

University Interscholastic League

State Executive Committee

Case No. 19-0820-04

DECISION ON APPEAL

**August 20, 2019
Round Rock, TX**

On the above date, the University Interscholastic League (UIL) State Executive Committee (SEC) held a hearing to consider the appeal of a District 20-5A Executive Committee (DEC) decision to deny student/Appellant varsity eligibility for one calendar year for changing schools for athletic purposes. Student/Appellant was represented at the hearing by his mother and grandparents. The following members of the SEC were present and participated in the decision of this case: Mike Motheral, Chair, Johanna Denson, Dr. Jodi Duron, Paul Galvan, Dr. Robin Perez, and Dr. Marshall Scott.

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. Appellant did not see "eye to eye" with his mother, so he moved in with his neighbor and then his grandfather in the same attendance zone as his previous school. Appellant and his grandfather soon moved to the new school district because they felt it was a safer environment.

State Executive Committee Discussion

Appellant sought to overturn the DEC's decision to deny varsity eligibility for one calendar year. Appellant and representatives 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 moved in with his grandfather and why his grandfather visited the new school three months before transferring.

Appellant affirmed that he previously lived with his mother, uncle and two siblings in the previous school's attendance zone. He stated that he moved out because he could not always see "eye to eye" with his mother. Appellant's mother contended that the previous school did not meet his academic needs and was unsafe. Appellant moved in with his neighbor and then his grandfather in the previous school's attendance zone. Appellant and his grandfather then moved into an apartment in the new school's attendance zone. The grandfather stated that he visited the new school's athletic director, principal and teachers before deciding to move. Appellant's mother claimed that she would move into another school district if she could afford it. Appellant admitted that he had stayed with the new school's quarterback several times after 7 on 7 tournaments. Appellant and his

representatives were unaware that Appellant did not meet parent residence requirements to be varsity eligible the first year of attending the new school.

Representatives of Appellant's previous school included the district athletic director and head football coach. The head football coach testified that he indicated Appellant was recruited and changed schools for athletic purposes on his Previous Athletic Participation Form (PAPF). Appellant's previous coach introduced him to a personal trainer who he believes influenced Appellant to change schools after participating on his 7 on 7 team. The coach was under the impression that Appellant and the new school's quarterback met each other through the team. He also claimed that Appellant's father told the previous school's registrar that he was going to enroll Appellant in a school where he could win a championship.

Appellant's head football coach and athletic director at his new school then testified. The head football coach stated that he spoke to Appellant's grandfather in October and then did not speak to him again until Appellant transferred in January. He explained that he called the previous coach out of courtesy to let him know that Appellant's grandfather had approached him. The coach argued that Appellant did not play on the quarterback's 7 on 7 team until after he transferred to the new school.

The chair of the DEC then testified that Appellant was denied varsity eligibility for one calendar year with a 7 to 1 vote after the committee considered the preponderance of evidence presented.

Appellant and representatives were afforded the opportunity to respond to other testimonies and give a summary statement. Appellant and his representatives maintained the position that Appellant moved for academic and safety reasons.

Decision

After hearing testimony, the State Executive Committee voted unanimously to deny the appeal, thus upholding the original DEC ruling.