one year. This may include a student who did not compete at the previous school. If the committee decides that the period of ineligibility should be longer than one year, the committee shall transfer the case to the State Executive Committee. A STUDENT WHO HAS ESTABLISHED VARSITY ELIGIBILITY UNDER THIS SECTION AT A MEMBER SCHOOL BUT WHO SUBSEQUENTLY

ENROLLS IN ANOTHER MEMBER SCHOOL AND IS FOUND TO HAVE CHANGED SCHOOLS FOR ATHLETIC PURPOSES REMAINS ELIGIBLE AT THE SCHOOL WHERE ELIGIBILITY WAS FIRST ESTABLISHED (SEE SECTIONS 403 AND 463).

SECTION 463: APPLICATION FOR WAIVER

(a) WHO MAY APPLY.

(2) *Parent Residence Rule.*

- (A) If a District Executive Committee OR THE STATE EXECUTIVE COMMITTEE finds that a student does not comply with Sections 403 (f) and 442 (residence rules), that student may apply for a waiver of the apparent non-compliance and a declaration of eligibility. **AS AN EXCEPTION:** A STUDENT WHO IS FOUND BY A DEC, OR UPON APPEAL, THE SEC, TO HAVE CHANGED SCHOOLS FOR ATHLETIC PURPOSES OR OTHER IMPERMISSIBLE REASONS MAY RETURN WITHIN THIRTY (30) DAYS AFTER BEING RULED INELIGIBLE TO THE SCHOOL THE STUDENT LEFT WITHOUT NEED OF A PARENT RESIDENCE WAIVER AS LONG AS ALL OTHER ELIGIBILITY RULES ARE SATISFIED. IN CASES WHERE THERE IS A DISPUTE REGARDING THE STUDENT'S QUALIFICATION FOR THIS EXCEPTION, THE EXECUTIVE DIRECTOR OR HIS OR HER DESIGNEE MAY MAKE A DETERMINATION AS TO WHETHER THE STUDENT QUALIFIES.
- (B) A waiver of the residence rule shall be null and void IN REGARDS TO THE SCHOOL THE STUDENT HAS MOVED TO when either the District Executive Committee or the State Executive Committee determines that the student changed schools for athletic purposes.
- (C) If a student who has been granted a waiver returns to the school in the attendance zone where the parents reside, a Previous Athletic Participation Form shall be furnished to the District Executive Committee, who will rule on the student's eligibility at that school.

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

These amendments should have no fiscal impact on member schools.

E. Legislative Council Consideration; Effective Date

If approved by the Legislative Council and the Commissioner of Education, these amendments shall be effective immediately.