

University Interscholastic League

State Executive Committee

Case No. 19-1008-05

**DECISION ON APPEAL**

**October 8, 2019**

**Pflugerville, TX**

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On the above date, the University Interscholastic League (UIL) State Executive Committee (SEC) held a hearing to consider the appeal of a District 8-3A 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. The following members of the SEC were present and participated in the decision of this case: Mike Motheral, Chair, James Colbert, Curtis Culwell, Johanna Denson and Darrian Dover.

**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 and his mother moved into the new school attendance zone to live with his grandparents. The move allowed Appellant to assist his ailing grandparents and his mother to save money.

**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 the timing of Appellant's move after being suspended from his previous school's athletic program.

Appellant's mother explained that her home in the previous school district was destroyed by fire. This led the insurance company to assist her in finding a home in a neighboring school district, however, Appellant remained at the previous school. After a year in the new home, Appellant's mother could no longer afford rent after it doubled in price. She testified that her daughters took over the lease so that she could move in with her parents in the new school's attendance zone. The move allowed Appellant to assist his ailing grandfather and her to save money. Appellant testified that he was suspended for one quarter of a game after missing practice to help his grandfather, and then he chose not to attend another game after suffering an ankle injury.

The athletic director at the previous school then testified that he indicated Appellant quit the football program on the Previous Athletic Participation Form (PAPF). However, he did not mark that Appellant moved for athletic reasons. The athletic director stated

Appellant told one of the football coaches that he quit after missing a football game and then transferred to the new school soon after. The athletic director asserted that he still did not have any reason to believe Appellant moved for athletic reasons.

The chair of the DEC then testified that Appellant was denied varsity eligibility for one calendar year with a 2-2 vote based on the timing of the move after being suspended for missing a football game.

Appellant and representatives were afforded the opportunity to respond to other testimonies and give a summary statement. Appellant and his mother maintained that the move was to assist Appellant's ailing grandparents and to save money.

**Decision**

After hearing testimony, the State Executive Committee voted unanimously to grant the appeal, thus overturning the DEC ruling and making the student eligible for varsity competition.