

University Interscholastic League

Waiver Review Board

Case No. 22-1119-01

**DECISION ON APPEAL**

**November 19, 2022**  
**Virtual Meeting**

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On the above date, the University Interscholastic League (UIL) Waiver Review Board (WRB) held a hearing to consider the appeal of the UIL Waiver Officer's decision to deny student/Appellant a parent residency waiver. Student/Appellant was represented at the hearing by his mother, father and coach. The following members of the WRB were present and participated in the decision of this case: Martin Brumit, Dr. Lisa Langston, Dr. Silvia Salinas, Leslie Slovak, and Jimmy Thomas, Chair.

**Background and Facts**

Appellant sought a waiver of the parent residence rule, Section 403 (f) and Section 442, *UIL Constitution and Contest Rules*. Appellant had an option to attend more than one high school within his school district, rather than being assigned to a school according to attendance zones. Due to the appellant electing to attend an IB Program at first opportunity on an intra-district transfer, he was varsity eligible at the school he initially selected. The student subsequently transferred to another school within the district causing him to lose varsity eligibility for one calendar year.

**Waiver Officer's Decision**

The Waiver Officer denied because, in the opinion of the Waiver Officer, the documentation presented did not demonstrate that the circumstances that caused the student to be ineligible were involuntary and/or unavoidable such that the student could not reasonably be expected to comply with the rule, Section 465 of the *UIL Constitution and the Contest Rules*.

**Waiver Review Board Discussion**

Appellant sought to overturn the UIL Waiver Officer's decision to deny a parent residency waiver request. Appellant and representatives were allowed to present facts relevant to the case, answer questions from the WRB and Waiver Officer, and close the hearing with a summary statement. Among other things, WRB members inquired if the student was currently playing at the junior varsity level, and if anyone at the school informed him of eligibility rules before he transferred.

Appellant claimed that he wanted to attend a Biomedical program at his new school rather than the IB program at his previous school. Appellant's mother stated that he was

not enjoying his high school experience, and that his sister was a freshman at the new school so they decided he would transfer. Appellant's father added that they were not aware that Appellant would not be varsity eligible for one year after subsequently transferring and that he has participated at the varsity level since his freshmen year. Appellant's parents concluded that participating on the varsity level would be good for his mental and physical health.

**Decision**

Section 468 (a) of the UIL *Constitution and Contest Rules* states that the WRB's basis for decision will be focused on whether or not the circumstances that caused the student to be ineligible were caused by involuntary and/or unavoidable action such that the student could not reasonably be expected to comply with the rules.

After hearing the argument and evidence presented by the Appellant and representatives, the WRB voted 4-0 to deny the request, thus Appellant remained ineligible for varsity competition.