

REPORT OF
THE UNIVERSITY INTERSCHOLASTIC LEAGUE
LEGISLATIVE COUNCIL
STANDING COMMITTEE ON POLICY

OCTOBER 19, 2015

ON JUNE 16, 2015, THE STANDING COMMITTEE ON POLICY MET IN REGULAR SESSION AT THE AUSTIN MARRIOTT NORTH HOTEL IN ROUND ROCK, TEXAS. BASED UPON ITEMS CONSIDERED, THE COMMITTEE PASSED THE FOLLOWING REVIEW ADVISORY COMMITTEE PROPOSALS FOR LEGISLATIVE COUNCIL CONSIDERATION.



THE STANDING COMMITTEE ON POLICY

Moves that the Legislative Council

Pass the following proposals.

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

A. Brief Explanation of Proposed Recommendation

This recommendation incorporates the changes suggested by the subcommittee. These changes offer far more clarity within the rules and incorporate general practice of the UIL.

B. Factual and Policy Justifications

These changes update language from existing rules, and incorporate what has been general practice of UIL. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Sections 1-15 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Subchapter A. NAME OF ORGANIZATION

Section 1: NAME

~~The state-wide organization for public elementary and secondary interschool competition in Texas is named the University Interscholastic League. See Section 12 (d).~~ THE NAME OF THE ORGANIZATION SHALL BE UNIVERSITY INTERSCHOLASTIC LEAGUE.

Subchapter D. MEMBERSHIP IN LEAGUE

Section 10: QUALIFICATIONS FOR MEMBERSHIP

A public school district or open enrollment charter school in Texas that is subject to accreditation by the Texas Education Agency, OR A PRIVATE SCHOOL SUBJECT TO ACCREDITATION BY THE TEXAS PRIVATE SCHOOL ACCREDITATION COMMISSION, may become a member of the League IN ACCORDANCE WITH THE FOLLOWING: ~~See Section 12 (d).~~

- (A) ALL HIGH SCHOOLS. A HIGH SCHOOL MUST FIT THE DEFINITION OF "HIGH SCHOOL" IN SECTION 5 IN ORDER TO BE ELIGIBLE TO PARTICIPATE IN UIL COMPETITION.
- (B) PUBLIC SCHOOL DISTRICTS AND OPEN ENROLLMENT CHARTER SCHOOLS. UNLESS ITS RIGHT TO PARTICIPATE HAS BEEN SUSPENDED OR REVOKED BY THE LEAGUE, AN OPEN ENROLLMENT CHARTER SCHOOL, AND A PUBLIC HIGH SCHOOL, JUNIOR HIGH SCHOOL OR ELEMENTARY SCHOOL OF A SCHOOL DISTRICT THAT IS A MEMBER OF THE UIL AND FOR WHICH THE DISTRICT HAS PAID THE ANNUAL PARTICIPATION FEE, IS ELIGIBLE TO PARTICIPATE IN UIL COMPETITION.
- (C) PRIVATE SCHOOLS. UNLESS ITS RIGHT TO PARTICIPATE HAS BEEN SUSPENDED OR REVOKED FOR VIOLATING RULES OR CODES BY ANOTHER LEAGUE SIMILAR TO THE UIL, A TEXAS NON-PUBLIC SCHOOL MAY APPLY FOR UIL MEMBERSHIP IN THE LARGEST

CONFERENCE PROVIDED THE SCHOOL MEETS ALL OF THE FOLLOWING CONDITIONS:

- (1) SCHOOL IS ACCREDITED BY THE TEXAS PRIVATE SCHOOL ACCREDITATION COMMISSION;
- (2) SCHOOL DOES NOT QUALIFY FOR MEMBERSHIP IN ANY OTHER ORGANIZATION SIMILAR TO THE LEAGUE;

Section 11: ADMISSION TO MEMBERSHIP

~~A school district or open enrollment charter~~ school seeking membership in the League shall submit its application to the Director. If the application (a) demonstrates that the school district or open enrollment charter school is eligible for membership, (b) states that the school board and superintendent comply and will comply with applicable state law, Texas Education Agency regulations and the terms of participation in League contests as set out in the *Constitution and Contest Rules*, (c) is signed by the superintendent, and (d) is accompanied by payment of the annual membership fee, the Director shall enroll the school ~~district or open enrollment charter school~~ as a member of the League. ~~Exception: See Section 12 (d).~~

~~Section 12: SCHOOL'S ELIGIBILITY TO PARTICIPATE~~

- ~~(a) GENERAL. Unless its right to participate has been suspended or revoked by the League, an open enrollment charter school, and a public high school, junior high school or elementary school of a school district that is a member of the UIL and for which the district has paid the annual participation fee, is eligible to participate in UIL competition.~~
- ~~(b) SPECIAL SCHOOLS. A school whose students are primarily ones enrolled in the school because of physical, sensory or mental disabilities that make it impossible for them to compete effectively in some UIL contests with students who do not have these disabilities, may become a participant school but may compete only in those contests in which its students can compete effectively.~~
- ~~(c) REHABILITATIVE SCHOOLS. A school whose students are primarily ones enrolled in the school as part of a process of rehabilitation for law violation may not participate in UIL contests.~~
- ~~(d) PRIVATE SCHOOLS. Unless its right to participate has been suspended or revoked for violating rules or codes by another league similar to the UIL, a Texas non-public school may apply for UIL membership in the largest conference (currently 6A) provided the school meets all of the following conditions:~~
 - ~~(1) school is accredited by the Texas Private School Accreditation Commission;~~
 - ~~(2) school does not qualify for membership in any other organization similar to the League;~~
 - ~~(3) school fits the following definition of a high school:~~
 - ~~(A) A school that offers instruction in the ninth, tenth, eleventh or twelfth grades, or any combination thereof, whether all of the grades are offered instruction in the same building.~~
 - ~~(B) A school also fits this definition if it has:~~
 - ~~— Only one ninth grade, one tenth grade, one eleventh grade and one twelfth grade.~~
 - ~~— One titled official, i.e., principal, headmaster, etc., is in charge of all four grades, whether assistant principals, etc. are in charge of separate grade levels.~~

- ~~— All grades have the same school colors, mascot, song and paper.~~
- ~~— School is on an established campus with permanent classrooms.~~

Section ~~13~~ 12: MEMBERSHIP ~~DUES AND PARTICIPATION FEES~~

- (a) ANNUAL ~~DUES~~ MEMBERSHIP FEE. A MEMBER school ~~district or open enrollment charter school~~ shall pay annually membership ~~dues~~ FEES in an amount determined by the Legislative Council.
- ~~(b) PARTICIPATION FEE. For each high school and its associated elementary and junior high schools that the school district or open enrollment charter school wishes to participate in League contests, the school district shall pay an annual participation fee based on the high school's assignment to a conference in an amount determined by the Legislative Council.~~
- ~~(c) SPECIAL FEE. To permit all of its schools to participate in UIL competition, a school district or open enrollment charter school without a high school shall pay an annual participation fee in an amount determined by the Legislative Council.~~

Section ~~14~~ 13: INITIAL AND CONTINUATION OF MEMBERSHIP AND RIGHT TO PARTICIPATE

- (A) NEW MEMBERSHIP. AFTER ENROLLMENT AS A NEW MEMBER BUT BEFORE MEMBERSHIP CAN BE EFFECTIVE, A SCHOOL MUST PROVIDE CERTIFICATION FROM THE SCHOOL SUPERINTENDENT THAT THE SCHOOL SUPERINTENDENT, MEMBER SECONDARY SCHOOL PRINCIPALS, AND ALL COACHES, SPONSORS, AND DIRECTORS OF UIL ACTIVITIES HAVE COMPLETED THE NEW SCHOOL TRAINING REQUIRED BY THE UIL LEGISLATIVE COUNCIL. ALL SCHOOL PERSONNEL REQUIRED TO COMPLETE THE TRAINING MUST DO SO NO LATER THAN AUGUST 15 OF THE FIRST SCHOOL YEAR IN WHICH THE SCHOOL WILL BE PARTICIPATING IN UIL ACTIVITIES. ANY MEMBER SCHOOL SUPERINTENDENT OR SECONDARY SCHOOL PRINCIPAL WHO IS EMPLOYED AFTER AUGUST 15 MUST COMPLETE THE TRAINING WITHIN 60 DAYS OF EMPLOYMENT IN THAT POSITION. ANY SCHOOL EMPLOYEE ASSIGNED AS A UIL COACH, DIRECTOR, OR SPONSOR AFTER AUGUST 15 MUST COMPLETE THE TRAINING PRIOR TO THE FIRST ORGANIZED ACTIVIY.
- ~~(a~~ B) CONTINUATION: A member school or school district may continue its membership by paying the annual membership ~~dues~~ FEE before October 1 for the membership year of August 1 through July 31. If it fails to pay the annual ~~dues membership~~ FEE before October 1, a SCHOOL'S OR school district's membership MAY BE suspended. Eligibility to participate in activities after this time is subject to decision of the State Executive Committee. If ~~it~~ A MEMBER SCHOOL OR SCHOOL DISTRICT fails to pay its ~~dues~~ FEE before January 1, the school's OR SCHOOL DISTRICT'S membership for the current school year ~~is~~ MAY BE terminated, IF THE SCHOOL'S MEMBERSHIP IS TERMINATED, THE SCHOOL OR SCHOOL DISTRICT ~~but it~~ may reapply for membership.
- ~~(b~~ C) ~~RIGHT TO PARTICIPATE.~~ SCHOOL PERSONNEL TRAINING. A participant school's right to continue to participate in League contests IS SUBJECT TO CERTIFICATION BY THE SCHOOL SUPERINTENDENT THAT THE SUPERINTENDENT, MEMBER SECONDARY SCHOOL PRINCIPALS, AND ALL COACHES, SPONSORS, AND DIRECTORS OF UIL ACTIVITIES HAVE COMPLETED THE ANNUAL TRAINING REQUIRED BY THE UIL LEGISLATIVE COUNCIL.
- ~~(c~~ D) LOSS OF ACCREDITATION. A school district that loses its accreditation by the Texas

Education Agency, OR A PRIVATE SCHOOL THAT LOSES ACCREDITATION BY THE TEXAS PRIVATE SCHOOL COMMISSION, ceases to be a member at the end of the membership year in which the loss occurs.

- (~~E~~) DELINQUENT FEES. A school that participates in a League contest while ITS SCHOOL'S OR school district's annual dues fee and its annual participation fee are delinquent is MAY BE suspended from participating in League contests in the current and following school year, unless the State Executive Committee finds on petition BY THE SCHOOL OR school district that there was a reasonable explanation for the failure to make timely payment.

Section ~~15~~ 14: MANDATORY SUSPENSION

- (a) A member school district and/or participant school that files a lawsuit which must be defended by the UIL shall reimburse the UIL for all legal fees incurred to defend the suit upon a finding by the Court that the lawsuit was frivolous.
 - (b) The State Executive Committee shall suspend from participation in all UIL activities, for a period of one to three years, a member school district and/or participant school which, after receiving written notice, fails to reimburse the UIL within 90 days for all legal expenses incurred in defending a frivolous lawsuit.

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

This recommendation has no fiscal impact to UIL 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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends the language in Section 21, *Responsibilities of the Superintendent of a Member School District*, UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

The proposed new language in Section 21, (heading), (b), (d), (k), makes clear that this section applies to persons who are the chief administrators of a member school district or school regardless of their actual title. It provides for clarification regarding a superintendent’s duties in the areas of health and safety and reporting requirements while emphasizing the importance of DEC training. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 21 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 21: ~~RESPONSIBILITIES OF THE SUPERINTENDENT~~ RESPONSIBILITIES OF THE SUPERINTENDENT OR CHIEF ADMINISTRATOR

The superintendent of a member school district, OR IF THERE IS NO SUPERINTENDENT (OR DESIGNEE), THE CHIEF ADMINSTRATOR OF A MEMBER DISTRICT OR SCHOOL (OR DESIGNEE):

- (a) shall exercise direction and management of all League contests and scrimmages in which schools in the district compete, including appointing a game administrator for all home UIL varsity athletic team contests;
- (b) shall enforce all LEAGUE rules CONCERNING eligibility AND HEALTH AND SAFETY with respect to students in schools in the school district;
- (c) shall be responsible for fully cooperating with persons who are appointed by the chair of the district executive committee, the chair of the State Executive Committee or the UIL EXECUTIVE Director, to investigate allegations against the school, student representatives or school district personnel;
- (d) shall promptly report to the district executive committee, OR OTHER APPROPRIATE UIL COMMITTEE, any violation of the *Constitution and Contest Rules* by a student, ~~or~~ A participant school within the school district or other school district, SCHOOL PERSONNEL OR A SPORTS OFFICIAL unless the violation has already been reported;
- (e) shall provide the district executive committee with full disclosure when a student’s grade, given by a teacher, is modified by an administrator in such a manner that affects UIL eligibility;
- (f) may determine for which schools within the school district the participation fee is paid;
- (g) shall submit to the school board all recommendations of employment of coaches, directors and sponsors;
- (h) shall complete the Professional Acknowledgment Form for all of the school district’s athletic

coaches and sponsors of League academic, theatre and music activities (grades 9-12) at the beginning of their tenure in that position. These forms shall be kept on file in the superintendent's office;

- (i) shall provide an annual orientation for all 9-12 grade UIL directors, sponsors, advisers and coaches regarding League rules, expectations regarding appropriate conduct during UIL contests, goals and purposes;
- (j) shall approve all athletic schedules; and
- (k) shall educate UIL student participants, coaches and other appropriate persons, INCLUDING ANY SCHOOL REPRESENTATIVES SERVING ON A DISTRICT OR REGIONAL EXECUTIVE COMMITTEE, on UIL rules that could affect them, and monitor the school's compliance with UIL rules.

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

This recommendation should not have a 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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends Section 22, *UIL Director*, of the UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

This amendment to Section 22, (heading), (a), (b), (c), (d) makes the title of the UIL’s chief administrative officer consistent with University nomenclature and clarifies his or her duties and responsibilities for developing support and sponsorships along with media and other contracts. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 22 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 22: ~~UIL DIRECTOR~~–UIL EXECUTIVE DIRECTOR

- (a) ~~UNIVERSITY POLICY. This section consists of policies of the University of Texas at Austin.~~
- (~~b~~a) APPOINTMENT. The President of The University of Texas at Austin appoints a person to serve at his or her pleasure as the EXECUTIVE Director of the UIL. The EXECUTIVE Director is an employee of The University of Texas at Austin.
- (~~e~~b) SUPERVISION. The EXECUTIVE Director of the UIL is supervised by the Vice President for Diversity and Community Engagement of The University of Texas at Austin.
- (~~d~~c) RESPONSIBILITIES. The EXECUTIVE Director of the UIL has the responsibility:
 - (1) to serve as the chief administrative officer of the League;
 - (2) to employ, in accordance with all applicable employment policies of The University of Texas at Austin, all UIL staff and consultants;
 - (3) to issue annual plans for playoffs;
 - (4) to reschedule contests (see Section 382);
 - (5) TO SEEK SUPPORT FOR THE LEAGUE BY OBTAINING, SUBJECT TO UNIVERSITY OF TEXAS AT AUSTIN POLICY, BENEFICIAL SPONSORSHIPS AND OTHER FORMS OF SUPPORT,
 - (6) TO NEGOTIATE MEDIA AND OTHER CONTRACTS CONCERNING RIGHTS AND ASSETS OWNED AND/OR CONTROLLED BY UIL THAT ARE IN ACCORD WITH UNIVERSITY OF TEXAS AT AUSTIN POLICY AND GIVE THE BEST VALUE TO THE LEAGUE.
 - (~~5~~7) to prepare the annual budget for the UIL and submit for approval within the regular process of The University of Texas at Austin; and
 - (~~6~~8) to take such other, further, and reasonable actions that are necessary or desirable under and consistent with:
 - (A) the binding actions taken by the Legislative Council or the State Executive Committee or other UIL bodies authorized to take binding actions on behalf of the

- UIL;
- (B) the UIL *Constitution and Contest Rules*;
- (C) the rules of the State Board of Education;
- (D) the policies of The University of Texas at Austin; and
- (E) the law.

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

This recommendation should not have a 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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends the language in Section 23, *UIL Binding Actions*, UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

This amendment is minor. It removes unnecessary language and makes a grammatical edit. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 23 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 23: UIL BINDING ACTIONS

- (a) ~~UNIVERSITY POLICY. This section consists of policies of the University of Texas at Austin.~~
 - (bA) BINDING ACTIONS. The UIL shall be bound only by those of its actions that are reasonably undertaken by UIL officers, pursuant to the *UIL Constitution and Contest Rules*, or ~~to~~ A written resolution or motion passed by the affirmative vote of a majority of the members of the UIL body who are present and voting on a matter within its jurisdiction after a quorum of the body has first been established at an official UIL meeting. Actions taken pursuant to this section shall be referred to as binding actions.

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

This recommendation should not have a 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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends the language in Section 24, *UIL Officers*, UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

This amendment updates this rule by adding the Sports Officials Committee as well as the administrative position of Deputy Director as officers of the UIL. The new language also clarifies position of legal counsel. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 24 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 24: UIL OFFICERS

- ~~(a) UNIVERSITY POLICY. This section consists of policies of the University of Texas at Austin.~~
- (bA) OFFICERS. The persons filling the following named offices within the UIL shall be UIL officers who may be empowered on behalf of the UIL to take binding actions as provided for in the previous section:
- (1) the chair and members of the Legislative Council, the State Executive Committee, a district executive committee, the Waiver Review Board; SPORTS OFFICIALS COMMITTEE and a regional executive committee;
 - (2) the UIL EXECUTIVE Director, ~~and assistant UIL directors,~~ THE DEPUTY DIRECTOR, UIL DIRECTORS AND OTHER UIL EMPLOYEES with express WRITTEN delegation of authority from the EXECUTIVE Director;
 - (3) persons filling expressly commissioned positions of a limited character, including the UIL staff directors of the various UIL contests, the UIL Hearing Officer and the UIL Waiver Officer; and
 - (4) UIL legal counsel (the General Counsel and Vice-Chancellor of The University of Texas System, or a designee, VICE PRESIDENT FOR LEGAL AFFAIRS AT THE UNIVERSITY OF TEXAS AT AUSTIN, OR A DESIGNEE and the Texas Attorney General, or a designee).

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

This recommendation should not have a 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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends the language in Section 25, (b), (e), (g), (h), (j), (k), (l), *Legislative Council*, UIL Constitution and Contest Rules and adds part (i), (a), *Medical Advisory Committee*.

B. Factual and Policy Justifications

This amendment adds language that clarifies the Legislative Council's authority to call emergency meetings and the chair's authority to appoint advisory committees. It also removes some unnecessary language and adds a provision concerning the Medical Advisory Committee as directed by the Sunset Commission. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 25 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 25: LEGISLATIVE COUNCIL

- (a) COMPOSITION. The Legislative Council, which is the legislative body of the League, is composed of one member elected for a four-year term from each basketball region within each conference and eight members, two from each of the four UIL regions, appointed for four-year terms by the chair of the Legislative Council. The selection of appointed members shall reflect sensitivity to ethnicity, gender and student population size of district. The term of a member begins on June 1 following the election or appointment.
- (b) ELIGIBLE PERSONS. To be eligible for election or appointment to the Legislative Council, a person must be a superintendent or assistant superintendent of a member school district OR SCHOOL, or principal of a participant school within a member school district OR SCHOOL.
- (c) ELECTION.
 - (1) *Nominations*. In odd years the Executive Director shall mail nomination forms to the superintendent of each member school district before January 15. The superintendent may make one nomination for each participant high school in the school district by submitting a nomination form to the Director before January 31.
 - (2) *Top ~~Five~~ Two Nominees*. As of February 5, the Executive Director shall determine which ~~five~~ two persons received the greatest number of nominations in each basketball region. In the case of a tie, the Director shall determine the nominees by lot.
 - (3) *Preferential Ballot*. The Executive Director shall send to the superintendent of each member school district for each participant high school in the district one preferential ballot listing the ~~five~~ two nominees. On behalf of the school district, the superintendent may cast one ballot for each participant high school in the district. The ballot must be received by the League before March 1 to be counted.

- (4) *Ballot Tally.* On March 5 the chair of the State Executive Committee and the Executive Director, or their designees, shall tally the ballots and determine who is elected in each basketball region conducting an election.
- (5) *Results.* The Executive Director shall publish the results of the election and before March 15 inform the person elected. The person elected shall promptly inform the Executive Director concerning his or her willingness to serve.
- (6) *Validation.* To be valid a nomination and ballot must be signed by the superintendent of the member school district. The Executive Director shall take custody of the nomination forms and ballots and retain them for one year and may not permit examination of them by any person, unless expressly authorized to do so by the State Executive Committee to determine an election contest.
- (7) *Even Year Elections.* In even numbered years this schedule shall be altered to begin the election process as soon as the realignment and reclassification process is final.
- (d) VACANCY AND REPLACEMENT.
 - (1) *Vacancy.* A member of the Legislative Council vacates the position if that member ceases to be a superintendent or principal, joins a member school district in another basketball region, resigns as a member, or otherwise becomes unable to serve.
 - (2) *Replacement.*
 - (A) *Elected Members.* If an elected member vacates a position, the Executive Director shall conduct an election to elect a person to serve the unexpired term. This election shall be conducted under conditions substantially equivalent to those for a regular election. If the resignation of an elected member occurs with less than two years remaining in the term, the chair of the Legislative Council may appoint an eligible superintendent, assistant superintendent or principal to serve the unexpired term of the member who vacated the position.
 - (B) *Appointed Members.* If an appointed member vacates a position, the chair of the Legislative Council shall appoint a replacement to serve the unexpired term of the member who vacated the position.
 - (C) *Elected and Appointed Positions.* For both elected and appointed positions, no replacement will be sought when a vacancy occurs within six months of the end of the term.
- (e) ANNUAL MEETING. The Legislative Council shall begin its annual meeting on the weekend of the third Sunday in October. Fifteen members constitute a quorum. **Exception:** The date of the Legislative Council meeting ~~could~~ MAY be changed with the approval of the UIL Executive Director and the Chair of the Legislative Council.
- (f) ELECTION OF OFFICERS. The Legislative Council shall annually elect from its membership a chair, vice chair and second vice chair to serve until the end of the next annual meeting.
- (g) SPECIAL MEETINGS. The chair of the Legislative Council may call a special meeting of the Council by giving notice to members of the Council and member school districts at least one month before the meeting. Seven members of the Council may call a special meeting of the Council by giving notice in writing to the Executive Director at least one month before the meeting and by stating the matters to be considered at the meeting. Upon receiving a proper call for a special meeting from members of the Council, the Executive Director shall notify the members of the Council and member school districts. SUBJECT TO THE TEXAS OPEN

MEETINGS ACT (TEX. GOV'T. CODE CH. 551), the chair may call aN EMERGENCY meeting by giving two days' notice. The notice for aN EMERGENCY meeting should state the time, date and place of the meeting and the subjects on the agenda.

(h) RESPONSIBILITIES: The Legislative Council, consistent with the policies of The University of Texas at Austin:

- (1) may propose amendments of the *Constitution* and may, if permitted under Section 331, amend the *Constitution*;
- (2) may amend and adopt contest rules;
- (3) shall appoint standing committees and may appoint special committees;
- (4) shall fix membership and participant school fees and filing fees; and
- (5) may take such other action that is reasonable, necessary or desirable and consistent with the *UIL Constitution and Contest Rules*, the rules of the State Board of Education and the law.

(i) STANDING COMMITTEES. The Legislative Council shall have standing committees in the following areas: Academic; Athletic; Finance; Policy; Medical Advisory; Music; and Music Technical Advisory.

(1) MEDICAL ADVISORY COMMITTEE

(A) APPOINTMENTS, COMPOSITION, QUORUM

(i) APPOINTMENTS. THE CHAIR OF THE LEGISLATIVE COUNCIL APPOINTS THE MEMBERS OF THE MEDICAL ADVISORY COMMITTEE EACH APRIL FOR ANNUAL TERMS BEGINNING JULY 1. THE COMMITTEE SHALL BE COMPOSED AS FOLLOWS:

(AA) EIGHT TEXAS LICENSED PHYSICIANS, AT LEAST ONE OF WHOM SHALL BE A BOARD-CERTIFIED NEUROLOGIST OR NEUROSURGEON AND ONE A BOARD-CERTIFIED CARDIOLOGIST;

(BB) THREE ATHLETIC TRAINERS WITH PREFERENCE FOR TWO TRAINERS EMPLOYED IN THE FIELD OF SECONDARY HIGH SCHOOL SPORTS AND, OF THOSE TWO, PREFERABLY ONE TRAINER WHO PREDOMINANTLY WORKS WITH FEMALE ATHLETES AND ONE WHO WORKS PREDOMINANTLY WITH MALE ATHLETES, AND A THIRD TRAINER EMPLOYED BY A TEXAS COLLEGE OR UNIVERSITY SPORTS PROGRAM; AND

(CC) THREE NON-VOTING MEMBERS, INCLUDING ONE REPRESENTATIVE EACH FROM THE TEXAS STATE ATHLETIC TRAINERS ASSOCIATION, THE TEXAS GIRLS COACHES ASSOCIATION AND THE TEXAS HIGH SCHOOL COACHES ASSOCIATION.

(DD) THE COMMITTEE SHALL ELECT A CHAIR ANNUALLY AT THE FIRST MEETING AFTER JUNE 30.

(ii) BUSINESS MEETING QUORUM. SIX MEMBER OF THE MEDICAL ADVISORY COMMITTEE CONSTITUTE A QUORUM FOR BUSINESS MEETINGS.

(B) RESPONSIBILITIES. THE MEDICAL ADVISORY COMMITTEE SHALL PROVIDE INDEPENDENT AND IMPARTIAL ADVICE AND RECOMMENDATIONS TO THE LEAGUE REGARDING ALL RULES OR RULE CHANGE PROPOSALS RELATED TO STUDENT SAFETY OR MEDICAL SCIENCE, INCLUDING BUT NOT LIMITED TO:

- (i) PRE-PARTICIPATION PHYSICAL EXAMINATIONS FOR STUDENTS;

- (ii) PRACTICE AND PARTICIPATION LIMITATIONS FOR STUDENTS;
- (iii) EDUCATION AND TRAINING PROGRAMS FOR STUDENTS AND SCHOOL EMPLOYEES;
- AND
- (iv) PROTECTIVE EQUIPMENT AND OTHER SAFETY MEASURES.
- (C) PROCEDURAL RULES. UPON RECOMMENDATION OF THE COMMITTEE CHAIR, THE MEDICAL ADVISORY COMMITTEE MAY ADOPT RULES OF PROCEDURE NOT INCONSISTENT WITH THE UIL CONSTITUTION AND CONTEST RULES.
- (D) PARLIMENTARIAN. THE CHAIR OF THE MEDICAL ADVISORY COMMITTEE MAY APPOINT A PARLIMENTARIAN DURING BUSINESS MEETINGS AND PUBLIC HEARINGS.
- (j) AD HOC AND ADVISORY COMMITTEES. UNLESS OTHERWISE PROVIDED IN THE UIL CONSTITUTION AND CONTEST RULES, The chair of the Legislative Council, IN CONSULATION WITH THE EXECUTIVE DIRECTOR, may CREATE ad hoc AND ADVISORY committees; APPOINTING MEMBERS and COMMITTEE chairs.
- (K) COMMITTEE TERMS AND RESPONSIBILITIES
 - (1) *Appointment Terms.* UNLESS OTHERWISE PROVIDED IN THE UIL CONSTITUTION AND CONTEST RULES, the members shall serve on standing, ADVISORY or ad hoc committees until the chair withdraws the appointment or until either the purpose or duration of the committee has been achieved or has expired, whichever comes first.
 - (2) *Conduct of Committee Business.* The chair of a standing, ADVISORY or ad hoc committee shall direct the work of the committee pursuant to the UIL *Constitution and Contest Rules* and the procedural rules of the Legislative Council.
 - (3) *Responsibilities.* The responsibilities of the standing, ADVISORY or ad hoc committees shall generally be as follows:
 - (A) to study information and issues relevant to the body within the subject matter area of the committee;
 - (B) to inform the body of its findings;
 - (C) to prepare and present written motions or written resolutions concerning the issues to the body; and
 - (D) to handle those issues assigned by the body from time to time.
- (~~K~~L) ~~SPECIAL~~ PROCEDURAL RULES. The Legislative Council may adopt ~~special~~ procedural rules consistent with the UIL *Constitution and Contest Rules*, upon the recommendation of its chair to facilitate its public hearings and the legislative process.
- (~~M~~) PARLIAMENTARIAN. The chair of the Legislative Council may appoint a parliamentarian during business meetings and public hearings.

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

This recommendation should not have a 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.

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

A. Brief Explanation of Proposed Recommendation

This proposed recommendation amends Section 25(c), *Legislative Council*, UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

This proposal amends the Legislative Council election process by reducing the number of persons nominated to be on the ballot from five to two. It also amends the election process by making it a straightforward vote for a single nominee and then simply counting the results to determine who received the most votes rather than ranking all nominees on a preferential “scale”. The amended language also clears up records retention issues regarding election ballots. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 25(c) of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

SECTION 25, LEGISLATIVE COUNCIL

(c) ELECTION.

- (1) *Nominations.* In odd years the EXECUTIVE Director shall SEND OR OTHERWISE MAKE AVAILABLE ELECTRONICALLY OR ONLINE ~~mail~~ nomination forms to the superintendent of each member school district before January 15. The superintendent may make one nomination for each participant high school in the school district by submitting a nomination form to the EXECUTIVE Director before January 31
- (2) *Top ~~Five~~ TWO Nominees.* As of February 5, the EXECUTIVE Director shall determine which ~~five~~ TWO persons received the greatest number of nominations in each basketball region. ABSENT A TIE, THE TWO PERSONS RECEIVING THE MOST NOMINATIONS IN EACH BASKETBALL REGION SHALL BE PLACED ON THE BALLOT PER PART (3), BELOW. ANY TIES BETWEEN PERSONS RECEIVING THE MOST NOMINATIONS SHALL BE BROKEN BY VOTE ON THE BALLOT. ~~In the case of a tie, the Director shall determine the nominees by lot.~~
- (3) *~~Preferential~~ Ballot.* The EXECUTIVE Director shall send to the superintendent of each member school district for each participant high school in the district one ~~preferential~~ ballot. ~~listing~~—ABSENT ANY TIES, the TWO ~~five~~ nominees SHALL BE LISTED ON THE BALLOT. On behalf of the school district, the superintendent may cast one VOTE PER ballot for A NOMINEE ON BEHALF OF each participant high school in the district. The ballot must be received by the League before March 1 to be counted.
- (4) *Ballot Tally.* On March 5 the chair of the State Executive Committee and the EXECUTIVE Director, or their designees, shall tally the ballots and determine who is elected in each

basketball region conducting an election. IN CASES OF A TIE, THE EXECUTIVE DIRECTOR SHALL DETERMINE THE OUTCOME BY LOT.

- (5) *Results.* The EXECUTIVE Director shall publish the results of the election and before March 15 inform the person elected. The person elected shall promptly inform the EXECUTIVE Director concerning his or her willingness to serve.
- (6) *Validation.* To be valid a nomination and ballot must be signed by the superintendent of the member school district. The EXECUTIVE Director shall take custody of the nomination forms and ballots and retain them FOR A PERIOD OF TIME CONSISTENT WITH UNIVERSITY RETENTION POLICY BUT IN ANY EVENT for AT LEAST one year and, SUBJECT TO STATE LAW, may not permit examination of them by any person, unless expressly authorized to do so by the State Executive Committee to determine an election contest.
- (7) *Even Year Elections.* In even numbered years this schedule shall be altered to begin the election process as soon as the realignment and reclassification process is final.

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

This recommendation should not have a fiscal impact on member schools.

E. Legislative Council Consideration; Effective Date

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

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends Section 26, (a)(1), (b)(6), (c)(6, 9, adding (10) & (11)) (d)(2) and (g), (h) and (i) *State Executive Committee*, of the UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

The new language clarifies qualification for appointment to the State Executive Committee (SEC); strikes “sue and be sued” language; adds additional language to better reflect the jurisdiction of SEC and, as required by the Sunset Commission, adds language creating a precedent manual along with a related process. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 26 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 26: STATE EXECUTIVE COMMITTEE.

- (a) APPOINTMENT; COMPOSITION; QUORUM.
 - (1) *Appointments*. The Commissioner of the Texas Education Agency appoints the members of the State Executive Committee each April for annual terms beginning July 1. The committee shall be composed of eight CURRENT OR FORMER Texas public school administrators, with at least one from each UIL conference, and four at-large members. The selection of appointed members shall reflect sensitivity to ethnicity, gender and student population size of districts. The committee shall elect a chair annually at the first meeting after June 30.
 - (2) *Business Meeting Quorum*. Four members of the State Executive Committee constitute a quorum for business meetings.
 - (3) *Quorum for Panels*. In cases involving sponsor violations, appeals, applications for Official Interpretations, cases involving misconduct at contests, or any other case the chair of the State Executive Committee deems appropriate, the State Executive Committee may sit in panels of three voting members and two of the three members constitute a quorum.
 - (4) *Hearing Officer*. In any case including, but not limited to original determination of eligibility past the district level or the appeal of the automatic penalty for ejection, the chair of the State Executive Committee may transfer the case to a UIL Hearing Officer.
- (b) RESPONSIBILITIES. The State Executive Committee shall provide independent and impartial direction of the League by:
 - (1) interpreting the *Constitution and Contest Rules*;
 - (2) enforcing the rules and regulations contained in the *Constitution and Contest Rules*;
 - (3) conducting any necessary recount of a referendum vote;
 - (4) determining disputes within its original jurisdiction;

- (5) hearing appeals within its appellate jurisdiction.
- (6) ~~suing on behalf of the League and defending it against suit.~~
- ~~— Note: Pursuant to Texas Education Code 67.26 venue for suits filed against UIL is in Travis County.~~

- (c) JURISDICTION. The State Executive Committee shall decide:
 - (1) a protest or report of violation arising between schools belonging to different conferences or districts;
 - (2) a protest or report of violation involving individual contestants in a competition beyond the district;
 - (3) a case involving mistreatment of an official;
 - (4) an appeal from a decision of a district executive committee that a school is disqualified;
 - (5) an appeal from a decision of a district executive committee involving alleged discrimination;
 - (6) AN APPEAL FROM A DECISION OF A DISTRICT EXECUTIVE COMMITTEE CONCERNING A STUDENT'S ELIGIBILITY;
 - (67) an appeal from a decision of a district executive committee ordering a reprimand in the case of school district personnel violations; and
 - (78) a case involving allegations of school district personnel violations that could result in an order of public reprimand or suspension.
 - (89) This subchapter shall not be interpreted to limit the power of the State Executive Committee in making investigations and initiating proceedings against any member or participant school when sufficient justification exists.
 - (9) ~~The State Executive Committee assumes original jurisdiction on the eligibility of a student whose eligibility has previously been ruled on by a district executive committee.~~
 - (10) A CASE REFERRED BY A DISTRICT EXECUTIVE COMMITTEE DUE TO A CONFLICT OF INTEREST OR AS OTHERWISE PROVIDED IN THESE RULES;
 - (11) UPON PROPER REQUEST, CONSIDERING AND ISSUING OPINIONS INTERPRETING LEAGUE RULES.
- (d) AD HOC COMMITTEES. The chair of the State Executive Committee may appoint ad hoc committees and their chairs.
 - (1) *Appointment Terms.* The members shall serve on ad hoc committees until the chair withdraws the appointment or until either the purpose or duration of the committee has been achieved or has expired, whichever comes first.
 - (2) *Conduct of Committee Business.* The chair of an ad hoc committee shall direct the work of the committee pursuant to the UIL *Constitution and Contest Rules* and the ~~special~~ procedural rules of the State Executive Committee.
 - (3) *Responsibilities.* The responsibilities of the standing or ad hoc committees shall generally be as follows:
 - (A) to study information and issues relevant to the body within the subject matter area of the committee;
 - (B) to inform the body of its findings;
 - (C) to prepare and present written motions or written resolutions concerning the issues to the body; and

- (D) to handle those issues assigned by the body from time to time.
- (e) PROCEDURAL RULES. The State Executive Committee may adopt rules of procedure, not inconsistent with the UIL *Constitution and Contest Rules*, upon the recommendation of the chair to facilitate the:
 - (1) executive and administrative processes during business meetings; and
 - (2) judicial processes during evidentiary hearings and open meetings.
- (f) PARLIAMENTARIAN. The chair of the State Executive Committee may appoint a parliamentarian during business meetings and public hearings.
- (G) PRECEDENT MANUAL.
 - (1) THE STATE EXECUTIVE COMMITTEE SHALL ADOPT RULES CONCERNING THE CREATION AND MAINTENANCE OF A PRECEDENT MANUAL WHICH SHALL CONTAIN DECISIONS OF THE STATE EXECUTIVE COMMITTEE THAT HAVE SUFFICIENT PRECEDENTIAL VALUE TO WARRANT PUBLICATION. OPINIONS IN THE PRECEDENT MANUAL WILL BE COMPOSED OF A SYNOPSIS OF THE FACTS OF THE CASE ALONG WITH THE PANEL'S DECISION AND A BRIEF EXPLANATION OF THE BASIS FOR THE DECISION. LEAGUE STAFF MAY ASSIST IN THE DRAFTING AND PREPARATION OF THE OPINION AS DIRECTED BY THE COMMITTEE.
 - (2) BEFORE BEING PUBLISHED IN THE PRECEDENT MANUAL, A DRAFT OF THE WRITTEN OPINION MUST BE REVIEWED AND APPROVED BY A MAJORITY OF THE MEMBERS OF THE HEARING PANEL THAT HEARD THE CASE. THE PRECEDENT MANUAL SHALL SERVE TO PROVIDE GUIDANCE TO STATE EXECUTIVE COMMITTEE HEARING PANELS WHEN CONSIDERING SIMILAR CASES.
 - (3) THE STATE EXECUTIVE COMMITTEE'S PRECEDENT MANUAL SHALL BE PUBLISHED ON THE UNIVERSITY INTERSCHOLASTIC LEAGUE'S WEBSITE.

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

This recommendation should not have a 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.

**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. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 27 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

- (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.

**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 (d), *Participant and UIL Member Schools Penalty Guidelines*.

B. Factual and Policy Justifications

This recommendation provides general guidelines for violations of UIL rules by participant or UIL member schools, participant school student representatives, patrons, personnel or fans and penalties that may be imposed on participant and member schools. The Sunset Commission has required that penalty guidelines be implemented. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 27 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

(d) *PARTICIPANT AND UIL MEMBER SCHOOLS PENALTY GUIDELINES. VIOLATIONS OF UIL RULES BY PARTICIPANT OR UIL MEMBER SCHOOLS, PARTICIPANT SCHOOL STUDENT REPRESENTATIVES, PATRONS, PERSONNEL OR FANS GENERALLY FALL INTO TWO CATEGORIES, CLASS A AND CLASS B. SEE SECTION 52. AS SET OUT IN THIS SECTION, THE PENALTIES THAT MAY BE IMPOSED ON PARTICIPANT OR UIL MEMBER SCHOOLS FOR SUCH VIOLATIONS ARE REPRIMAND, PUBLIC REPRIMAND, FORFEITURE OF CONTEST, DISQUALIFICATION FROM GERMANE ACTIVITY AND SUSPENSION.*

IN DETERMINING PENALTIES TO BE IMPOSED ON PARTICIPANT OR MEMBER SCHOOLS, THE STATE EXECUTIVE COMMITTEE HEARING PANEL SHALL GIVE DUE CONSIDERATION TO THE GUIDELINES BELOW. 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 A PARTICIPANT OR MEMBER SCHOOL.

IN ADDITION TO ANY PARTICULAR SANCTION OR PENALTY STATED IN A SPECIFIC RULE, PARTICIPANT OR UIL MEMBER SCHOOLS, PARTICIPANT SCHOOL STUDENT REPRESENTATIVES, PATRONS, PERSONNEL OR FANS FOUND TO HAVE VIOLATED UIL RULES SUBJECT THE PARTICIPANT OR MEMBER SCHOOL IN QUESTION TO THE IMPOSITION OF PENALTIES CONSISTENT WITH THE FOLLOWING GUIDELINES:

(1) CLASS A VIOLATIONS

CLASS A VIOLATIONS FOR PARTICIPANT OR MEMBER SCHOOLS ARE VIOLATIONS OF STATE LAW AND RULES OF THE STATE BOARD OF EDUCATION IN REGARDS TO:

(A) FAILING TO COMPLY WITH APPLICABLE STATE LAWS REGARDING PREVIOUS AND CURRENT ACADEMIC REQUIREMENTS;

(B) FAILING TO COMPLY WITH APPLICABLE RULES OF THE STATE BOARD OF EDUCATION REGARDING PREVIOUS AND CURRENT ACADEMIC REQUIREMENTS;

(C) FAILING TO COMPLY WITH APPLICABLE RULES OF THE STATE BOARD OF EDUCATION REGARDING LOSS OF SCHOOL TIME REQUIREMENTS; OR

- (D) FAILING TO COMPLY WITH APPLICABLE STATE LAWS REGARDING EXTRACURRICULAR ACTIVITIES.
- (2) MINIMUM PENALTY
- (A) 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. A PUBLIC REPRIMAND MAY INCLUDE A PROBATIONARY PERIOD OF UP TO THREE YEARS, AND MAY INCLUDE ANY REASONABLE CONDITIONS, WHICH, IF NOT FULFILLED, MAY RESULT IN A MORE STRINGENT PENALTY.
- (B) THE STATE EXECUTIVE COMMITTEE SHALL REQUIRE FORFEIT OF A CONTEST(S) WON BY AN INDIVIDUAL OR SCHOOL, AS A MINIMUM PENALTY, IF IT FINDS THAT AN INDIVIDUAL CONTESTANT WAS NOT ELIGIBLE TO PARTICIPATE IN THE CONTEST. HOWEVER, WHEN A STUDENT WHO HAS PARTICIPATED IN CONTESTS THAT COUNT ON LEAGUE STANDING IS FOUND TO BE INELIGIBLE, AND THE SCHOOL HAS PROPERLY VERIFIED ELIGIBILITY BASED ON THE FACTS AVAILABLE, HAS EXERCISED SUFFICIENT DILIGENCE IN DETERMINING ACTUAL CONDITIONS AND FACTS, AND THE DISTRICT EXECUTIVE COMMITTEE HAS PREVIOUSLY RULED THE STUDENT ELIGIBLE, THE STATE EXECUTIVE COMMITTEE MAY FIND THE STUDENT IN QUESTION INELIGIBLE FROM THE DATE OF THE HEARING, AND THUS NOT REQUIRE THE PARTICIPANT SCHOOL TO FORFEIT CONTESTS.
- (3) ENHANCED VIOLATIONS
- (A) REPEAT OFFENSE – IN CASES WHERE A CLASS A VIOLATION IS FOUND AND THE SCHOOL IN QUESTION HAS PREVIOUSLY BEEN FOUND IN VIOLATION OF A CLASS A RULE, THE PENALTY MAY BE ENHANCED. AN ENHANCED PENALTY FOR REPEAT CLASS A VIOLATORS 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 OR DISQUALIFICATION FROM DISTRICT HONORS. IF IMPOSED, SUSPENSION SHALL DENY PARTICIPATION IN SPECIFIED UIL ACTIVITIES FOR A PERIOD OF ONE TO THREE YEARS. SUSPENSION AND DISQUALIFICATION FROM DISTRICT HONORS MAY INCLUDE A PROBATIONARY PERIOD OF ONE TO THREE YEARS, AND MAY INCLUDE ANY REASONABLE CONDITIONS, WHICH, IF NOT FULFILLED, MAY RESULT IN ADDITIONAL SUSPENSION OR A MORE STRINGENT PENALTY.
- (B) PRIOR CONDITIONS/PROBATION – IN CASES WHERE A CLASS A VIOLATION IS FOUND AND THE SCHOOL IN QUESTION 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 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. THE PENALTY MAY ALSO INCLUDE A PERIOD OF SUSPENSION FROM COMPETITION, INCLUDING PRACTICES, IN ALL GERMANE ACTIVITIES FOR A PERIOD OF ONE DAY TO THREE YEARS OR DISQUALIFICATION FROM DISTRICT HONORS. IF IMPOSED, SUSPENSION SHALL DENY PARTICIPATION IN SPECIFIED UIL ACTIVITIES FOR A PERIOD OF ONE TO THREE YEARS. SUSPENSION OR DISQUALIFICATION FROM DISTRICT HONORS MAY INCLUDE A PROBATIONARY PERIOD OF ONE TO THREE YEARS, AND MAY INCLUDE ANY REASONABLE CONDITIONS, WHICH, IF NOT FULFILLED, MAY RESULT IN ADDITIONAL SUSPENSION.
- (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 FORFEITURE OF A CONTEST, DISQUALIFICATION, 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. IF IMPOSED, SUSPENSION SHALL DENY PARTICIPATION IN SPECIFIED UIL ACTIVITIES FOR A PERIOD OF ONE TO THREE YEARS. SUSPENSION OR DISQUALIFICATION FROM DISTRICT HONORS MAY INCLUDE A PROBATIONARY PERIOD OF ONE TO THREE YEARS, AND MAY INCLUDE ANY REASONABLE CONDITIONS, WHICH, IF NOT FULFILLED, MAY RESULT IN ADDITIONAL SUSPENSION.

- (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 FORFEITURE OF A CONTEST, DISQUALIFICATION, 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. IF IMPOSED, SUSPENSION SHALL DENY PARTICIPATION IN SPECIFIED UIL ACTIVITIES FOR A PERIOD OF ONE TO THREE YEARS. SUSPENSION MAY INCLUDE A PROBATIONARY PERIOD OF ONE TO THREE YEARS, AND MAY INCLUDE ANY REASONABLE CONDITIONS, WHICH, IF NOT FULFILLED, MAY RESULT IN ADDITIONAL SUSPENSION.
- (E) MANDATORY DISQUALIFICATION – THE STATE EXECUTIVE COMMITTEE SHALL DISQUALIFY A PARTICIPANT SCHOOL OR MEMBER FROM ALL GERMANE ACTIVITIES IF THE PARTICIPANT SCHOOL OR SCHOOL DISTRICT HAS FAILED MATERIALLY AND KNOWINGLY TO COMPLY WITH THE CONSTITUTION AND CONTEST RULES, OR IF THE PARTICIPANT SCHOOL HAS KNOWINGLY AND INTENTIONALLY PERMITTED AN INELIGIBLE INDIVIDUAL TO REPRESENT IT IN A UIL CONTEST, OR IF THE PARTICIPANT SCHOOL OR SCHOOL DISTRICT HAD COMPETED AGAINST OR PARTICIPATED IN A TOURNAMENT WITH A NON-SCHOOL TEAM COMPOSED OF ONE OR MORE UIL PARTICIPANT SCHOOL STUDENTS WITH REMAINING ELIGIBILITY IN THAT SPORT, A VIOLATION OF SECTION 1208. IN ADDITION, A MORE STRINGENT PENALTY MAY BE ASSESSED. THE STATE EXECUTIVE COMMITTEE HAS THE OPTION NOT TO REPLACE A TEAM THAT IS DISQUALIFIED FROM THE PLAYOFFS AT OR NEAR THE CERTIFICATION DATE FOR DISTRICT REPRESENTATIVES.

(4) CLASS B VIOLATIONS

CLASS B VIOLATIONS FOR PARTICIPANT OR MEMBER SCHOOLS ARE:

- (A) FAILING TO COMPLY WITH THE UIL CONSTITUTION AND CONTEST RULES, WHEN NOT IN CONFLICT WITH STATE BOARD OF EDUCATION RULES OR REGULATIONS.
- (1) FAILING TO COMPLY WITH THE ATHLETIC CODE, ATHLETIC CODE FOR COACHES, MUSIC CODE, SPRING MEET CODE OR ONE-ACT PLAY CODE;
 - (2) BREAKING CONTRACTS;
 - (3) COERCING CONTESTANTS; OR
 - (4) SCOUTING (DEBATE);

(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 REPRIMAND. A REPRIMAND SHALL BE IN WRITING AND SHALL STATE

THE VIOLATION FOUND BUT SHALL NOT BE PUBLISHED IN THE LEAGUER. AT THE DISCRETION OF THE HEARING PANEL, THE REPRIMAND MAY BE MADE PUBLIC.

(6) ENHANCED PENALTY FACTORS

- (A) REPEAT OFFENSE – IN CASES WHERE A CLASS B VIOLATION IS FOUND AND THE SCHOOL IN QUESTION HAS PREVIOUSLY BEEN FOUND IN VIOLATION OF A CLASS B 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 SCHOOL IN QUESTION 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 SCHOOL 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. THE PENALTY MAY ALSO INCLUDE A PERIOD OF SUSPENSION FROM COMPETITION, INCLUDING PRACTICES, IN ALL GERMANE ACTIVITIES FOR A PERIOD OF ONE DAY TO THREE YEARS. IF IMPOSED, SUSPENSION SHALL DENY PARTICIPATION IN SPECIFIED UIL ACTIVITIES FOR A PERIOD OF ONE TO THREE YEARS. SUSPENSION MAY INCLUDE A PROBATIONARY PERIOD OF ONE TO THREE YEARS, AND MAY INCLUDE ANY REASONABLE CONDITIONS, WHICH, IF NOT FULFILLED, MAY RESULT IN ADDITIONAL SUSPENSION.
- (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. THE PENALTY MAY ALSO INCLUDE A PERIOD OF SUSPENSION FROM COMPETITION, INCLUDING PRACTICES, IN ALL GERMANE ACTIVITIES FOR A PERIOD OF ONE DAY TO THREE YEARS. IF IMPOSED, SUSPENSION SHALL DENY PARTICIPATION IN SPECIFIED UIL ACTIVITIES FOR A PERIOD OF ONE TO THREE YEARS. SUSPENSION MAY INCLUDE A PROBATIONARY PERIOD OF ONE TO THREE YEARS, AND MAY INCLUDE ANY REASONABLE CONDITIONS, WHICH, IF NOT FULFILLED, MAY RESULT IN ADDITIONAL SUSPENSION.

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.

**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 (e), *School District Personnel Penalty Guidelines*.

B. Factual and Policy Justifications

This recommendation provides general guidelines for school district personnel violations of UIL rules. The Sunset Commission has required that penalty guidelines be implemented. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 27 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

(E) SCHOOL DISTRICT PERSONNEL PENALTY GUIDELINES. SCHOOL DISTRICT PERSONNEL VIOLATIONS OF UIL RULES GENERALLY FALL INTO THREE CATEGORIES, CLASS A, CLASS B AND CLASS C. SEE SECTION 51. AS SET OUT IN THIS SECTION, THE PENALTIES THAT MAY BE IMPOSED ON SCHOOL DISTRICT PERSONNEL ARE REPRIMAND, PUBLIC REPRIMAND OR SUSPENSION FROM UIL ACTIVITIES.

IN DETERMINING PENALTIES TO BE IMPOSED ON SCHOOL DISTRICT PERSONNEL, THE STATE EXECUTIVE COMMITTEE HEARING PANEL SHALL GIVE DUE CONSIDERATION TO THE GUIDELINES BELOW AND THE PENALTY CRITERIA SET OUT FOR SCHOOL DISTRICT PERSONNEL IN THIS SECTION. 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 SCHOOL DISTRICT PERSONNEL.

IN ADDITION TO ANY PARTICULAR SANCTION OR PENALTY STATED IN A SPECIFIC RULE, SCHOOL DISTRICT PERSONNEL 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 SCHOOL DISTRICT PERSONNEL ARE

- (A) VIOLATING ELIGIBILITY RULES;
- (B) IMPROPER INTERACTION WITH OFFICIALS, JUDGES, REFEREES;
- (C) EJECTION FROM CONTEST OR RECEIPT OF TWO 15-YARD PENALTIES IN FOOTBALL DURING ONE CONTEST;
- (D) REMOVING A TEAM FROM A CONTEST, AS IN PROTEST;
- (E) FALSIFYING RECORDS OR REPORTS;
- (F) FAILING TO REPORT KNOWN VIOLATIONS IN A TIMELY MANNER OR WITHHOLDING INFORMATION;
- (H) PRESSURING TEACHERS TO MODIFY THE GRADE OR GRADES OF UIL PARTICIPANTS IN SUCH A MANNER AS TO AFFECT ELIGIBILITY;
- (I) RECRUITING;

- (J) FAILING TO COMPLY WITH APPLICABLE STATE LAWS REGARDING EXTRACURRICULAR ACTIVITIES; OR
- (K) FAILING TO COMPLY WITH THE AMATEUR RULE, THE AWARDS RULES, THE GIFTS/AWARDS TO COACHES RULE, THE REBATE RULE, OR THE COACHES EMPLOYMENT AND SOURCE OF PAY RULE.

(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 SCHOOL DISTRICT EMPLOYEE IN QUESTION HAS PREVIOUSLY BEEN FOUND IN VIOLATION OF A CLASS A RULE, THE PENALTY MAY BE ENHANCED. AN ENHANCED PENALTY FOR REPEAT CLASS A VIOLATORS 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. IF IMPOSED, SUSPENSION SHALL INCLUDE A PROHIBITION AGAINST COACHING FOR AT LEAST ONE CONTEST AND MAY INCLUDE SUSPENSION FROM OTHER ACTIVITIES, SUCH AS ATTENDING THE GERMANE CONTEST, SCOUTING, PRACTICING WITH THE ATHLETE(S), OR ANY OTHER REASONABLE CONDITION THE STATE EXECUTIVE COMMITTEE CHOOSES TO IMPOSE.
- (B) PRIOR CONDITIONS/PROBATION – IN CASES WHERE A CLASS A VIOLATION IS FOUND AND THE SCHOOL EMPLOYEE IN QUESTION 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 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. THE PENALTY MAY ALSO INCLUDE A PERIOD OF SUSPENSION FROM COMPETITION, INCLUDING PRACTICES, IN ALL GERMANE ACTIVITIES FOR A PERIOD OF ONE DAY TO THREE YEARS. IF IMPOSED, SUSPENSION SHALL INCLUDE A PROHIBITION AGAINST COACHING FOR AT LEAST ONE CONTEST AND MAY INCLUDE SUSPENSION FROM OTHER ACTIVITIES, SUCH AS ATTENDING THE GERMANE CONTEST, SCOUTING, PRACTICING WITH THE ATHLETE(S), OR ANY OTHER REASONABLE CONDITION THE STATE EXECUTIVE COMMITTEE CHOOSES TO IMPOSE.
- (C) INTENT/HARM - IN CASES WHERE A CLASS A VIOLATION IS FOUND TO BE DELIBERATE AND TO HAVE PROVIDED A COMPETITIVE ADVANTAGE 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. IF IMPOSED, SUSPENSION SHALL INCLUDE A PROHIBITION AGAINST COACHING FOR AT LEAST ONE CONTEST AND MAY INCLUDE SUSPENSION FROM OTHER ACTIVITIES, SUCH AS ATTENDING THE GERMANE CONTEST, SCOUTING, PRACTICING WITH THE ATHLETE(S), OR ANY OTHER REASONABLE CONDITION THE STATE EXECUTIVE COMMITTEE CHOOSES TO IMPOSE.

- (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. IF IMPOSED, SUSPENSION SHALL INCLUDE A PROHIBITION AGAINST COACHING FOR AT LEAST ONE CONTEST AND MAY INCLUDE SUSPENSION FROM OTHER ACTIVITIES, SUCH AS ATTENDING THE GERMANE CONTEST, SCOUTING, PRACTICING WITH THE ATHLETE(S), OR ANY OTHER REASONABLE CONDITION THE STATE EXECUTIVE COMMITTEE CHOOSES TO IMPOSE.
- (4) CLASS B VIOLATIONS
- (A) CLASS B VIOLATIONS FOR SCHOOL DISTRICT PERSONNEL ARE:
- (I) FAILING TO COMPLY WITH THE ATHLETIC CODE, ATHLETIC CODE FOR COACHES, MUSIC CODE, SPRING MEET CODE OR ONE-ACT PLAY CODE;
- (II) BREAKING CONTRACTS;
- (III) COERCING CONTESTANTS; OR
- (IV) SCOUTING (DEBATE);
- (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 REPRIMAND. A REPRIMAND SHALL BE IN WRITING AND SHALL STATE THE VIOLATION FOUND BUT SHALL NOT BE PUBLISHED IN THE LEAGUER. AT THE DISCRETION OF THE HEARING PANEL, THE REPRIMAND MAY BE MADE PUBLIC.
- (6) ENHANCED PENALTY FACTORS
- (A) REPEAT OFFENSE – IN CASES WHERE A CLASS B VIOLATION IS FOUND AND THE SCHOOL DISTRICT EMPLOYEE HAS PREVIOUSLY BEEN FOUND IN VIOLATION OF A CLASS B 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 VIOLATOR 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. THE PENALTY MAY ALSO INCLUDE A PERIOD OF SUSPENSION FROM COMPETITION, INCLUDING PRACTICES, IN ALL GERMANE ACTIVITIES FOR A PERIOD OF ONE DAY TO THREE YEARS. IF IMPOSED, SUSPENSION SHALL INCLUDE A PROHIBITION AGAINST COACHING FOR AT LEAST ONE CONTEST AND MAY INCLUDE

- SUSPENSION FROM OTHER ACTIVITIES, SUCH AS ATTENDING THE GERMANE CONTEST, SCOUTING, PRACTICING WITH THE ATHLETE(S), OR ANY OTHER REASONABLE CONDITION THE STATE EXECUTIVE COMMITTEE CHOOSES TO IMPOSE.
- (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. THE PENALTY MAY ALSO INCLUDE A PERIOD OF SUSPENSION FROM COMPETITION, INCLUDING PRACTICES, IN ALL GERMANE ACTIVITIES FOR A PERIOD OF ONE DAY TO THREE YEARS. IF IMPOSED, SUSPENSION SHALL INCLUDE A PROHIBITION AGAINST COACHING FOR AT LEAST ONE CONTEST AND MAY INCLUDE SUSPENSION FROM OTHER ACTIVITIES, SUCH AS ATTENDING THE GERMANE CONTEST, SCOUTING, PRACTICING WITH THE ATHLETE(S), OR ANY OTHER REASONABLE CONDITION THE STATE EXECUTIVE COMMITTEE CHOOSES TO IMPOSE.
- (7) CATEGORY C VIOLATIONS
- (A) CLASS C VIOLATIONS FOR SCHOOL DISTRICT PERSONNEL ARE:
- (I) FAILING TO COMPLY WITH RULES AND REGULATIONS IN INDIVIDUAL PLANS AND/OR UIL MANUALS; OR
- (II) VIOLATION OF REPORTING REQUIREMENTS CONCERNING:
- (A) ELIGIBILITY FORMS;
- (B) PROFESSIONAL ACKNOWLEDGMENT;
- (C) PREVIOUS PARTICIPATION;
- (D) PARENT/ ACKNOWLEDGMENT;
- (E) MEDICAL/PHYSICAL EXAMINATIONS; OR
- (F) WEEKLY OR SEASON CONTEST REPORTS.
- (8) 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 C VIOLATION IS A REPRIMAND. A REPRIMAND SHALL BE IN WRITING AND SHALL STATE THE VIOLATION FOUND BUT SHALL NOT BE PUBLISHED IN THE LEAGUER.
- (8) ENHANCED PENALTY FACTORS
- (A) REPEAT OFFENSE – IN CASES WHERE A CLASS C VIOLATION IS FOUND AND THE SCHOOL EMPLOYEE HAS PREVIOUSLY BEEN FOUND IN VIOLATION OF CLASS C RULE, THE PENALTY MAY BE ENHANCED. AN ENHANCED PENALTY FOR REPEAT VIOLATORS OF A CLASS C 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 C VIOLATION IS FOUND AND THE SCHOOL DISTRICT EMPLOYEE HAS FAILED TO COMPLY WITH PREVIOUSLY IMPOSED CONDITIONS DUE TO A PRIOR VIOLATION OF UIL RULES OR HAS COMMITTED A CLASS C VIOLATION DURING A PREVIOUSLY IMPOSED PROBATIONARY PERIOD, THE PENALTY FOR A CLASS C 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 C VIOLATION IS FOUND TO BE DELIBERATE AND TO HAVE PROVIDED A COMPETITIVE ADVANTAGE OR THE

VIOLATION CAUSED PHYSICAL HARM TO A PERSON OR PROPERTY, THE PENALTY FOR A CLASS C 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.

IN CASES WHERE THERE IS PHYSICAL HARM TO A PERSON OR PROPERTY, THE PENALTY MAY ALSO INCLUDE A PERIOD OF SUSPENSION FROM COMPETITION, INCLUDING PRACTICES, IN ALL GERMANE ACTIVITIES FOR A PERIOD OF ONE DAY TO THREE YEARS. IF IMPOSED, SUSPENSION SHALL INCLUDE A PROHIBITION AGAINST COACHING FOR AT LEAST ONE CONTEST AND MAY INCLUDE SUSPENSION FROM OTHER ACTIVITIES, SUCH AS ATTENDING THE GERMANE CONTEST, SCOUTING, PRACTICING WITH THE ATHLETE(S), OR ANY OTHER REASONABLE CONDITION THE STATE EXECUTIVE COMMITTEE CHOOSES TO IMPOSE.

- (D) OTHER FACTORS – IN CASES WHERE A CLASS C 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. THE PENALTY MAY ALSO INCLUDE A PERIOD OF SUSPENSION FROM COMPETITION, INCLUDING PRACTICES, IN ALL GERMANE ACTIVITIES FOR A PERIOD OF ONE DAY TO THREE YEARS. IF IMPOSED, SUSPENSION SHALL INCLUDE A PROHIBITION AGAINST COACHING FOR AT LEAST ONE CONTEST AND MAY INCLUDE SUSPENSION FROM OTHER ACTIVITIES, SUCH AS ATTENDING THE GERMANE CONTEST, SCOUTING, PRACTICING WITH THE ATHLETE(S), OR ANY OTHER REASONABLE CONDITION THE STATE EXECUTIVE COMMITTEE CHOOSES TO IMPOSE.

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.

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

A. Brief Explanation of Proposed Recommendation

This is a recommendation that the following hearing process be approved by the Legislative Council and incorporated into the District Executive Committee (DEC) Handbook.

B. Factual and Policy Justifications

This recommendation provides process and templates for DEC hearings. The process below is consistent with current practice and adds a few provisions to enhance the process and provide transparency for all participants. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 28 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Propose that, pursuant to Section 28, *District Executive Committee*, UIL Constitution and Contest Rules, that the Legislative Council approve the following policy governing appeals for inclusion in the District Executive Committee Handbook: -

DISTRICT EXECUTIVE COMMITTEE HEARING PROCESS

Agenda and Open Meetings -

1. Prior to any meeting, a district executive committee must post an agenda that complies with the Texas Open Meetings Act (Chapter 551, Tex. Gov't. Code) (the Act). The notice must be posted at least 72 hours before the scheduled meeting. The agenda must be posted at the physical location of the meeting and, for each school in the district, posted in the same location where a school's board would post an agenda.¹ The agenda must contain the date, hour, place and subject of each meeting.

While the amount of detail required in an agenda may vary depending on the facts, the subject of the posted notice (the agenda items) has to be sufficient to alert the public, in general terms, of the subjects that will be considered at the meeting. Broad terms such as "old business" or "litigation matters" by themselves are usually not sufficient. Generally speaking, the more important a matter is to the community, the more specific the posted notice must be. A template for DEC agendas is attached.

¹ Section 551.051 of the Tex. Gov't. Code (the Act) states "A school district shall post notice of each meeting on a bulletin board at a place convenient to the public in the central administration office in the district." Section 551.056 of the Act requires school districts, among other entities, to post notice on their internet websites.

DEC's are not school districts, however, because current Open Meeting Law does not specifically account for DEC meetings, tracking what school districts do and applying those requirements of the Open Meetings Act to the DEC meeting context suggest that this is the best approach until a more specific statute is enacted.

Agenda template below

The template, however, cannot account for the particular facts of each meeting and the exact language that should be used.

The Hearing-

1. Complaints or protests to a district executive committee that make allegations that UIL rules have been violated by schools or persons within the committee's jurisdiction can be received from a school that is self-reporting, a participant school or an individual as set forth in Sections 53, 54 and 55.
2. As a general rule, before proceeding with an investigation into an allegation or protest, it should be determined as a threshold matter whether the allegation or protest made actually raises a possible violation.
3. A member school district and its school shall respond to a request for records from a district executive committee with jurisdiction over the matter in question. Schools should make every reasonable attempt to cooperate with any district executive committee inquiry. A hearing should only be held in cases where an initial investigation raises facts that *if true* would be a violation of the Constitution and/or Contest Rules.
4. When conducting a hearing concerning allegations against schools, school employees or students that League rules have been violated, a district executive committee shall:
 - (a) Timely post a proper agenda that gives the public notice of the hearing;
 - (b) At least five-business days before the hearing notice of the hearing must be sent to the student, school employee or representative of a school alleged to be in violation of UIL rules. In cases in which students are alleged to be in violation notice shall be sent to the student and his or her parent(s) at the current address that the school the student attends has on file. In cases where a school employee or the school itself is alleged to be in violation, the notice shall be sent to school personnel or a school representative at the current address of the school. The notice must include –
 - 1) Time, date and location of the hearing and the DEC chair's contact information;
 - 2) The alleged rule violation that will be considered;
 - 3) A copy of any documents or other evidence that the DEC may consider at the hearing, including any relevant Prior Athletic Participation Forms (PAPF's);
 - 4) A list of persons who, to the best of the DEC chair's knowledge, are expected to testify at the hearing.
 - 5) Absent sufficient evidence to the contrary, notice to a student is deemed received if sent to the last address on file for the student's parent(s) via US mail or by private carrier. Notice may be sent by email to a school or school personnel using a school email address. Notice to a student and parent(s) may be sent by email if the school the student currently attends has a policy that provides for notices to be sent to students and/or parents by email in lieu of regular mail.

Notice of Hearing Template and DEC Chair hearing notes below

- (c) If the student or parent is unable to attend the hearing, notice must be provided to the DEC chair as soon the conflict is known. The DEC chair may reschedule the hearing for good cause shown. However, in eligibility cases where the student and parents are, after being given notice, unable to attend a hearing as originally scheduled, a student may not participate in varsity competition until a DEC hearing is held and a decision reached. Postponed hearings shall be reset as soon as practical.
- (d) Minutes or a recording must be made of all DEC meetings. If minutes are taken, they must include the subject of any deliberation and indicate every action taken.

- (e) Generally speaking, absent specific authorization under the Open Meetings Act, a DEC should not go into a “closed” or “executive” session when conducting a hearing or any other DEC business. Students and parents should be allowed to hear all deliberations and discussion by the DEC regarding their case. The simple fact that someone is uncomfortable with the topic being discussed is not grounds for going into closed session.
- (f) **All votes by the DEC must be taken and recorded in an open session.** Each participant school in a district has one vote. Committee members may not vote or participate in the hearing, except as witnesses, in cases where their school (or a school representative) is involved by:
 - 1) presenting a formal protest or evidence or argument of an informal protest;
 - 2) making a report of a violation;
 - 3) being charged with a violation;
 - 4) being the school that the student in question is leaving or is moving to.
- (g) Students and their parents, school employees and representatives of schools that are the subject of a DEC hearing must be allowed an opportunity to tell their side of the story by giving testimony, providing documents or other types of evidence and calling other witnesses who have knowledge of relevant facts.
- (h) Parties appearing before a DEC may represent themselves or be represented by legal counsel if they desire. However, an attorney’s role is limited to advising their client(s), opening and closing statements on behalf of clients, requesting that the committee pose certain questions to witnesses and summarizing his or her client’s position.
- (i) While formal rules of evidence and procedure do not apply, a DEC Chair may limit or expand the time of the hearing and otherwise manage the hearing, including limiting repetitive or irrelevant testimony and other extraneous evidence, for purposes of efficiency and fairness.
- (j) A district executive committee shall take testimony from witnesses as provided for in these rules in a question and answer format between committee members and witnesses and review any documents or other tangible evidence presented to it. Each party shall have the opportunity to make opening statements and the party in question shall also be given the opportunity to make a closing statement. No witness shall be cross-examined by another party or person representing another party.
- (k) The order of presentation of witnesses and documentary evidence in a hearing shall generally be as follows:
 - 1) Student and parents or school employee or representative(s) of school alleged to be in violation of rules (party in question);
 - 2) In student eligibility cases involving a change of schools, as determined by the Chair, the representatives of the “sending” school (the school the student left) followed by representative of the “receiving” school (the school the student now attends/wishes to represent.)
 - 3) Any other persons with knowledge of relevant facts.
 - 4) The panel Chair may change the order of appearance for purposes of efficiency and fairness.

- (l) The process set out in these rules does not create a property interest or any other legal interest or rights that a person or organization does not have under law absent this process.
- (m) Except as provided otherwise by law, failure by a DEC to follow a particular procedure as set out herein, does not automatically nullify the DEC's decision. However, unless the DEC has final jurisdiction on a matter, such errors may be raised as part of an appeal made to the State Executive Committee.
- (n) After announcing its decision on a case that may be appealed to the State Executive Committee, a district executive committee chair shall inform the parties, student and parents or school employees or any involved schools, that the case maybe appealed to the State Executive Committee and provide the parties the physical and email address of the University Interscholastic League (UIL) Director of Compliance.

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

This recommendation should not have a 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.

(*T e m p l a t e f o r*)
A G E N D A
District (#) – (conference)
District Executive Committee
(day), (date) (address of meeting location), (city), Texas

The District (#)-(conference) District Executive Committee of the University Interscholastic League will meet on *(day), (date)*, at *(physical address)* in *(city)*, Texas, beginning and continuing at the times indicated below, according to the following agenda, unless otherwise announced by the Chair of the Committee.

BUSINESS MEETING (A-H)

Time	Agenda Item	Individual Responsible
9:00 am	A. Quorum Determination	Chair
	B. Adoption of Meeting Rules	
	C. Adoption of Agenda	
	D. Approval of Minutes of Previous Meeting	

HEARINGS (AA-DD)

(Note - student's name does not appear on the agenda. List hearings as needed.)

9:05 am	AA.	Bugtusle High School: Decision Regarding Eligibility of Student Athlete, Alleged Violation of Section 443, Changing Schools for Athletic Reasons.
9:50 am	BB.	Southern Most High School: Decision Regarding Coach, Alleged Violation of Section 1201 (a) (6), Practicing Out of Season, Coach John Doe.
10:35 am	CC.	Wales High School: Decision Regarding Eligibility of a Student, Alleged Violation of Section 440 (b), Residence Rule.

(insert time for lunch break if needed)

BUSINESS MEETING (Continued, E-G)

Time	Agenda Item	Individual Responsible
12:05 pm	E. New Business <i>(if any new business will be discussed more specifics will be needed)</i>	Chair
12:10 pm	F. Announcements	
12:15 pm	G. Adjourn	

Meetings of the District (#)-(Conf.) District Executive Committee are open to the public except for any closed (executive) session held in compliance with Texas Open Meetings Act. Persons interested in a District Executive Committee hearing and desiring communication with the District Executive Committee or any special accommodations should contact, *(name of DEC chair)*, the Chair of the District Executive Committee, at *(insert contact info. of chair)* during regular business hours at least two working days prior to the meeting.

TEMPLATE

Notice of Hearing
District (#)-(Conf.)
District Executive Committee

(Date – no less than 5 business days before the hearing)

(Name of student/school employee/school supt.)
(Address)

The District (#)-(Conf.) District Executive Committee will hold a hearing on **(day, date, time and location)** to consider allegations regarding the following:

(Insert General Topic of the alleged violation)

(Example) Violation of eligibility rules for varsity athletics.

(Brief description of the allegations)

(Example) A hearing will be held on the dates and times listed above to consider allegations that you are in violation of *(relevant section and if need be, subsection)* Section 400 (g), *Student's Eligibility for All UIL Contests (name of section)*, of the UIL Constitution and Contest Rules. It has been alleged that you enrolled in ninth grade more than four years ago.

(Or – another example)

(Insert general topic of the alleged violation)

(Example) Engaging in recruiting of a student from another school.

(Brief description of the allegations)

(Example) A hearing will be held on the dates and times listed above to consider allegations that you are in violation of Section 1201, (a)(7), *Athletic Codes*, of the UIL Constitution and Contest Rules. It has been alleged that you (and/or name of school) engaged in the recruiting of students to participate in your school's volleyball program.

You are encouraged to attend the hearing. If you do attend, you will be given a reasonable time to present your side of the story. You and others that you ask to appear at the hearing on your behalf, such as parents or other persons with knowledge of relevant facts, may present testimony, documents and other forms of evidence that explain or support your position in this matter. You will be given *(give a reasonable amount of time given topic, etc. typically 30-45 minutes)* to present your case. At the Chair's discretion, irrelevant or repetitive testimony or other evidence may be limited.

The district executive committee does not have the authority to compel anyone to appear before them or to require anyone to provide documents or otherwise participate in the hearing. You are responsible for bringing *(number of copies needed for all DEC members to have one plus two extra)* copies of any documents that you wish the committee to consider and for having all witnesses that you wish to have testify present at the time of the hearing.

A hearing may be rescheduled at the discretion of the committee chair but only for good cause shown. In cases where eligibility is at issue or participation in activities is at risk, a student or school employee whose hearing is rescheduled at their request may not participate in the event or activity in question until a hearing is held and a decision rendered.

The district executive committee expects the following documents or other tangible items to be considered at the hearing:

(list documents and attach copies that the DEC has in its possession that will be relied on/considered during the hearing)

(Example) A certified copy of your birth certificate.

A video of you and Coach Smith meeting at a local park.

Emails between you and Coach Smith.

In addition to yourself and others you may ask to appear at the hearing, the district executive committee expects the following persons to testify and otherwise provide evidence at the hearing:

(Example) Ms. Smith

Coach Jones

If you have any questions regarding the hearing process, please contact (name of district chair) at (phone number) or (email address).

Sincerely,

Chair,

District (#)-(Conf.) District Executive Committee

NOTES FOR DISTRICT EXECUTIVE COMMITTEE CHAIR

MEETING AND HEARING

(agenda below is used to give these notes context and is not a template/sample)

BUSINESS MEETING

Time	Agenda Item	Individual Responsible
9:00 am	A. Quorum Determination	CHAIR

(Start the meeting.)

“Will the members of the District (#)-(Conf.) District Executive Committee please come to order?”

"This meeting of the District (#)-(Conf.) District Executive Committee is now in official session. I am *(name of DEC Chair)*, *(administrative title, such as superintendent of __ school district)*, chair of this district executive committee.”

“For the record, it is approximately *(time)* on *(day of week)*, *(date)*. This meeting is being held at *(name of building/location)* in *(city)*, Texas. Please be aware that minutes are being taken.”

“At this time, I ask that each committee member introduce themselves so that that we may take the roll.”

(if a majority of the members of the DEC are present then, ...)

"At this time, I certify that a quorum of the District (#)-(Conf.) District Executive Committee is present."

B. Adoption of Meeting Rules

“This meeting will be conducted in accordance with the UIL Constitution and Contest Rules.”

C. Adoption of Agenda

“Unless there is an objection from committee members, the agenda for the business meeting and hearings will be as set out in your printed agenda, unless otherwise announced by the chair.
Hearing no objection, the agenda is officially adopted.”

D. Approval of Minutes of Previous Meeting

“Turning to the minutes of the previous meeting held by this committee, is there a motion to approve them as presented?”

(need motion, a second followed by a majority vote.)

HEARINGS (AA-DD)

(The following notes apply/can be adapted for all hearings.)

“ We will now move forward with the hearing(s) listed on the agenda. At this time, will everyone who intends to testify in the hearing(s) we are about to hold, please rise and be sworn in?”

“Do you solemnly swear or affirm that the testimony you are about to give is the truth, the whole truth and nothing but the truth?”

“Thank you and please be seated.”

“Before we get started with the case(s) on the agenda, I want to go over the process we will follow today and just remind the parties of a few important points. This is not a formal legal proceeding and the formal rules of evidence do not apply. As chair, I will make any necessary rulings on matters of evidence and procedure. All questioning will be done by the committee. Any party is free to ask the committee to question another party or witness about a relevant issue. As the time allotted for this hearing is *(amount of time)*, please refrain from repeating points that have already been made and otherwise injecting irrelevant matters into the hearing process. It is expected that all participants in this hearing will conduct themselves in a polite and civil manner.”

- *(If the parties are represented by legal counsel)*

“I note that *(name of the party)* has legal counsel. Generally, during these hearings we prefer to have to as much direct interaction with the parties as possible. Counsel is reminded that their role is limited to providing advice to their client(s) during the course of the hearing; requesting that the committee pose certain questions to the other party or witnesses and making opening and closing statements on behalf of their clients. Neither counsel nor either party is to attempt to question or cross examine the other party or make objections while a witness is testifying.”

“The order of presentation will be as follows:

The party alleged to be in violation² of the UIL Constitution and Contest Rules will be allowed to go first and give an opening statement and to present to the committee any documents or other tangible evidence that it wishes the committee to consider. Also, a member of the committee may ask questions of the party during this time or at any time during the hearing.”

“We will then hear from the involved school(s) starting with the school that *(name of school the student in question has moved to)* or *(was involved in the incident in question)*.”

“As a reminder, schools that are involved in a particular case cannot participate in the hearing except as witnesses and cannot vote.”

“After the parties have had their opportunity to present their respective positions, I will ask if there are any other persons who are in attendance and wish to testify before the committee. Everyone should have already been sworn in at this point but, if not, we will swear you in when you come forward to testify.”

² A student, school employee or school that is before the committee to respond to allegations of UIL rule violations is also referred to in these chair notes as “the party in question” or similar language.

“After the committee hears from any other witnesses that may wish to testify, I will ask (*name of the party alleged to be in violation of the rules*) to come forward and give any additional testimony or other evidence they may have and, if they so choose, make a closing statement to the committee. This will conclude the presentation of testimony and other evidence to the committee.”

“Following the conclusion of testimony, the committee may discuss the case further if the members so desire. After ending discussion, we will take a vote on whether or not a violation occurred and, if we find that a violation did occur, we will consider and vote on a penalty.”

“This is basically how the hearing will go, are there any questions before we get started?”

“I will now call the (*first, second, etc.*) case that we will hear today.”

- (*Read the style of the first hearing posted on the agenda.*)

(*Example –*

AA. *Bugtusle High School: Decision Regarding Eligibility of Student Athlete, Alleged Violation of Section 443, Changing Schools for Athletic Reasons.*
(*if applicable “The student in question is (name of student).”*)

“Would the (*name student and parents or representative of the school or school employee in question*) please come forward and state your name(s) for the record?”

“Thank you. I want to make sure that we are all on the same page, you are here because allegations have been made that (*what the student/school/school employee had allegedly done to violate the rules – for ex. you moved to Bugtusle High School for athletic reasons.*)”

This is the time when you may make any opening statement that you wish to make. You may also present the committee with any documents that you want to be considered.” (*As noted in the Hearing Notice template and DEC Handbook, each party should bring enough copies for each committee member to have a copy and at least two additional copies to share with other party and witnesses if needed.*)

“Please be aware that the committee will also consider the documents and any other items mentioned and attached to the notice of hearing that was sent to you along with whatever evidence is presented today at the hearing.”

“Please proceed with your opening statement.”

- (*Often a party will have several persons “representing” its interest at a hearing. A student, for example, should be accompanied by his parents or guardian or other responsible adult. Schools may have several representatives. Be sure and let all such persons testify if they wish to do so and present documents or other tangible evidence. That being said, it is okay to limit repetitive or irrelevant testimony.*)

(*After opening statement, if any – ask committee members if they have any questions of the witnesses*)

“Thank you for that statement. Do any of the committee members have any questions of the witness(es) at this time?”

(*If no Q & A or once Q & A is completed.....*) “If there are no further questions by the committee, please return to your seats. You will be given an opportunity come back and talk some more once we have heard from the other witnesses.”

“Will the (*name receiving school representatives in eligibility cases or other relevant witness in other types of cases*) please come forward and state your name for the record?”

“Thank you. Please proceed with any opening statement that you wish to make. You may also present the committee with any documents that you want to be considered.” *(if documents or other items are presented, make sure that the party in question gets to see them and has opportunity to review.)*

(After opening statement, if any – ask committee members if they have any questions of the witnesses)
“Thank you for that statement. Do any of the committee members have any questions of the witness(es) at this time?”

(Allow for Q & A)

(Ask witness –)“Do you have anything else that you want to say or any other documents or other evidence for the committee? ”

(If no Q & A or once Q & A is completed.....) “If there are no further questions by the committee, please return to your seat.”

(Go through the same process/notes for each party/witness so all have an opportunity to give relevant testimony, etc. It may become necessary to note the time if the hearing is not running efficiently, however, it is also important to give everyone a reasonable opportunity to speak.

Once everyone has been given a reasonable opportunity to speak, call the party that is the alleged to be in violation back to testify.)

“Having heard from everyone that wished to address the committee, I ask that the *(name student and parents or the representative of the school or school employee in question)* please come forward and make any closing statement that they wish to make.”

(after statement) “Thank you for your statement.”

(ask DEC) “Does the committee have any other questions of this witness?”

(ask party/witness) “Do you have anything else that you wish to say before we conclude testimony?”

(at this time the committee may deliberate/discuss the case – generally, this should be done in open session. Remember – schools involved in a case do not get to participate in the discussion or to vote.)

(ask DEC) “Are there any points about the case or relevant issues that any committee members would like to discuss before we take a vote?”

(Once discussion is concluded –all votes must be taken in open session – two votes may be needed – take the first vote as to whether or not the alleged violation did in fact occur. If the committee votes that a violation did occur, take a second vote on the question of penalty.)

“It is now time for us to take a vote and determine whether or not *(name the party alleged to be in violation)* has violated the UIL rules as alleged. Is there a motion?”

(be sure the motion is clear and will result in understandable decision – avoid double negatives and similar grammatical issues – Ex. “I move that the district executive committee find that (name the party in question) is in violation of Section __ of the UIL Constitution and Contest Rules as alleged” or something along those lines. Actually citing the rule found to have been violated is best.)

(If the motion receives a second, call for a vote) “All in favor of finding that *(name party in question)* is in violation of Section __ of the UIL Constitution and Contest Rules as alleged, please raise your hand.”

(Count out loud who is voting in favor.....)

“All opposed?” *(Again count out loud who is voting against.....and announce the decision.)*

“By a vote of _ to _, the District (#)-(Conf.) District Executive Committee (*finds or does not find*) (*name party in question*) to be in violation of Section ___ of the UIL Constitution and Contest Rules.

(if a violation is found the committee will then need to decide what an appropriate penalty is – a penalty must be given for all violations found. Section 29 (i), UIL Constitution and Contest Rules.³ If the case being considered is an ELIGIBILITY matter involving CHANGING SCHOOLS FOR ATHLETIC PURPOSES, please refer to Section 443, UIL Constitution and Contest Rules, for options/penalties available.)

“Because we found a violation and the UIL rules require that we give a penalty whenever such a finding is made, does any member of the committee wish to discuss what penalty is appropriate in this case?” *(Allow time for committee to discuss – See Section 29 of the UIL Constitution and Contest Rules re- penalties the DEC may impose. Note that the penalties vary depending on the violator and the violation found.)*

(Conclude discussion, need a motion and a vote)

“It is now time for us to take a vote and determine the appropriate penalty for the violation in this case. *(Note the limitations in the UIL rules regarding what penalties may be imposed in the case being considered so that the motion is appropriate.)* Is there a motion? A second?

(If the motion receives a second, call for a vote) “All in favor of imposing a penalty of (*name penalty and any duration of time if applicable*) on (*name party in question*) for the violation of UIL rules that this committee has just found, please raise your hand.”

(Count out loud who is voting in favor.....)

“All opposed?” *(Again count out loud who is voting against.....and announce the decision.)*

“By a vote of _ to _, the District (#)-(Conf.) District Executive Committee imposes the penalty of (*type of penalty and duration/any conditions*) on (*name of the party in question*) for being in violation of UIL rules as previously decided today.”

Before we conclude, most of the cases that come before the District Executive Committee may be appealed to the UIL State Executive Committee. If you have any questions concerning the appeals process, please contact me. That concludes this hearing.”

(Move forward with the rest of hearing using the same process/notes as above or move forward with whatever remaining matters are left on agenda.)

³ “The district executive committee shall enforce all rules contained in the UIL Constitution and Contest Rules. *This includes assessing a penalty for every rule violation.*” Section 28 (i), District Executive Committee, UIL Constitution and Contest Rules. (emphasis added).

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends Section 28 (a), (f), (j), *District Executive Committee*, UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

This recommendation adds clarifying language regarding the DEC hearing process, voting on cases and scope of investigations. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 28 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 28: DISTRICT EXECUTIVE COMMITTEE

- (a) JURISDICTION. The district executive committee, OR ITS EQUIVALENT COMMITTEE, shall rule on protests and reports of violations concerning eligibility and other violations of the *Constitution* and/or *Contest Rules* that occur within its district. A person who represents a school involved in a protest or a report may not participate in the committee's decision. The district executive committee'S ~~has final jurisdiction~~ DECISION IS FINAL AND THERE IS NO APPEAL in cases occurring within its district when schools are publicly reprimanded.
- (b) COMPOSITION. The district executive committee is composed of the superintendents of participant schools competing in the assigned UIL playing district. The superintendent may designate administrators to represent participant schools in a multi-high school district. The superintendent may designate an administrator to represent more than one participant school and vote in turn for each school on matters brought before the committee. The superintendent may appoint an alternate to serve in the event the superintendent or the designated representative cannot attend a meeting.
- (c) DISTRICT ORGANIZATION.
 - (1) *Organizational Meeting*. The district executive chair shall call a UIL business meeting to organize the district. Subsequent regular and special business meetings shall be called by the chair, or by the chair upon the request of a member of the committee.
 - (2) *New District*. In each new district a temporary chair shall be appointed by the UIL Director. This temporary chair shall serve until the district executive committee elects a chair.
 - (3) *Temporary Chair*. Until a chair for the current school year's contest plan has been elected, the chair of the previous district executive committee or the person appointed by the UIL Director shall serve as temporary chair and be authorized to call meetings of the participant schools.

- (4) *Vice Chair*. The district executive committee shall elect a vice chair to serve when the chair is not in attendance or in the event the district chair represents a participant school involved in a matter which would prevent the chair from casting a vote.
- (5) *Vacancies*. In the event a chair or vice chair has been elected by the committee and becomes for any reason unable to serve, the district executive committee shall elect another chair or vice chair. The vice chair shall serve in the capacity of acting chair until the committee elects a new chair.
- (d) MEETINGS. In accordance with the provisions of the *Constitution*, a district executive committee may hold meetings.
- (e) CONDUCT OF BUSINESS. The chair of the district executive committee shall direct the work of the committee pursuant to the UIL *Constitution and Contest Rules*.
- (f) HEARINGS – SUBJECT TO APPROVAL BY THE LEGISLATIVE COUNCIL, THE PROCESS FOR DISTRICT EXECUTIVE COMMITTEE HEARINGS SHALL BE PUBLISHED IN THE DISTRICT EXECUTIVE COMMITTEE HANDBOOK.
- (fG) VOTES. Each participant school in the assigned district shall have one vote. ALL VOTES SHALL BE TAKEN IN OPEN SESSION.
- (gH) VOTING ON BUSINESS ITEMS. In order to take binding actions on items of business, the committee must vote in accordance with the provisions of Section 23 of the *Constitution*.
- (hI) VOTING ON QUESTIONS BEFORE THE COMMITTEE.
 - (1) *Inquiry Concerning Involvement*. Prior to calling for a vote, the chair of the committee shall ask each member if he or she or the participant school represented is involved in the question.
 - (2) *Determination of Involvement*. Involvement in a question shall be determined on a factual, case-by-case, basis.
 - (3) *Involved Not Entitled to Vote*. A member of the committee shall not be entitled to vote in a case in which he or she or the participant school represented is involved. This includes the representative from the school:
 - (A) that is presenting a formal protest or presenting evidence and argument as an informal protest;
 - (B) that is making a report of violation;
 - (C) that is being charged with a violation;
 - (D) the student in question is leaving; or
 - (E) to which the student in question is changing.
 - (4) *Transferal of Case*. If the chair determines that fewer than three members of the committee remain entitled to vote in the case, the chair may immediately transfer the case to the State Executive Committee for disposition.
- (i) RESPONSIBILITIES. In addition to those responsibilities found elsewhere in the UIL *Constitution and Contest Rules*, a district executive committee shall have the following responsibilities:
 - (1) *Enforcement*. The district executive committee shall enforce all rules contained in the UIL *Constitution and Contest Rules*. This includes assessing a penalty for every rule violation.
 - (2) *Investigations*. The district executive committee shall investigate ALL ALLEGATIONS OF VIOLATIONS OF THE UIL CONSTITUTION AND CONTEST RULES REGARDING A

DISTRICT'S SCHOOLS, SCHOOL EMPLOYEES OR STUDENTS, INCLUDING the eligibility of contestants.

- (3) *Assist Other Participant Schools.* The district executive committee shall furnish, upon the request of participant schools in the district, a list of eligible players submitted by each participant school.
- (4) *Disputes; Eligibility Questions.* The district executive committee shall try to settle within the district all disputes and shall decide all questions of eligibility according to the *Constitution and Contest Rules*.
- ~~(5) *Notification of Appeals.* The district executive committee shall make appeals in writing to the chair of the State Executive Committee, through the UIL Director.~~
- (65) *Determination of Tie Breaker Process.* The district executive committee shall determine in writing prior to a contest's season the method to determine the district representatives in the event two or more schools are tied in win-loss percentages.
- (76) *Other Required or Desirable Actions.* The district executive committee shall take such other action that is reasonable, necessary or desirable, and consistent with the *UIL Constitution and Contest Rules*, the rules of the State Board of Education and the law.
- (87) A district executive committee does not have the authority to require a school to purchase equipment which is not required by rules stated in the *Constitution and Contest Rules*.
- (j) PERMISSIBLE ZONES. The district executive committee, by majority vote, may subdivide for contest purposes into geographic zones. The zones of a district shall contain an equal number of teams, or as nearly equal as possible. For example: a 16-team district shall be divided 8-8; a 14-team district shall be divided 8-6 unless by majority vote the district wants a 7-7 division. The district executive committee may not subdivide into zones for contest purposes according to the size of the schools, previous success or win-loss records. Note: This rule does not apply to One-Act Play.
- (k) SETTING ASIDE RULES PROHIBITED. The district executive committee does not have the authority to vote a student eligible when that student does not meet the requirements of Subchapter M of the *Constitution*.
- (l) CONSEQUENCES OF UNAUTHORIZED COMMITTEE ACTION. The State Executive Committee shall have the authority to reject for post-district competition any participant school or its representative contestant whose district executive committee is found to have failed to comply with any rule of the *Constitution and Contest Rules*, or order of the Waiver Review Board or State Executive Committee.

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

This recommendation should not have a 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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends Section 28, *District Executive Committee*, by adding subsection (m) regarding financial reporting.

B. Factual and Policy Justifications

The Sunset Commission requires that a more detailed financial reporting process for district executive committees be instituted. While an athletic district executive committee is required under Section 1203 to “furnish each school in the district with a financial statement, showing all receipts and disbursements for the season” there is no reporting requirement or review by the UIL of district budgeting practices or cost/income determinations made by a district executive committee. This proposed process would serve to collect important financial data and to provide insight into what constitutes best financial practices for districts as well as giving the Legislative Council factual bases for taking any action it may deem appropriate. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 28 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 28: DISTRICT EXECUTIVE COMMITTEE

(M) EACH DISTRICT EXECUTIVE COMMITTEE OR ADMINISTRATIVE EQUIVALENT (REGION IN MUSIC) SHALL BY JUNE 30TH OF EACH YEAR SUBMIT A FINANCIAL REPORT TO THE UIL OFFICE ON A FORM APPROVED BY THE EXECUTIVE DIRECTOR AND THE CHAIR OF THE LEGISLATIVE COUNCIL. THE REPORT SHALL CONTAIN INFORMATION SHOWING RECEIPTS AND DISBURSEMENTS FOR EACH DISTRICT CONTEST OR EVENT THAT WAS HELD OVER THE COURSE OF THE SCHOOL YEAR ALONG WITH ANY OF THE DISTRICT’S ACCOUNT BALANCES AND OTHER PERTINENT FINANCIAL INFORMATION. THE UIL STAFF SHALL REVIEW ALL SUBMITTED REPORTS, CONDUCTING ANY ANALYSIS THE EXECUTIVE DIRECTOR DEEMS APPROPRIATE AND REPORT ANY RELEVANT INFORMATION OR FINDINGS TO THE LEGISLATIVE COUNCIL AT ITS ANNUAL FALL MEETING.

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

This recommendation should not have a 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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends Section 29(c), *Penalties The District Executive Committee Can Impose*, UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

In order to be consistent with the Open Meetings Act, this proposal amends language regarding closed or executive sessions by a district executive committee that is considering penalizing a school employee. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 29(c) of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

- (c) FOR SCHOOL DISTRICT PERSONNEL. The only penalty that may be imposed by the district executive committee on school district personnel is reprimand. Following a protest or report of violation as provided for under Section 51, the committee may issue a reprimand to a covered school district employee if it finds that the employee violated the *Constitution and Contest Rules*. ~~The deliberations of the committee while in executive session need to remain private; however, minutes shall be taken. A reprimand should remain private at all times and committee members shall refrain from discussing the executive session with anyone unless it is appealed to the State Executive Committee.~~ If a reprimand is appealed to the State Executive Committee, the district executive committee shall provide the State Executive Committee a complete record of the minutes of the meeting ~~and/or executive session~~ wherein the decision was made. If the committee decides that a public reprimand or suspension should be considered, the committee shall transfer the protest or report of violation to the State Executive Committee for disposition.

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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends Section 100, *General (Appeals/Hearings)*, of the UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

This recommendation amends Section 100 by adding language that includes the Sports Officials Committee as a body that can hear appeals and clarifies the role of legal counsel in UIL hearings along with other procedural points. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 100 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Subchapter G. COMMITTEE MEETINGS, *HEARINGS* AND APPEALS

Section 100: GENERAL; *HEARINGS*

- (A) When it is necessary for a district executive committee, the Waiver Review Board, SPORTS OFFICIALS COMMITTEE or the State Executive Committee to make a determination with regard to the applicability of UIL rules to persons within the jurisdiction of the UIL, including eligibility cases or alleged violations of UIL rules, the applicable committee shall have the option of making a decision on the matter based upon written submissions or convening an informal meeting OR HEARING to discuss the matter in an effort to achieve an equitable resolution. Cases involving school district personnel shall be heard by the State Executive Committee pursuant to the rules adopted by the State Executive Committee.
- (B) If a decision is made to hold an informal meeting OR HEARING, the interested parties should be given written notice of the meeting and invited to attend. All decisions by committees shall be in writing, whether based upon a written submission or testimony at an informal meeting.
- (C) WHILE ALL PARTIES APPEARING BEFORE A DISTRICT EXECUTIVE COMMITTEE, SPORTS OFFICIALS COMMITTEE, WAIVER REVIEW BOARD OR STATE EXECUTIVE COMMITTEE MAY BE REPRESENTED BY LEGAL COUNSEL SHOULD THEY SO DESIRE, AN ATTORNEY'S ROLE IS LIMITED TO PROVIDING ADVICE TO THEIR CLIENT(S) DURING THE COURSE OF THE HEARING; REQUESTING THAT THE COMMITTEE OR HEARING PANEL POSE CERTAIN QUESTIONS OR LINES OF INQUIRY TO ANOTHER PARTY OR WITNESSES AND TO MAKING OPENING AND CLOSING STATEMENTS ON BEHALF OF THEIR CLIENT(S). ALL QUESTIONING OF PARTIES OR OTHER WITNESSES SHALL BE CONDUCTED BY MEMBERS OF THE COMMITTEE OR BOARD HOLDING THE HEARING. NEITHER COUNSEL, NOR ANY

PARTY OR WITNESS, IS PERMITTED TO QUESTION OR CROSS EXAMINE A WITNESS OR TO MAKE OBJECTIONS WHILE A WITNESS IS TESTIFYING.

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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends Section 150, *Appeals*, of the UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

This recommendation amends Section 150 by adding language explicitly making student eligibility cases appealable to the State Executive Committee (SEC) and the standard of review to be employed to SEC appeals. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 150 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 150: APPEALS

- (a) APPEALS TO THE STATE EXECUTIVE COMMITTEE. Decisions by a district executive committee to disqualify a school or to issue a reprimand to school district personnel, or decisions involving alleged discrimination under the provisions of Section 360 OR CASES INVOLVING STUDENT ELIGIBILITY may be appealed to the State Executive Committee which shall have the discretion to either accept or decline the appeal. If an appeal is accepted by the State Executive Committee, it shall have the option to render a decision in the matter based upon either a written submission or an informal meeting wherein interested parties are invited to appear and present testimony AND OTHER EVIDENCE concerning the facts at issue.
- (b) THE STATE EXECUTIVE COMMITTEE SHALL CONDUCT A *DE NOVO* REVIEW OF ALL APPEALS UNDER ITS JURISDICTION.
- (bc) APPEALS OF DISTRICT ASSIGNMENT. See Sections 354-356.
- (ed) APPEALS OF DECISION OF WAIVER OFFICER. Decisions of the Waiver Officer may be appealed to the Waiver Review Board. SUCH AN APPEAL MAY ALSO BE HEARD BY A HEARING OFFICER. See Section 466.
- (de) APPEALS OF POSITIVE ANABOLIC STEROID TEST RESULTS. Upon notification of the specimen B positive finding, the student-athlete and his/her parent or the member school the student-athlete represents have the opportunity for an appeal as outlined in the UIL Anabolic Steroid Testing Program Protocol.

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

This recommendation will 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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends Section 303, *Rule Promulgation Process*, UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

This recommendation cleans up some language in Section 303 regarding the publication of proposed rules and also makes the online version of the UIL Constitution and Contest Rules the official version of the rules. This step will make it more cost effective and efficient to publish the Constitution and Contest Rules by eliminating the need to publish large numbers of hard copies and greatly reduce the expense of mailing updated volumes to member districts and schools. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 303 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 303: RULE PROMULGATION PROCESS;*OFFICIAL EDITION*

- (a) FILING, RULE SUBMISSION, PUBLICATION. The UIL order finally adopting a rule shall be ~~filed with and~~ submitted to the Commissioner of Education for its approval and, ONCE APPROVED, THE RULE SHALL BE published ON THE UIL WEBSITE IN THE ONLINE VERSION OF THE UIL CONSTITUTION AND CONTEST RULES AS WELL AS in the next available *Leaguer* or other UIL bulletin ~~and annually in a complete edition of the UIL Constitution and Contest Rules.~~ THE OFFICIAL EDITION OF THE UIL CONSTITUTION AND CONTEST RULES SHALL BE THE VERSION PUBLISHED ON THE UIL WEBSITE AS OF AUGUST 10TH OF EACH YEAR.
- (b) CONTENTS OF PROPOSED RULES PUBLICATION. The publication of ~~the~~ A PROPOSED rule shall include:
 - (1) a reasoned justification of the rule; and
 - (2) an indication of any change between the text of the proposed rule as noticed previously and that adopted, with reasons for the change.
- (c) RECORD OF RULE-MAKING PROCESS. The EXECUTIVE Director of the UIL shall maintain AN ACCURATE AND UP-TO-DATE EDITION OF THE CONSTITUTION AND CONTEST RULES ON THE UIL WEBSITE AND a record of rules adopted. WHEN ERRORS OF GRAMMAR, SPELLING OR SIMILAR MISTAKES ARE NOTED IN THE CONSTITUTION AND CONTEST RULES THE EXECUTIVE DIRECTOR MAY APPROVE NON-SUBSTANTIVE EDITS TO THE CONSTITUTION AND CONTEST RULES.

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

This recommendation should not have a 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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation would reorganize and edit portions of sections 400-440 of the UIL Constitution and Contest Rules (C&CR).

B. Factual and Policy Justifications

The committee and staff have expressed concerns over the organization and flow of these sections of the C&CR. Also, this recommendation includes language changes as requested by the Subcommittee. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Sections 400-440 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Subchapter M. ELIGIBILITY

Section 400: STUDENT'S ELIGIBILITY FOR ALL UIL CONTESTS

Subject to the other sections of this subchapter, an individual is eligible to participate in a League varsity contest as a representative of a participant school if that individual:

- (a) is not a high school graduate (see Section ~~402~~ 405);
- (b) is a full-time, day student in the participant high school the student represents (see Section ~~403~~ 406, academic exception, Section 906 and Official Interpretations #2-5, Appendix I);
- (c) has been in regular attendance at the participant school since the sixth class day of the present school year or has been in enrolled and in regular attendance for 15 or more calendar days before the contest or competition (student becomes eligible on the fifteenth day) (see Section ~~404~~ 407 and Official Interpretation #6, Appendix I);
- (d) is in compliance with rules of the State Board of Education; (see Section ~~401~~ 404) and state law regarding credit requirements and grades (the school shall verify a student's grades on the basis of the official grade report and independently of involvement by the student);
- (e) has the required number of credits for eligibility during the first six weeks of school (see Section ~~409~~ 412);
- (f) is enrolled in a four year program of high school courses (see Section ~~405~~ 408);
- (g) initially enrolled in the ninth grade not more than four years ago nor in the tenth grade not more than three years ago (see Section ~~405~~ 408 and Official Interpretation #7, Appendix I);
- (h) was not recruited (see Section 5 and section ~~406~~ 409);
- (i) is not in violation of the Awards Rules (see Sections 480 through 482); and
- (j) meets the specific eligibility requirements for UIL academic competition in Section ~~420~~ 401, for music competition in Section ~~430~~ 402, and/or for athletic competition in Section ~~440~~ 403.

Section 401 ~~420~~: ELIGIBILITY - ACADEMICS

Subject to the other sections of this subchapter, an individual is eligible to participate in a League varsity academic contest as a representative of a participant school if that individual:

- (a) meets all the requirements of Section 400; and
- (b) did not change schools for the purpose of participating in a UIL academic contest.

Section 402 ~~430~~: ELIGIBILITY - MUSIC

Subject to the other sections of this subchapter, an individual is eligible to participate in a League varsity music contest as a representative of a participant school if that individual:

- (a) meets all the requirements of Section 400; and
- (b) did not change schools for the purpose of participating in a UIL music contest.

Section 403 ~~440~~: ELIGIBILITY - ATHLETICS

Subject to the other sections of this subchapter, an individual is eligible to participate in a League varsity athletic contest as a representative of a participant school if that individual:

- (a) meets all the requirements of Section 400;
- (b) is a resident of the member school district (see Section 442), and a resident of the attendance zone in which the participant school being attended is situated,
 - (1) Or has been continuously enrolled in and regularly attending the school for at least the previous calendar year if his or her parents do not reside within the school district's attendance zone; see (5) (B) below for exception. Note: A student who has changed schools for athletic purposes may be declared ineligible for more than one calendar year. See Section 443 (f) (3).
 - (2) Or the student is attending a school outside the attendance zone where the parents reside because the school board or other appropriate authority changed district or attendance zone lines.
 - (3) Or is a transfer student from a public 8-grade ISD not containing a high school, who transferred at the first opportunity:
 - (A) to select a high school with geographical boundaries contiguous to his or her K-8 school; or
 - (B) to a high school for which the K-8 school attended receives state transportation funds; or
 - (C) to the high school located nearest the student's residence.
 - (4) *Intra-District Transfers.* A student who has an option to attend more than one high school within a school district, rather than being assigned to a school according to attendance zones, is eligible at the school first selected if he/she transfers at the first opportunity. If a student subsequently transfers to another school, the student is not eligible for varsity athletic competition until he/she has been in and regularly attended that school for at least the previous calendar year.
 - (5) *Foreign Exchange Students.*
 - (A) Foreign exchange students are ineligible for varsity athletic contests the first year they attend a participant school unless they are granted a waiver of the parent residence rule as outlined in Sections 465 and 468.

- (B) Foreign exchange students who receive a foreign exchange waiver and participate in UIL varsity athletic contests during their first year in the host school may not participate in those same contests if they return for a second year to the host school. The student may, however, participate in any other UIL varsity sport.

See Official Interpretations #1 and 4, Appendix I.

(6) CHARTER SCHOOLS:

- (A) STUDENTS WHOSE PARENTS LIVE WITHIN THE BOUNDARIES OF AN INDEPENDENT SCHOOL DISTRICT WHERE A CHARTER HIGH SCHOOL IS LOCATED AND OPT TO ATTEND THE CHARTER HIGH SCHOOL AT THEIR FIRST OPPORTUNITY TO SELECT A HIGH SCHOOL AND ARE OTHERWISE IN COMPLIANCE WITH VARSITY ELIGIBILITY REQUIREMENTS, ARE ELIGIBLE.
- (B) STUDENTS WHOSE PARENTS LIVE WITHIN THE INDEPENDENT SCHOOL DISTRICT WHERE THE CHARTER SCHOOL IS LOCATED, WHO DO NOT SELECT THE CHARTER HIGH SCHOOL AT THEIR FIRST OPPORTUNITY, ARE INELIGIBLE FOR VARSITY ATHLETIC COMPETITION UNLESS THEY HAVE BEEN ENROLLED IN AND REGULARLY ATTENDING THE CHARTER HIGH SCHOOL FOR AT LEAST THE PREVIOUS CALENDAR YEAR.
- (C) STUDENTS WHOSE PARENTS RESIDE OUTSIDE THE BOUNDARIES OF THE INDEPENDENT SCHOOL DISTRICT WHERE THE CHARTER SCHOOL IS LOCATED ARE INELIGIBLE FOR VARSITY ATHLETIC COMPETITION UNLESS THEY HAVE BEEN ENROLLED IN AND REGULARLY ATTENDING THE CHARTER SCHOOL FOR AT LEAST THE PREVIOUS CALENDAR YEAR.

- (c) is less than 19 years old on September 1 preceding the contest, or has been granted eligibility based on a disability which delayed his or her education by at least one year (see Section 446);
- (d) did not change schools for athletic purposes (see Sections 5 and 443);
- (e) is an amateur (see Section 441 and Official Interpretation #11, Appendix I); and
- (f) was eligible according to Section 400 (c) (fifteen calendar day rule) and Section ~~440~~ 403 (b) (residence rule) at the participant school the student wishes to represent prior to the deadline for district certification (non-compliance results in ineligibility only in post-district competition in that sport).

Section ~~404~~ 401: STATE LAW

- (a) INTERPRETATION OF STATE LAW. The Commissioner of the Texas Education Agency delegated hearing authority over matters pertaining to the enforcement of applicable state law to the UIL. UIL staff opinions should be requested on all state laws relating to UIL eligibility, and rules and regulations promulgated by the State Board of Education or the Texas Education Agency regarding the following as they apply to UIL eligibility:
 - (1) grades;
 - (2) credit requirements;
 - (3) number of contests per school week;
 - (4) limit on practice and performance per school week; and
 - (5) limit on school year absences for extracurricular activities.

- (b) SOURCES OF INFORMATION. In addition to calling or writing UIL staff, the UIL publishes a manual available to member schools entitled *TEA-UIL Side By Side* that contains interpretations and answers to frequently asked questions. It is available on request, and is on the UIL website (www.uiltexas.org).
- (c) VENUE. In accordance with Texas Education Code 67.26, any lawsuit filed against the UIL shall be filed in Travis County.

Section 405 ~~402~~:HIGH SCHOOL GRADUATE

- (a) COMPLETION OF HIGH SCHOOL. A person is considered a high school graduate if that person received a diploma or other certificate signifying successful completion of high school from a high school or other institution of equal or higher rank, participated as a graduate in the graduation exercises of a high school, or complied with the requirements for graduation during a four-year program, whether or not the student participated in the graduation exercises. However, a student who has accumulated enough credits to satisfy graduation requirements prior to the end of four years, but remains in school as a full time student, is not considered a high school graduate under this rule.
- (b) GED TESTING PROGRAM. A student who receives an equivalency credential based on the General Education Development Testing Program is not considered a high school graduate, if that student remains in or returns to high school, and has not otherwise met the requirements for high school graduation.

Section 406 ~~403~~:FULL-TIME DAY STUDENT

A person is considered a full-time day student if that person:

- (a) is enrolled and attends classes in a participant school for which the current year's participation fee has been paid, or is enrolled in the ninth grade or tenth grade on a campus separate from the high school, and who will, by school district policy and not by choice, attend a specific high school (see Official Interpretation #8, Appendix I);
- (b) is enrolled in the number of courses required by state law and by rules of the State Board of Education; and
- (c) is in compliance with written transfer and admission policies of the local school district.

Section 407 ~~404~~:REGULAR ATTENDANCE

- (a) A student is in regular attendance even though he or she is absent for 10 class days or less after enrolling in school because of illness or other unavoidable cause, if the parent or guardian submits a written statement certifying this as the reason for the absence and the principal approves the absence.
- (b) A student who does not enroll in and attend school within the first six class days is ineligible to participate until the 15th day after enrollment and attendance.
- (c) Students who are in an alternative program under TEC Section 37.006 may resume UIL participation on the first day they return to regular classes, with local school district approval.

Section 408 ~~405~~:FOUR-YEAR PROGRAM OF HIGH SCHOOL COURSES

- (a) A student may participate in League contests during a program of high school courses over a period of four consecutive calendar years after the student first enrolls in the ninth grade. See Official Interpretation #6, Appendix I.
- (b) Students who never entered the ninth grade but were placed into the tenth grade have three consecutive years from their first entry into tenth grade to complete their high school eligibility.
- (c) Over-age eighth grade students who participate on the high school varsity team have four consecutive years, including grade 8, to complete their high school eligibility. See Section 1478 (b).

Section 409 ~~406~~:RECRUITING

Recruiting is not only a violation by the student who has been recruited, but it is also a violation by the school and/or the school district personnel who recruited the student. It is a violation to recruit at all grade levels.

Section 410 ~~407~~:ELIGIBILITY BURDEN OF PROOF

- (a) ELIGIBILITY. If a student's eligibility to compete in a League contest is questioned, the student has the burden in any proceeding to establish BY THE PREPONDERANCE OF THE EVIDENCE that he or she is eligible.
- (b) ALLEGATIONS OF VIOLATIONS. If a district executive committee or the State Executive Committee determines that a complaint or report of a violation has enough validity or substance to hold a hearing, the burden BY THE PREPONDERANCE OF THE EVIDENCE to disprove the allegations AT ISSUE rests with the participant school, member school district or covered school district personnel charged with the violation.

~~Section 408: BURDEN OF PROOF IN ALLEGATIONS OF VIOLATIONS~~

~~If a district executive committee or the State Executive Committee determines that a complaint or report of a violation has enough validity or substance to hold a hearing, the burden to disprove the allegations rests with the participant school, member school district or covered school district personnel charged with the violation.~~

Section 411 ~~409~~:CREDIT REQUIREMENTS FOR ELIGIBILITY DURING FIRST SIX WEEKS

The standards below determine academic eligibility for the first six weeks of the school year. Students in non-compliance may request a hardship appeal of their academic eligibility through the UIL.

- (a) GRADES NINE AND BELOW. Students must have been promoted from the previous grade. See Official Interpretations #9 and #10, Appendix I.
- (b) SECOND YEAR OF HIGH SCHOOL. Five accumulated credits that count toward state graduation requirements.
- (c) THIRD YEAR OF HIGH SCHOOL. Ten accumulated credits that count toward state graduation requirements or student must have earned at least five credits within the last twelve months

that count toward state graduation requirements.

- (d) FOURTH YEAR OF HIGH SCHOOL. Fifteen accumulated credits that count toward state graduation requirements or student must have earned at least five credits within the last twelve months that count toward state graduation requirements.

Section 412 ~~410~~: ACCOMODATIONS ~~WAIVER~~ FOR DISABILITY

Students with disabilities as defined by section 504 of the Rehabilitation Act and/or Title II of the Americans With Disabilities Act, who are currently being served under either or those acts, may apply to the UIL staff for accommodations to applicable contest rules or playing rules. Contact the UIL ~~waiver~~ office or visit the UIL website for details and an application.

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

This recommendation should not have a 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.

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

A. Brief Explanation of Proposed Recommendation

This proposed recommendation amends Subchapter M: Section 405, *Four Year Normal Program*.

B. Factual and Policy Justifications

This edit would add clarification to the rule by adding the language of the official interpretation into the rule. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 405 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 405: FOUR-YEAR PROGRAM OF HIGH SCHOOL COURSES

- (a) A student may participate in League contests during a program of high school courses over a period of four consecutive calendar years after the student first enrolls in the ninth grade. ~~See Official Interpretation #6, Appendix I.~~ A STUDENT IS CONSIDERED TO BE ENROLLED IN THE NINTH GRADE THE DAY OF THAT STUDENT'S REGISTRATION AS A 9TH GRADER AND ATTENDANCE IN A FULL CLASS PERIOD AT THE NINTH GRADE LEVEL.
- (b) Students who never entered the ninth grade but were placed into the tenth grade have three consecutive years from their first entry into tenth grade to complete their high school eligibility.
- (c) Over-age eighth grade students who participate on the high school varsity ATHLETIC team have four consecutive years, including grade 8, to complete their high school ATHLETIC eligibility. See Section 1478 (b).

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.

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

A. Brief Explanation of Proposed Recommendation

This proposed recommendation amends Section 407, *Eligibility Burden of Proof*, and Section 408, *Burden of Proof in Allegations of Violations*, of the UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

This recommendation addresses the burden of proof issue raised by Sunset Commission staff in their review of UIL hearing processes. The new language clarifies what the burden of proof is for persons responding to allegations or in student eligibility cases. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 407 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 407: ELIGIBILITY BURDEN OF PROOF

If a student's eligibility to compete in a League contest is questioned, the student has the burden in any proceeding to establish BY THE PREPONDERANCE OF THE EVIDENCE that he or she is eligible.

Section 408: BURDEN OF PROOF IN ALLEGATIONS OF VIOLATIONS

If a district executive committee or the State Executive Committee determines that a complaint or report of a violation has enough validity or substance to hold a hearing, the burden to disprove BY THE PREPONDERANCE OF THE EVIDENCE the allegations AT ISSUE rests with the participant school, member school district or covered school district personnel charged with the violation.

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

This recommendation should not have a 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.

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

A. Brief Explanation of Proposed Recommendation

The recommendation below amends the Age Rule in Subchapter M: Section 446.

B. Factual and Policy Justifications

This recommendation amends the language regarding the requirement for a student to prove their age. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 446 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 446: AGE

- (a) ~~PROOF OF AGE. A birth certificate attested by the appropriate official is the best evidence of the date of birth. If this evidence is not available, other credible evidence of the date of birth may be considered.~~ AGE SHALL BE DETERMINED BASED ON A STUDENT'S BIRTH CERTIFICATE. IN CASES WHERE A STUDENT'S BIRTH CERTIFICATE IS UNAVAILABLE, OTHER SIMILAR GOVERNMENT DOCUMENTS USED FOR THE PURPOSE OF IDENTIFICATION MAY BE SUBSTITUTED.
- (b) ~~NINETEEN OR OLDER ON SEPTEMBER 1.~~
- (1) Eligibility. A student who is nineteen ~~or older~~ on September 1 preceding the contest, and who initially enrolled in the ninth grade no more than four calendar years ago, and who prior to the end of his or her second year in high school was in special education, under the auspices of an ARD committee or identified as a 504 student by a 504 committee, is eligible to participate in a League varsity athletic contest as a representative of a participant school if:
- (A) the student has or had a disability which delayed his or her education for a year or more; and
- (B) the student is currently in special education and under the auspices of an ARD committee or is currently identified as a 504 student by a 504 committee, and
- (C) the student has not already participated one extra year under this exception.
- (2) Requirements. The requirements below are to be met by the superintendent. A student may apply for a waiver as outlined in Section 463 only if the superintendent does not submit proper verification.
- (A) The following must be submitted to the superintendent of the school district for eligibility determination:
- (i) Special education students must provide documentation of a special education status and documentation that a disability delayed their education by at least one year.
- (ii) Students with a history of a disability must provide documentation from a 504 committee proving the existence and length of time of the disability that caused the delay of at least one year in their education.
- (B) The superintendent must certify that the student has met eligibility requirements

on a form prepared by the UIL office, and submit the completed form to the chair of the district executive committee. If a student is unable to obtain the required certification from the superintendent, the student may appeal the matter to the UIL Waiver Officer for disposition. See Section 463.

- (3) District Executive Committee.
 - (A) The chair of the district executive committee will accept only completed certification forms. The following will be returned to the superintendent by the chair of the committee with eligibility denied:
 - (i) forms that do not certify that the student meets the requirements for eligibility;
 - (ii) forms that indicate that the student is not in compliance with the four-year rule and a waiver for that rule has not been granted.
 - (iii) forms that contain any missing information or missing signatures.
 - (B) The district executive committee will verify completed certification forms and declare the student eligible for varsity competition.
 - (C) The student remains ineligible for varsity athletics unless and until all eligibility is verified by the district executive committee.

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

This recommendation has no fiscal impact to UIL member schools.

E. Legislative Council Consideration; Effective Date

The Standing Committee on Policy moves that the Legislative Council pass this amendment for placement on a referendum ballot with a favorable recommendation, to be effective August 1, 2016, if approved by the Commissioner of Education.

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

A. Brief Explanation of Proposed Recommendation

This proposed recommendation amends Section 466, *Review of the Waiver Officer's Decision*, of the UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

This recommendation adds language to Section 466 regarding a precedent manual for Waiver Review Board decisions along with another edit regarding Board rules. The need for such a manual was raised by Sunset Commission staff in their review of UIL hearing processes. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 466 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 466: REVIEW OF WAIVER OFFICER'S Decision

- (a) Except in appeals under the age rule, Section 465 (b) (4), the applicant, the parent or guardian of the applicant, or any superintendent may request a review of the decision of the Waiver Officer. The request for review must be in writing and be accompanied by payment of a \$200.00 filing fee. If the applicant or the applicant's parents request the review, and the applicant is indigent, the filing fee may be waived. During the school year requests must be received by the Waiver Review Board within 15 days after the decision of the Waiver Officer was mailed. During the summer holidays, requests must be received by the Waiver Review Board no later than September 1 or immediately after the first meeting of the district executive committee, whichever occurs sooner.
- (b) RULES OF BOARD. The Waiver Review Board shall adopt and publish the rules of procedure to be followed by it in reviews. In accordance with Section 150, the Waiver Review Board or the UIL hearing officer may hold an informal hearing with witness testimony AND OTHER EVIDENCE, or decide the appeal based on the written record.
- (c) REVIEW SCHEDULE. Unless the request for review is received less than seven days before its next meeting, the Waiver Review Board shall schedule the review of the case at its next meeting except for appeals that have been transferred to the UIL hearing officer. The board may meet monthly from August through March and may meet at such other times as the chair of the board may designate. The seven-day limit may be waived if the Waiver Review Board is scheduled to meet to review other cases.
- (d) REVIEW. The entire Waiver Review Board, a panel of three members, or the UIL hearing officer may review the case. If a member of the board is involved in the case being reviewed, that member shall abstain from deliberations and voting, and the chair of the board may appoint a person to sit in that member's place.

- (e) REVIEW PROCEDURE. The review shall be conducted in accordance with the rules and procedures of the Waiver Review Board and may consist of an informal meeting where witnesses are allowed to testify or may be decided on the written record. The application for waiver, the written material submitted to the Waiver Officer by the applicant, superintendent, principal and district executive committee, and the decision of the Waiver Officer constitute the written record made before the Waiver Officer.
- (f) ARGUMENT. In cases where an informal hearing is conducted, the Waiver Officer, applicant, superintendent, principal and district executive committee may submit written documentation or make oral argument. The board or the UIL hearing officer may limit the time for oral argument.
- (g) PRECEDENT MANUAL – THE WAIVER REVIEW BOARD SHALL ADOPT RULES CONCERNING THE CREATION AND MAINTENANCE OF A PRECEDENT MANUAL WHICH SHALL CONTAIN DECISIONS OF THE WAIVER REVIEW BOARD THAT HAVE SUFFICIENT PRECEDENTIAL VALUE TO WARRANT PUBLICATION. OPINIONS IN THE PRECEDENT MANUAL WILL BE COMPOSED OF A SYNOPSIS OF THE FACTS OF THE CASE ALONG WITH THE PANEL’S DECISION AND A BRIEF EXPLANATION OF THE BASIS FOR THE DECISION. LEAGUE STAFF MAY ASSIST IN THE DRAFTING AND PREPARATION OF THE OPINION AS DIRECTED BY THE BOARD.

BEFORE BEING PUBLISHED IN THE PRECEDENT MANUAL, A DRAFT OF THE WRITTEN OPINION MUST BE REVIEWED AND APPROVED BY A MAJORITY OF THE MEMBERS OF THE HEARING PANEL THAT HEARD THE CASE. THE PRECEDENT MANUAL SHALL SERVE TO PROVIDE GUIDANCE TO WAIVER REVIEW BOARD PANELS WHEN CONSIDERING SIMILAR CASES.

THE WAIVER REVIEW BOARD’S PRECEDENT MANUAL SHALL BE PUBLISHED ON THE UNIVERSITY INTERSCHOLASTIC LEAGUE’S WEBSITE.

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

This recommendation should not have a 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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends Section 903, *Regional Meet*, (f), *Duties of the Regional Executive Committee and Regional Director*, UIL Constitution and Contest Rules, by adding part (4), *Financial Reporting*.

B. Factual and Policy Justifications

As directed by the Sunset Commission, this recommendation adds a financial reporting requirement to the duties of the Regional Executive Committee and Regional Director. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 903 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 903: REGIONAL MEET

- (f) DUTIES OF THE REGIONAL EXECUTIVE COMMITTEE AND REGIONAL DIRECTOR.
- (1) *Composition of Regional Executive Committee.* Each regional site shall be under the charge of a regional executive committee WITH A REGIONAL DIRECTOR NAMED BY THE LEAGUE OFFICE. The regional executive committee shall consist of a regional director as chair, the spring meet district director from each district in the region, and directors of academic contests, golf, tennis, track and field, and one-act play, each of whom shall be appointed by the regional director.
 - (2) *Committee Quorum; List of Duties.* The foregoing shall constitute the voting members of the regional executive committee. Five members shall constitute a quorum. If a quorum cannot be assembled, members may be contacted by telephone. It shall be the duty of the regional executive committee to hold regional contests in the events listed in (c) above; to have immediate charge of the contests at a given site; and to schedule contests within date limits specified in the Official Calendar in compliance with Subchapter L. The regional director shall have charge of arrangements for the contests and appoint such other contest directors as necessary. In addition, the regional director shall identify spring meet district directors from the regional executive committee to serve as associate directors of golf, tennis, track and field, one-act play and academic events, who will work with the site event directors in all aspects of the meet from the planning stages through certification of results.
 - (3) *Arrangements.* It is the duty of each regional executive committee to arrange the programs of their respective meets in the interest of the schools and participants, using as little school time as possible and necessitating as little expense and travel as possible. The duties of the regional director shall parallel those of the spring meet district director.
 - (4) *FINANCIAL REPORTING.* EACH REGIONAL EXECUTIVE COMMITTEE OR ADMINISTRATIVE EQUIVALENT (AREA IN MUSIC) SHALL BY JUNE 30TH OF EACH YEAR SUBMIT A FINANCIAL REPORT TO THE UIL OFFICE ON A FORM APPROVED BY THE EXECUTIVE DIRECTOR AND THE CHAIR OF THE

LEGISLATIVE COUNCIL. THE REPORT SHALL CONTAIN INFORMATION SHOWING RECEIPTS AND DISBURSEMENTS FOR EACH REGIONAL CONTEST OR EVENT THAT WAS HELD OVER THE COURSE OF THE SCHOOL YEAR ALONG WITH ANY OF THE REGIONAL EXECUTIVE COMMITTEE'S ACCOUNT BALANCES AND OTHER PERTINENT FINANCIAL INFORMATION. THE UIL STAFF SHALL REVIEW ALL SUBMITTED REPORTS, CONDUCTING ANY ANALYSIS THE EXECUTIVE DIRECTOR DEEMS APPROPRIATE AND REPORT ANY RELEVANT INFORMATION OR FINDINGS TO THE LEGISLATIVE COUNCIL AT ITS ANNUAL FALL MEETING.

- (45) *Planning Schedule.* In planning the schedule for academic contests, the regional executive committee shall follow the Academic Conflict Pattern provided on the UIL website and in the *Spring Meet Manual*.
- (g) SUPPLIES. The League office will send all supplies for the regional meet, such as tests, answer keys, etc., to the regional director. If so designated by the regional director, the academic contest materials may be sent directly to the academic regional director.

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

This recommendation should not have a 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.

REPORT OF
THE UNIVERSITY INTERSCHOLASTIC LEAGUE
LEGISLATIVE COUNCIL
STANDING COMMITTEE ON POLICY

OCTOBER 19, 2015

ON OCTOBER 18, 2015, THE STANDING COMMITTEE ON POLICY MET IN REGULAR SESSION AT THE AUSTIN MARRIOTT NORTH HOTEL IN ROUND ROCK, TEXAS. BASED UPON ITEMS CONSIDERED, THE COMMITTEE TOOK THE FOLLOWING ACTIONS DURING ITS BUSINESS MEETING.



THE STANDING COMMITTEE ON POLICY

Moves that the Legislative Council

Pass the following proposals.

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends the language in Section 25, *Legislative Council*, UIL Constitution and Contest Rules, by further adding/further amending part (i), *Standing Committees*.

B. Factual and Policy Justifications

This amendment adds language regarding standing committees of the Legislative Council. A previous proposal to this subcommittee added a provision concerning the Medical Advisory Committee as directed by the Sunset Commission. This proposal adds other standing committees to this provision and sets out their composition and responsibilities in more detail than the current version of the rule. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 25(i) of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 25: LEGISLATIVE COUNCIL

- (i) STANDING COMMITTEES. The Legislative Council shall have standing committees in the following areas: Academic; Athletic; Finance; Policy; Medical Advisory; Music; and Music Technical Advisory. ALL STANDING COMMITTEES ARE ADVISORY ONLY.
 - (1) ACADEMIC, ATHLETIC, AND MUSIC ADVISORY COMMITTEES
 - (A) APPOINTMENTS, COMPOSITION, QUORUM
 - (i) APPOINTMENTS. THE CHAIR OF THE LEGISLATIVE COUNCIL APPOINTS THE MEMBERS OF THE ACADEMIC, ATHLETIC, AND MUSIC ADVISORY COMMITTEES EACH APRIL FOR ANNUAL TERMS BEGINNING JULY 1. THE COMMITTEES SHALL BE COMPOSED OF LEGISLATIVE COUNCIL MEMBERS.
 - (ii) BUSINESS MEETING QUORUM. A MAJORITY OF THE MEMBERS OF A COMMITTEE CONSTITUTE A QUORUM FOR BUSINESS MEETINGS.
 - (B) RESPONSIBILITIES. THE ACADEMIC, ATHLETIC, AND MUSIC COMMITTEES SHALL PROVIDE INDEPENDENT AND IMPARTIAL ADVICE AND RECOMMENDATIONS TO THE LEGISLATIVE COUNCIL REGARDING ALL RULES, RULE PROPOSALS AND ISSUES REGARDING THE RESPECTIVE COMMITTEES' ACTIVITY AREA.
 - 1) ACADEMIC COMMITTEE - THE ACADEMIC COMMITTEE SHALL BE RESPONSIBLE FOR ADVICE AND RECOMMENDATIONS TO THE LEGISLATIVE COUNCIL IN REGARDS TO RULES, RULE PROPOSALS AND ISSUES INVOLVING ACADEMIC COMPETITION, INCLUDING:
 - a) STUDENT ELIGIBILITY FOR ACADEMIC CONTESTS;

- b) ACADEMIC CONTEST RULES;
 - c) FEES, COSTS AND ADMINISTRATION OF ACADEMIC CONTESTS; AND
 - d) ANY OTHER RULES, PROPOSALS OR ISSUES THAT APPLY TO ACADEMIC COMPETITIONS.
- 2) ATHLETIC COMMITTEE – THE ATHLETIC COMMITTEE SHALL BE RESPONSIBLE FOR ADVICE AND RECOMMENDATIONS TO THE LEGISLATIVE COUNCIL IN REGARDS TO RULES, RULE PROPOSALS AND ISSUES INVOLVING ATHLETIC COMPETITION, INCLUDING:
- a) STUDENT ELIGIBILITY FOR ATHLETIC CONTESTS;
 - b) ATHLETIC CONTEST RULES;
 - c) FEES, COSTS AND ADMINISTRATION OF ATHLETIC CONTESTS; AND
 - d) ANY OTHER RULES, PROPOSALS OR ISSUES THAT APPLY TO ATHLETIC COMPETITIONS.
- 3) MUSIC COMMITTEE – THE MUSIC COMMITTEE SHALL BE RESPONSIBLE FOR ADVICE AND RECOMMENDATIONS TO THE LEGISLATIVE COUNCIL IN REGARDS TO RULES, RULE PROPOSALS AND ISSUES INVOLVING MUSIC COMPETITION, INCLUDING:
- a) STUDENT ELIGIBILITY FOR MUSIC CONTESTS;
 - b) MUSIC CONTEST RULES;
 - c) FEES, COSTS AND ADMINISTRATION OF MUSIC CONTESTS; AND
 - d) ANY OTHER RULES, PROPOSALS OR ISSUES THAT APPLY TO MUSIC COMPETITIONS.
 - e) THE MUSIC COMMITTEE MAY PROPOSE ANY RECOMMENDATIONS THAT IT RECEIVES FROM THE MUSIC TECHNICAL ADVISORY COMMITTEE TO THE LEGISLATIVE COUNCIL.
- (C) PROCEDURAL RULES. UPON RECOMMENDATION OF A COMMITTEE CHAIR, THE ACADEMIC, ATHLETIC, AND MUSIC ADVISORY COMMITTEES MAY ADOPT RULES OF PROCEDURE NOT INCONSISTENT WITH THE UIL CONSTITUTION AND CONTEST RULES.
- (D) PARLIMENTARIAN. THE CHAIR OF THE ACADEMIC, ATHLETIC, AND MUSIC ADVISORY COMMITTEES MAY APPOINT A PARLIMENTARIAN DURING BUSINESS MEETINGS AND PUBLIC HEARINGS.
- (2) MUSIC TECHNICAL ADVISORY COMMITTEE
- (A) APPOINTMENTS, COMPOSITION, QUORUM
- (i) APPOINTMENTS. THE STATE DIRECTOR OF MUSIC SHALL APPOINT A COMMITTEE TO CONSULT WITH THE STATE DIRECTOR OF MUSIC ON RECOMMENDATIONS AND PROPOSED LEGISLATION PERTAINING TO THE TECHNICAL AND ADMINISTRATIVE ASPECTS OF MUSIC. REPRESENTATION FROM EACH PERFORMANCE AREA SHALL BE CONSIDERED WHEN MAKING COMMITTEE APPOINTMENTS. THE COMMITTEE SHALL BE COMPOSED AS FOLLOWS:
- (AA) SIX MUSIC TEACHERS OR SUPERVISORS WHO SHALL SERVE THREE-YEAR STAGGERED TERMS.
 - (BB) THE PRESIDENT OF THE TEXAS MUSIC EDUCATORS ASSOCIATION

OR A DESIGNEE

(CC) STATE DIRECTOR OF MUSIC.

(ii) BUSINESS MEETING QUORUM. A MAJORITY OF THE MEMBERS OF THE MUSIC TECHNICAL ADVISORY COMMITTEE CONSTITUTE A QUORUM FOR BUSINESS MEETINGS.

(B) RESPONSIBILITIES. THE STATE DIRECTOR OF MUSIC IN CONSULATION WITH THE MUSIC TECHNICAL ADVISORY COMMITTEE SHALL PROPOSE TECHNICAL AND ADMINISTRATIVE RULES AT THE REQUEST OF THE STANDING COMMITTEE ON MUSIC.

(C) PROCEDURAL RULES. UPON RECOMMENDATION OF THE COMMITTEE CHAIR, THE MUSIC TECHNICAL ADVISORY COMMITTEE MAY ADOPT RULES OF PROCEDURE NOT INCONSISTENT WITH THE UIL CONSTITUTION AND CONTEST RULES.

(D) PARLIMENTARIAN. THE CHAIR OF THE MUSIC TECHNICAL ADVISORY COMMITTEE MAY APPOINT A PARLIMENTARIAN DURING BUSINESS MEETINGS AND PUBLIC HEARINGS.

(3) FINANCE COMMITTEE

(A) APPOINTMENTS, COMPOSITION, QUORUM

(i) APPOINTMENTS. THE CHAIR OF THE LEGISLATIVE COUNCIL APPOINTS THE MEMBERS OF THE FINANCE COMMITTEE EACH APRIL FOR ANNUAL TERMS BEGINNING JULY 1. THE COMMITTEE SHALL BE COMPOSED OF ACTIVE LEGISLATIVE COUNCIL MEMBERS.

(ii) BUSINESS MEETING QUORUM. A MAJORITY OF THE MEMBERS OF THE FINANCE COMMITTEE CONSTITUTE A QUORUM FOR BUSINESS MEETINGS.

(B) RESPONSIBILITIES. THE FINANCE COMMITTEE SHALL BE RESPONSIBLE FOR ADVICE AND RECOMMENDATIONS TO THE LEGISLATIVE COUNCIL IN REGARDS TO RULES, RULE PROPOSALS AND ISSUES REGARDING UIL FINANCES, INCLUDING:

(i) BUDGET AND FUNDING RULES AND ISSUES;

(ii) FEES, DUES AND OTHER CHARGES TO MEMBER SCHOOLS;

(iii) OTHER SOURCES OF INCOME; AND

(iv) ANY OTHER RULES, PROPOSALS OR ISSUES REGARDING UIL FINANCES THAT WILL MATERIALLY IMPACT THE LEAGUE AND ITS MEMBER SCHOOLS.

(C) PROCEDURAL RULES. UPON RECOMMENDATION OF THE COMMITTEE CHAIR, THE FINANCE COMMITTEE MAY ADOPT RULES OF PROCEDURE NOT INCONSISTENT WITH THE UIL CONSTITUTION AND CONTEST RULES.

(D) PARLIMENTARIAN. THE CHAIR OF THE FINANCE COMMITTEE MAY APPOINT A PARLIMENTARIAN DURING BUSINESS MEETINGS AND PUBLIC HEARINGS.

(4) POLICY COMMITTEE

(A) APPOINTMENTS, COMPOSITION, QUORUM

(i) APPOINTMENTS. THE CHAIR OF THE LEGISLATIVE COUNCIL APPOINTS THE MEMBERS OF THE POLICY COMMITTEE EACH APRIL FOR ANNUAL

TERMS BEGINNING JULY 1. THE COMMITTEE SHALL BE COMPOSED OF ACTIVE LEGISLATIVE COUNCIL MEMBERS.

- (ii) BUSINESS MEETING QUORUM. A MAJORITY OF THE MEMBERS OF THE POLICY COMMITTEE CONSTITUTE A QUORUM FOR BUSINESS MEETINGS.
 - (B) RESPONSIBILITIES. THE POLICY COMMITTEE SHALL BE RESPONSIBLE FOR ADVICE AND RECOMMENDATIONS TO THE LEGISLATIVE COUNCIL IN REGARDS TO ALL NON-FINANCIAL RULES, RULE PROPOSALS AND ISSUES REGARDING POLICY, INCLUDING:
 - (i) RULES AND ISSUES THAT APPLY TO ALL LEAGUE EVENTS AND CONTEST AREAS;
 - (ii) GENERAL MEMBERSHIP AND ADMISSION TO THE LEAGUE;
 - (iii) CONFERENCE AND DISTRICT ALIGNMENT; AND
 - (iv) RULES PROMULGATION AND EXECUTIVE AUTHORITY; AND
 - (v) ANY OTHER RULE OR ISSUE REGARDING GOVERNANCE AND OVERALL POLICY OF THE LEAGUE.
 - (C) PROCEDURAL RULES. UPON RECOMMENDATION OF THE COMMITTEE CHAIR, THE POLICY COMMITTEE MAY ADOPT RULES OF PROCEDURE NOT INCONSISTENT WITH THE UIL CONSTITUTION AND CONTEST RULES.
 - (D) PARLIMENTARIAN. THE CHAIR OF THE FINANCE COMMITTEE MAY APPOINT A PARLIMENTARIAN DURING BUSINESS MEETINGS AND PUBLIC HEARINGS.
- (5) MEDICAL ADVISORY COMMITTEE
- (A) APPOINTMENTS, COMPOSITION, QUORUM
 - (i) APPOINTMENTS. THE CHAIR OF THE LEGISLATIVE COUNCIL APPOINTS THE MEMBERS OF THE MEDICAL ADVISORY COMMITTEEE EACH APRIL FOR ANNUAL TERMS BEGINNING JULY 1. THE COMMITTEE SHALL BE COMPOSED AS FOLLOWS:
 - (AA) EIGHT TEXAS LICENSED PHYSICIANS, AT LEAST ONE OF WHOM SHALL BE A BOARD-CERTIFIED NEUROLOGIST OR NEUROSURGEON AND ONE A BOARD-CERTIFIED CARDIOLOGIST;
 - (BB) THREE ATHLETIC TRAINERS WITH PREFERENCE FOR TWO TRAINERS EMPLOYED IN THE FIELD OF SECONDARY HIGH SCHOOL SPORTS AND, OF THOSE TWO, PREFERABLY ONE TRAINER WHO PREDOMINANTLY WORKS WITH FEMALE ATHLETES AND ONE WHO WORKS PREDOMINANTLY WITH MALE ATHLETES, AND A THIRD TRAINER EMPLOYED BY A TEXAS COLLEGE OR UNIVERSITY SPORTS PROGRAM; AND
 - (CC) THREE NON-VOTING MEMBERS, INCLUDING ONE REPRESENTATIVE EACH FROM THE TEXAS STATE ATHLETIC TRAINERS ASSOCIATION, THE TEXAS GIRLS COACHES ASSOCIATION AND THE TEXAS HIGH SCHOOL COACHES ASSOCIATION.
 - (DD) THE COMMITTEE SHALL ELECT A CHAIR ANNUALLY AT THE FIRST MEETING AFTER JUNE 30.
 - (ii) BUSINESS MEETING QUORUM. SIX MEMBER OF THE MEDICAL ADVISORY

- COMMITTEE CONSTITUTE A QUORUM FOR BUSINESS MEETINGS.
- (B) RESPONSIBILITIES. THE MEDICAL ADVISORY COMMITTEE SHALL PROVIDE INDEPENDENT AND IMPARTIAL ADVICE AND RECOMMENDATIONS TO THE LEGISLATIVE REGARDING ALL RULES OR RULE CHANGE PROPOSALS RELATED TO STUDENT SAFETY OR MEDICAL SCIENCE, INCLUDING BUT NOT LIMITED TO:
 - (i) PRE-PARTICIPATION PHYSICAL EXAMINATIONS FOR STUDENTS;
 - (ii) PRACTICE AND PARTICIPATION LIMITATIONS FOR STUDENTS;
 - (iii) EDUCATION AND TRAINING PROGRAMS FOR STUDENTS AND SCHOOL EMPLOYEES;
 - AND
 - (iv) PROTECTIVE EQUIPMENT AND OTHER SAFETY MEASURES.
 - (C) PROCEDURAL RULES. UPON RECOMMENDATION OF THE COMMITTEE CHAIR, THE MEDICAL ADVISORY COMMITTEE MAY ADOPT RULES OF PROCEDURE NOT INCONSISTENT WITH THE UIL CONSTITUTION AND CONTEST RULES.
 - (D) PARLIMENTARIAN. THE CHAIR OF THE MEDICAL ADVISORY COMMITTEE MAY APPOINT A PARLIMENTARIAN DURING BUSINESS MEETINGS AND PUBLIC HEARINGS.

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

There should be no fiscal impact to 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.

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

A. Brief Explanation of Proposed Recommendation

This proposed recommendation amends Subchapter J, *Non-Discrimination in UIL Contest*, UIL Constitution and Contest Rules.

B. Factual and Policy Justifications

These edits would combine section 360 and 361, clarify the current rules regarding non-discrimination in UIL contest, and declare a student’s birth certificate is to be used when determining gender. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Sections 360-361 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Subchapter J. NON-DISCRIMINATION IN UIL CONTESTS

Section 360: NON-DISCRIMINATION POLICY

Failure to comply with the provisions of this subchapter constitutes an act or omission that is a violation of the *Constitution*. Except as provided for below, no student otherwise eligible under Subchapter M of the *Constitution* shall be denied, because of disability, race, color, gender, religion or national origin, the equal opportunity=

~~—(a) to try out for and, if selected, participate in the Academic, and Music, AND ATHLETIC Plan contests offered by the member school district.~~

- (a) MEMBER SCHOOLS MAY NOT PERMIT BOYS TO TRY OUT FOR, OR PARTICIPATE UNDER THE JR. HIGH SCHOOL OR HIGH SCHOOL ATHLETIC PLANS DESIGNATED FOR GIRL’S TEAMS.
- (b) MEMBER SCHOOLS THAT OFFER ~~to try out for and, if selected, participate in the~~ Cross Country, Golf, Swimming, Tennis, Track and Field and/or Wrestling individual Athletic Plans; ~~except that school districts that offer any of these plans~~ may not permit mixed plans for boys and girls; IN THOSE ACTIVITIES.
- (c) MEMBER SCHOOLS OFFERING MIXED OR COED TEAM TENNIS IN WHICH THE GAME RULES DESIGNATE A CERTAIN NUMBER OF TEAM PARTICIPANTS FROM EACH GENDER, MAY NOT PERMIT BOYS TO QUALIFY FOR GIRLS’ POSITIONS ON THE MIXED TEAMS NOR PERMIT GIRLS TO QUALIFY FOR BOYS’ POSITIONS ON THE MIXED TEAMS.
- (d) ~~to try out for and, if selected, participate in the corresponding Athletic Plans as follows:~~

CORRESPONDING ATHLETIC PLANS
BOYS’ PLAN _____ GIRLS’ PLAN

~~Boys' Basketball ——— Girls' Basketball~~
~~Boys' Soccer ——— Girls' Soccer~~

GIRLS MAY TRY OUT FOR, AND IF SELECTED, PARTICIPATE ON THE CORRESPONDING BOYS' TEAM IF THE MEMBER SCHOOL DOES NOT OFFER A CORRESPONDING GIRLS' PLAN FOR BASKETBALL, AND/OR SOCCER. OTHERWISE, A MEMBER SCHOOL ~~except that school districts that offerS any of these plans may not permit boys to participate on girls' teams, nor girls to participate on boys' teams IN THESE ACTIVITIES, UIL CONSIDERS THE FOLLOWING TO BE CORRESPONDING SPORT ATHLETIC PLANS: BOYS AND GIRLS BAKSETBALL; BOYS AND GIRLS SOCCER. nor permit mixed team participation; provided that if one of the following conditions exists, a female student may try out for and, if selected, participate on the corresponding boys' team:~~

- ~~(1) the school district does not have the corresponding UIL Girls' Basketball Plan to the UIL Boys' Basketball Plan it offers; or~~
- ~~(2) the school district does not have the corresponding UIL Girls' Soccer Plan to the UIL Boys' Soccer Plan it offers;~~

~~to try out for and, if selected, participate in the Team Tennis Plan; except that school districts offering mixed or coed team tennis in which the game rules designate a certain number of team participants from each gender may not permit boys to qualify for girls' positions on the mixed teams nor permit girls to qualify for boys' positions on the mixed teams;~~

- (e) GIRLS MAY ~~to~~ try out for and, if selected, participate in the JUNIOR High School ~~Football Plan or the Junior High School Football Plan;~~ and
- (f) GIRLS MAY ~~to~~ try out for and, if selected, participate in the Junior High SCHOOL and/or High School Baseball Plan, however, girls shall not participate in both baseball and girls' softball at the same time.
- (g) Boys may not wrestle against girls, and vice versa. This prohibition is only applicable when the contest is held in Texas or in any other state that sponsors wrestling programs for both boys and girls.
- (h) GENDER SHALL BE DETERMINED BASED ON A STUDENT'S BIRTH CERTIFICATE. IN CASES WHERE A STUDENT'S BIRTH CERTIFICATE IS UNAVAILABLE, OTHER SIMILAR GOVERNMENT DOCUMENTS USED FOR THE PURPOSE OF IDENTIFICATION MAY BE SUBSTITUTED.

~~Section 361: EXCEPTIONS TO NON-DISCRIMINATION POLICY~~

- ~~(a) Only girls eligible under Subchapter M of the Constitution may try out for and participate under the High School Athletic Plans designated for girls' teams.~~
- ~~(b) Only girls eligible under the Junior High Athletic Plan may try out for and participate under the Junior High Athletic Plans designated for girls' teams. Boys shall not wrestle against girls, and vice versa. This prohibition is only applicable when the contest is held in Texas or in any other state that sponsors wrestling programs for both boys and girls.~~

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

There should be no fiscal impact to member schools.

E. Legislative Council Consideration; Effective Date

The Standing Committee on Policy moves that the Legislative Council pass this amendment for placement on a referendum ballot with a favorable recommendation, to be effective August 1, 2016, if approved by the Commissioner of Education.

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

A. Brief Explanation of Proposed Recommendation

The following recommendation would amend Section 403, Full Time Day Student. (This proposal was originally approved by the Review Advisory Committee as Section 406, with the thought that this would be the new numbering of this section.)

B. Factual and Policy Justifications

This amendment would identify intra-district participation opportunities for students attending non disciplinary ‘alternative’ (magnet, ISD charter, etc) schools within the same school district (or open enrollment charter school) system that do not offer UIL participation opportunities. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 403 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 403: FULL-TIME DAY STUDENT

A person is considered a full-time day student if that person:

- (D) SUBJECT TO LOCAL SCHOOL DISTRICT DISCRETION, STUDENTS ATTENDING NON DISCIPLINARY ‘ALTERNATIVE’ SCHOOLS SUCH AS MAGNET OR ISD CHARTER SCHOOLS WITHIN THE SAME INDEPENDENT SCHOOL DISTRICT THAT DO NOT OFFER UIL PARTICIPATION OPPORTUNITIES, MAY BE IN COMPLIANCE WITH THIS SECTION AND ELIGIBLE TO PARTICIPATE IN THE DIVISION (ACADEMICS, ATHLETICS, MUSIC) OF UIL ACTIVITIES NOT OFFERED AT THE NON DISCIPLINARY ‘ALTERNATIVE’ SCHOOL. A STUDENT’S ELIGIBILITY UNDER THESE CIRCUMSTANCES WOULD BE AT THE SCHOOL THE STUDENT WOULD ATTEND BASED ON THE RESIDENCE OF THE PARENTS OF THE STUDENT AND/OR THE SCHOOL THE STUDENT WOULD ATTEND BY SCHOOL DISTRICT POLICY IF THEY WERE NOT ENROLLED IN THE NON DISCIPLINARY ‘ALTERNATIVE’ SCHOOL.

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

There should be no fiscal impact to member schools.

E. Legislative Council Consideration; Effective Date

The Standing Committee on Policy moves that the Legislative Council pass this amendment for placement on a referendum ballot with a favorable recommendation, to be effective August 1, 2016, if approved by the Commissioner of Education.

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

A. Brief Explanation of Proposed Recommendation

The following recommendation would amend Section 404, Regular Attendance. (This proposal was originally approved by the Review Advisory Committee as Section 407, with the thought that this would be the new numbering of this section.)

B. Factual and Policy Justifications

This amendment would provide an exception to the fifteen day rule for dependents of active duty military personnel. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 404 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 404: REGULAR ATTENDANCE

- (b) EXCEPT FOR AN OTHERWISE ELIGIBLE STUDENT WHO IS A DEPENDENT OF A PARENT OR GUARDIAN WHO IS ACTIVE DUTY MILITARY, A student who does not enroll in and attend school within the first six class days is ineligible to participate until the 15th day after enrollment and attendance. IN EACH CASE WHERE APPLICABLE, THE SUPERINTENDENT OR THEIR DESIGNEE SHALL CERTIFY TO THE APPROPRIATE DISTRICT EXECUTIVE COMMITTEE THAT, BASED ON REASONABLE EVIDENCE, THE ACTIVE DUTY MILITARY EXCEPTION NOTED ABOVE APPLIES.

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

There should be no fiscal impact to 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.

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

A. Brief Explanation of Proposed Recommendation

The following recommendation would amend Section 440, Eligibility - Athletics. (This proposal was originally approved by the Review Advisory Committee as Section 403, with the thought that this would be the new numbering of this section.)

B. Factual and Policy Justifications

This amendment would alter the application of the one year of consecutive enrollment exception for the parent residence rule for open enrollment charter school students who have been placed on a waiting list for entrance into a charter school that is a member school of UIL. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 440 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 440: ELIGIBILITY - ATHLETICS

Subject to the other sections of this subchapter, an individual is eligible to participate in a League varsity athletic contest as a representative of a participant school if that individual:

- (b) is a resident of the member school district (see Section 442), and a resident of the attendance zone in which the participant school being attended is situated,
 - (1) Or has been continuously enrolled in and regularly attending the school for at least the previous calendar year if his or her parents do not reside within the school district's attendance zone; see (5) (B) below for exception. Note: A student who has changed schools for athletic purposes may be declared ineligible for more than one calendar year. See Section 443 (f) (3). FOR STUDENTS PLACED ON A WAITING LIST FOR ADMITTANCE TO AN OPEN ENROLLMENT CHARTER SCHOOL THAT IS A MEMBER SCHOOL, THE EARLIER OF THE FIRST DAY OF ENROLLMENT OR THE FIRST DAY OF SCHOOL FOR THE SCHOOL YEAR FOLLOWING THE DATE OF APPLICATION BEGINS THE TIME FRAME FOR COMPLIANCE WITH THE EXCEPTION NOTED IN THIS SECTION.

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

There should be no fiscal impact to 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.

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

A. Brief Explanation of Proposed Recommendation

The following recommendation would amend Section 465, Decision by Waiver Officer and Section 468, Review Decision Process.

B. Factual and Policy Justifications

This amendment would add language that addresses the placement of foreign exchange students based on athletic interests to the criteria considered when making a decision on a waiver request or an appeal of the waiver officer's decision. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 465 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 465: DECISION BY WAIVER OFFICER

(b) BASIS FOR DECISION.

(3) Foreign Exchange Students. The waiver of the residence requirement of a foreign exchange student may be granted under the following conditions:

- (A) A copy of the student's J-1 visa and certification papers from the approved CSIET (Council on Standards for International Educational Travel) United States Foreign Exchange Program accompanies the waiver form;
- (B) The exchange student has not completed four years of high school attendance and/or graduated from high school;
- (C) The exchange student has not received advanced training (defined as training which is above and beyond that which is normally provided in Texas public schools) in the germane activity prior to arriving in Texas, such as pre-Olympic training, being nationally ranked or having similar status in a sport, or participation on a national team; ~~and~~
- (D) THE EXCHANGE STUDENT HAS NOT BEEN PLACED WITH A HOST OR A SCHOOL BASED ON ATHLETIC INTERESTS OR ABILITIES, WHETHER INITIATED OR CAUSED BY A STUDENT, A NATURAL OR HOST PARENT, A SCHOOL, A PROGRAM OR ANY OTHER INTERESTED PARTY; AND
- (E) The exchange student meets all other University Interscholastic League eligibility rules.

Section 468: REVIEW DECISION PROCESS

(a) BASIS FOR DECISION.

(3) Foreign Exchange Students. The waiver of the residence requirement of a foreign exchange student may be granted under the following conditions:

- (A) A copy of the student's J-1 visa and certification papers from the approved CSJET (Council on Standards for International Educational Travel) United States Foreign Exchange Program accompanies the waiver form;
- (B) The exchange student has not completed four years of high school attendance and/or graduated from high school; and
- (C) The exchange student has not received advanced training (defined as training which is above and beyond that which is normally provided in Texas public schools) in the germane activity prior to arriving in Texas, such as pre-Olympic training, being nationally ranked or having similar status in a sport, or participation on a national team; ~~and~~
- (D) THE EXCHANGE STUDENT HAS NOT BEEN PLACED WITH A HOST OR A SCHOOL BASED ON ATHLETIC INTERESTS OR ABILITIES, WHETHER INITIATED OR CAUSED BY A STUDENT, A NATURAL OR HOST PARENT, A SCHOOL, A PROGRAM OR ANY OTHER INTERESTED PARTY; AND
- (E) The exchange student meets all other University Interscholastic League eligibility rules.

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

There should be no fiscal impact to 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.

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

A. Brief Explanation of Proposed Recommendation

The recommendation below amends Subchapter O, Sections 480 and 482.

B. Factual and Policy Justifications

These edits would allow schools to contribute to a second major award for a student in honor of winning a UIL State Championship, allow students to accept certificates, medals, trophies, rings or other symbolic awards from sources approved by the school, and delete Section 482, *Music Awards*. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Sections 480 and 482 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 480: LIMITATION OF AWARDS

(a) LIMIT.

- (1) Awards Schools May Give. A participant school or member school district may give one major award not to exceed \$70 in value to a student during that student's high school enrollment at the same school for participation in UIL interschool competition(s) listed in Section 380. Each year a participant school or member school district may give one additional award per student per interschool activity listed in Section 380, not to exceed ~~\$10~~ \$20 each. Schools may give a student the ~~\$10~~ \$20 minor award for an activity during the same school year the \$70 major award is given for that activity. A SCHOOL MAY CONTRIBUTE TO MAJOR AWARDS IN HONOR OF WINNING A UIL STATE CHAMPIONSHIP EVENT.

- (2) Awards Students May Receive. A student may not accept from any source other than the school attended or the school district, any award in money, product or service for competing in an interschool contest except as follows:

(A) A certificate, medal, trophy, RING, or other symbolic award for participating in any UIL activity which counts on League standing, if it is given: (BREAK AND INSERT NUMBERING)

(i) by the school, OR school district IN ACCORDANCE TO THE LIMITATIONS IN SECTION 480 (a)(1),

(ii) the district executive committee or the entity that organized the competition (i.e., the regional director, zone director, etc.),

(iii) THE UIL OR ONE OF THE PROFESSIONAL EDUCATION ORGANIZATIONS SACTIONED BY THE UIL, OR

(iv) AN OUTSIDE SOURCE APPROVED BY THE SCHOOL OR SCHOOL DISTRICT.

~~•(Note: Students may not accept and keep trophies presented to them by an outside source to honor them for UIL participation and remain eligible~~

- ~~according to the Awards Rule, Section 480 (a). The school may permanently accept the trophy to be kept in the trophy case of the school.)~~
- ~~(B) A certificate for participating in any UIL activity, if it is given by the participant school, school district or district executive committee.~~
- ~~(C) A certificate for participating in a UIL contest at the state level, if it is given by the UIL or one of the professional education organizations sanctioned by the UIL.~~
- (B) A medal, trophy, patch or other symbolic award for participating in an invitational athletic contest which does not count on League standing, in an activity which the UIL sponsors as listed in Section 380, if it is given by the organization conducting the contest or competition. (Sports which are not sanctioned by the UIL, such as bowling, motorcycle racing, rodeo, etc., do not come under this rule.)
- (C) Unlimited awards for participating in an invitational academic or fine arts contest which does not count on League standing, whether or not it is an activity which the League sponsors.
- (D) Educational trips sponsored by the school.
- (E) Scholarships for college or university enrollment if awarded at or after graduation from high school.
- (3) Awards Students May Receive for Intraschool Competition. A student may accept unlimited awards for participating in intraschool competition.
- (b) LEAGUE STANDING DEFINED. For purposes of this rule, “counts on League standing” means any contest that causes an individual or team to advance toward a UIL district, bi-district, area, zone, regional or state championship.
- (c) AMATEUR STATUS. See Section 441 for rules governing amateur athletic status.
- (d) INDIRECT AWARD. An award given to a second party to be held for later delivery to the student is considered received by the student when the award is given to the second party. This conduct is a violation by the participant school or school district.

~~Section 482: MUSIC AWARDS~~

~~A music organization that receives money or other valuable consideration as contest prizes or participates in an interschool contest offering these awards shall be penalized in accordance with the range of penalties. However, a participant school may receive a uniformly prorated rebate or other money given to each participant in an interschool music contest.~~

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

There should be no fiscal impact to 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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation updates the sources of income the UIL may have, as outlined in the Constitution and Contest Rules.

B. Factual and Policy Justifications

This minor edit updates language to include more recent sources of income that the UIL has included in their budget as well as provides for more transparency by listing fees outlined in this section. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 867 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 867: SOURCES OF INCOME

The League's sources of income are as follows:

- (a) membership dues;
MEMBERSHIP FEES TO BE DETERMINED AND APPROVED BY LEGISLATIVE COUNCIL AND INSERTED HERE
- (b) ~~participation~~ ENTRY fees;
LINK WITH ALL FEES TO BE BUILT AND INSERTED HERE
- ~~(c) contest fees;~~
- (d) open records productions;
- (e) publication sales;
- (f) filing fees for waivers, review of waivers and retroactive waivers;
- (g) ~~the admission price~~ NET REVENUE for state level cross-country, track and field, swimming and diving, tennis, wrestling, ~~and~~ one-act play AND MARCHING BAND contests;
- (h) an annually determined percentage of ~~admission prices~~ REVENUE for state level baseball, basketball, soccer, softball, AND volleyball ~~and marching band contests~~;
PERCENTAGE TO BE DETERMINED AND APPROVED BY LEGISLATIVE COUNCIL AND INSERTED HERE
- (i) an annually determined percentage of football post-district play-off gate receipts;
PERCENTAGE TO BE DETERMINED AND APPROVED BY LEGISLATIVE COUNCIL AND INSERTED HERE
- (j) proceeds from radio and television broadcasting and telecasting contracts;
- (k) an annually determined percentage of basketball post-district play-off receipts; and
- (l) ~~income~~ REVENUE from ~~advertising~~ SPONSORSHIPS and licensing the use of trademarks and logos;

- (m) GRANTS;
- (n) ANY OTHER REVENUE GENERATED BY UIL IN COMPLIANCE WITH STATE LAW AND UNIVERSITY POLICY.

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

This recommendation has no fiscal impact to UIL 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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation helps to clarify the rule related to broadcasting UIL postseason events in the Constitution and Contest Rules.

B. Factual and Policy Justifications

This minor edit removes language that otherwise could cause confusion in this policy. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Section 868 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 868: BROADCASTS OF UIL EVENTS:

- (a) CONTRACT SCOPE AND PROCESS. The UIL retains all broadcast rights to all UIL post-regular season events and activities. The UIL director may, subject to applicable University of Texas at Austin procedures, recommend a contract(s) for broadcast rights for all UIL post-regular season events and activities. The UIL director may, subject to necessary approval by the University of Texas at Austin, enter into a contract on behalf of UIL for broadcast rights for all UIL post-regular season events and activities.
- (b) RIGHTS GRANTED. The broadcast rights granted in a contract under this section may include, in whole or in part, every medium and/or visual content presently existing or that may be developed in the future. ~~such as radio, satellite radio, direct broadcast satellite, mobile/wireless, internet/webcast, airline distribution, closed circuit television, high definition format and video on demand.~~ The rights granted may also provide for live and/or delayed broadcasts as well as ancillary programming, such as highlights shows. A delayed broadcast, for purposes of this rule, is a broadcast of a UIL activity or event that begins at least one hour after the conclusion of the activity or event. A radio broadcast, for purposes of this rule, is any live or delayed audio only broadcast of a UIL activity or event regardless of the means or medium of transmission. A telecast, for purposes of this rule, is any live or delayed television or other broadcast of the visual content, images or pictures of a UIL activity or event regardless of the means or medium of transmission.
- (c) LIVE FOOTBALL TELECAST LIMITED. UIL member schools shall not permit the live telecast of a regular season football game on a Friday night. Live telecasts and other types of live broadcasts of UIL football post-regular season games shall be permitted if provided for in a UIL broadcast rights contract.
- (d) BROADCASTS NOT COVERED BY UIL CONTRACT. In cases where broadcast rights, either in

whole or part, for a UIL post-season activity or event are not granted to a third party in a contract under this section or when under the terms of such a contract the broadcast rights of a particular UIL post-regular season event or activity will not be exercised, the broadcast rights are retained by UIL. Any contract entered into by participating schools under this subsection must be approved by the UIL and be consistent with and subject to a contract under this section concerning broadcast rights for UIL post-regular season activities and events.

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

This recommendation has no fiscal impact to UIL 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.

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

A. Brief Explanation of Proposed Recommendation

This recommendation amends the language in Section 1208 (t), *Rebate from State Tournaments*, and 1250 (j), *Football Plan* of UIL Constitution and Contest Rules, by differentiating between team sports, team sports in which UIL receives a portion of playoff gate receipts and individual sports. It also increases the percentage retained by League for UIL playoffs and state championships.

B. Factual and Policy Justifications

This amendment adds language clarifying the rebates for specific team sports and differentiating them from other team sports and individual sports and other state events. This proposal outlines the rebates that schools receive from UIL state tournaments in more detail than the current version of the rule, allowing for greater transparency. It also increases the percentages from football playoffs and state championships retained by UIL to cover increased operational expenses. **This recommendation has been recommended to the Legislative Council by the UIL Review Advisory Committee.**

C. Proposed Recommendation

Sections 1208 and 1250 of the UIL Constitution and Contest Rules would be amended as follows effective August 1, 2016, pending approval by the Commissioner of Education.

Section 1208: Athletic Regulations

(t) **REBATE FROM STATE TOURNAMENTS EVENTS.**

- (1) In baseball, ~~basketball~~, soccer, softball and volleyball, SIXTEEN PERCENT OF THE STATE TOURNAMENT GATE RECEIPTS WILL BE RETAINED BY THE LEAGUE OFFICE. ~~a~~All funds collected from admissions at the state tournaments in excess of the amount necessary to defray the ~~incidental~~ expenses of the tournament, LESS LEAGUE PERCENTAGE, shall be prorated to the participating teams on the basis of a uniform rate per mile. (SEE UIL POLICY MANUAL FOR RATE.)

~~(1) *League Percentage.* Sixteen percent of the state tournament gate receipts will be retained by the League office to cover expenses.~~

~~(2) *Balance to Schools.* If after expenses, there is a balance in the fund received from gate receipts, this balance shall be equally divided among the schools participating in the tournament. The Legislative Council may stipulate a maximum to be divided among schools.~~

- (2) IN BASKETBALL, SIXTEEN PERCENT OF THE STATE TOURNAMENT GATE RECEIPTS WILL BE RETAINED BY THE LEAGUE OFFICE. ALL FUNDS COLLECTED FROM ADMISSIONS AT THE STATE TOURNAMENT IN EXCESS OF THE AMOUNT NECESSARY TO DEFRAY THE EXPENSES OF THE TOURNAMENT, LESS LEAGUE PERCENTAGE, SHALL BE PRORATED TO THE PARTICIPATING TEAMS ON THE BASIS OF A UNIFORM RATE PER MILE. (SEE UIL POLICY MANUAL FOR RATE.)

(A) *BALANCE TO SCHOOLS*. IF AFTER EXPENSES, THERE IS A BALANCE IN THE FUND RECEIVED FROM GATE RECEIPTS, THIS BALANCE SHALL BE EQUALLY DIVIDED AMONG THE SCHOOLS PARTICIPATING IN THE TOURNAMENT. THE LEGISLATIVE COUNCIL MAY STIPULATE A MAXIMUM TO BE DIVIDED AMONG SCHOOLS.

(3) IN FOOTBALL, TWENTY PERCENT OF THE CHAMPIONSHIP EVENT GATE RECEIPTS WILL BE RETAINED BY THE LEAGUE OFFICE. ALL FUNDS COLLECTED FROM ADMISSIONS AT THE STATE CHAMPIONSHIP EVENT IN EXCESS OF THE AMOUNT NECESSARY TO DEFRAY THE EXPENSES OF THE CHAMPIONSHIP EVENT, LESS LEAGUE PERCENTAGE, SHALL BE PRORATED TO THE PARTICIPATING TEAMS ON THE BASIS OF A UNIFORM RATE PER MILE. (SEE UIL POLICY MANUAL FOR RATE.)

(A) *BALANCE TO SCHOOLS*. IF AFTER EXPENSES, THERE IS A BALANCE IN THE FUND RECEIVED FROM GATE RECEIPTS, THIS BALANCE SHALL BE EQUALLY DIVIDED AMONG THE SCHOOLS PARTICIPATING IN THE CHAMPIONSHIP EVENT. THE LEGISLATIVE COUNCIL MAY STIPULATE A MAXIMUM TO BE DIVIDED AMONG SCHOOLS.

(4) IN ALL OTHER STATE EVENTS, ALL FUNDS COLLECTED FROM ADMISSIONS AT THE STATE CHAMPIONSHIP EVENT IN SHALL BE RETAINED BY THE LEAGUE OFFICE.

Section 1250: Football Plan

(j) ~~FIFTEEN~~ SIXTEEN PERCENT POST-DISTRICT RECEIPTS. ~~Fifteen~~ SIXTEEN percent of the gross receipts of post-district games shall be paid to the League. ~~to maintain a fund for investigating eligibility questions and to supplement printing, salary, office appropriations relating to football, and for the purchase of medals, trophies and awards in UIL state meets.~~ The radio broadcast receipts and the telecast receipts are considered a part of the game receipts in all post-district games.

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

This recommendation may or may not have some fiscal impact on state championship participants in team sports other than in football and boys basketball.

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.

Proposed Recommendation by UIL Staff
to
the UIL Legislative Council

A. Brief Explanation of Proposed Recommendation

The UIL Review Advisory Committee (RAC) has completed its review of the UIL's Constitution and Contest Rules and has made its recommendations to the Legislative Council which will consider each RAC recommendation, in turn, and make a decision on that recommendation. Once all of the recommendations have been reviewed, recommendations that have been passed as rule amendments by the Legislative Council will need to be incorporated into the C & CR. Understanding that the Council may or may not approve, in whole or in part, the recommendations of the RAC, what revisions will ultimately made to the C&CR is still unknown. The effort to incorporate what is expected to be a significant number of amendments to the C&CR will require some editing, formatting and other review to ensure that the final product is the best it can be. This recommendation will provide the UIL staff with the authority to organize and edit, without making substantive changes, the RAC recommendations that are passed into rule by the Legislative Council and to format the C&CR so as to improve reading and comprehension of the rules.

B. Factual and Policy Justifications

Allowing UIL staff to format and edit the RAC proposals that are approved by the Legislative Council without making substantive changes to them will give staff the ability to review and organize the Constitution and Contest Rules and effectively incorporate all approved revisions.

C. Proposed Recommendation

The UIL Staff proposes that the Legislative Council authorize the UIL staff to format and organize the various approved rules revisions that are the product of the RAC process or otherwise proposed by UIL staff into an appropriate governing document along with contest rules, similar in nature and style to the UIL's current Constitution and Contest Rules.

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

This proposal will have no fiscal impact on UIL member schools.

E. Legislative Council Consideration; Effective Date

The UIL Staff recommends that the UIL Legislative Council pass this amendment to be effective immediately, if approved by the Commissioner of Education.

THE STANDING COMMITTEE ON POLICY

Moves that the Legislative Council

Create the following Ad Hoc Committee.

- a. An Ad Hoc Committee for New and Emerging Activities