

University Interscholastic League

State Executive Committee

Case No. 17-1206-02

DECISION ON APPEAL

December 06, 2017

Austin, TX

On the above date, the University Interscholastic League (UIL) State Executive Committee (SEC) held a hearing to consider the appeal of a District Executive Committee's (DEC) decision to deny student/Appellant varsity eligibility for one calendar year for changing schools for athletic purposes. Student/Appellant was represented at the hearing by his current guardian and school superintendent. The following members of the SEC were present and participated in the decision of this case: Mike Motheral, Chair, Robin Battershell, James Colbert, Johanna Denson, Darrian Dover and Gil Garza.

Background and Facts

Appellant sought to overturn the DEC's decision to deny varsity eligibility for one calendar year for violation of the rule that prohibits students from moving for athletic purposes, Section 443, *UIL Constitution and Contest Rules*.¹ Appellant and his family moved to the new attendance zone after his grandmother was evicted from her apartment in his previous attendance zone. Appellant, his mother, and sister all live in the new attendance zone, however, Appellant lives with a friend that he met while playing basketball.

State Executive Committee Discussion

Appellant sought to overturn the DEC's decision to deny varsity eligibility for one calendar year. Appellant and representative were allowed to present facts relevant to the case, answer questions from the SEC, and close the hearing with a summary statement. Among other things, SEC members inquired about why Appellant is living with a friend and about his experiences at both his previous and new school. Appellant explained that after his grandmother was evicted, he along with his mother and sister moved into the attendance zone of his new school. He claimed that he argues a lot with his mother and that she is currently struggling, so it is a healthier environment to stay with his friend's

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

family. Appellant's superintendent explained that he was a student in their school district before he moved to his previous school. Appellant has a lengthy history of discipline issues because of poor attendance and an inability to control his temper at both schools.

The chair of the DEC then testified that he was denied varsity eligibility for one calendar year with a 5 to 1 vote because they felt his involvement with AAU basketball was the primary factor for Appellant moving in with his friend. The chair of the DEC admitted he had not been made aware of the eviction notice his grandmother was given and that it would have impacted their decision.

Appellant's guardian explained to the committee that he met Appellant because of his role with the cities youth football league and that he has a son his age. He stated that he originally told Appellant that he could not live with him, but changed his mind after his grandmother was evicted. He further stated that contact from his grandmother and mother has been limited despite their attempts to foster those connections. Appellant's guardian informed the committee that Appellant had improved both socially and academically since moving in with his family.

Decision

After hearing the argument and evidence presented by the Appellant and representatives, the SEC voted unanimously to grant the Appellant's request to overturn the District Executive Committee's decision. As a result, the decision of the DEC is overturned and the Appellant's request for varsity eligibility is granted.