

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 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 member schools competing in the assigned UIL playing district. The superintendent may designate administrators to represent member schools in a multi-high school district. The superintendent may designate an administrator to represent more than one member 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 Executive 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 Executive Director shall serve as temporary chair and be authorized to call meetings of the member 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 member 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*.

District Executive Committees shall comply with the following:

- (1) **Accounts.** District Executive Committees shall have a UIL member school that is part of the district act as a fiscal agent for the committee. The school acting as the fiscal agent shall hold funds for the committee's use and benefit and provide monthly and annual statements to the committee showing all financial activity.
- (2) **Administrative Assistance.** Should a District Executive Committee decide to have someone other than a member school district employee provide administrative assistance to the committee, the committee may contract for services with a qualified individual to serve in an administrative position using a UIL-approved form that sets forth the terms and conditions of the relationship between the individual, the District Executive Committee and the UIL. In no event shall any person who contracts to perform services with a District Executive Committee be an employee or treated as an employee of the District Executive Committee, the UIL or the University.

- (3) **Approval Authority.** Only a designated UIL member school employee who is employed at the school acting as a fiscal agent may have approval authority on a District Executive Committee account.
- (4) **Training.** All members of a District Executive Committee must take the online training provided by the UIL, including the Attorney General's open meeting training. Information on required courses will be posted on the UIL website.
- (5) **Management Of Funds.** By June 30th of each even numbered year, an account holding District Executive Committee funds, shall, after all of the district's debts are paid, be equitably divided and distributed amongst the schools that have paid funds to the District Executive Committee during the preceding two-year period resulting in a zero-fund balance in the District Executive Committee account(s). After each biennial UIL reclassification and realignment process is complete and the makeup of a district has been determined, funds to finance a district's activities may be assessed to schools that make up a district in the regular course of the District Executive Committee's business meetings.
- (6) **Audit.** An audit of a District Executive Committee financial account and related documentation shall be conducted, at a minimum, every two (2) years by the UIL member school acting as the committee's fiscal agent. This audit may be conducted as part of the fiscal agent school's overall audit. The results of the audit shall be provided to the UIL as part of the financial reporting set forth in part (n), below.
- (7) **Record Keeping.** Each District Executive Committee shall make accurate minutes of all meetings and retain all non-financial records for no less than three (3) years and all financial records for no less than five (5) years. Circumstances, such as legal action, may require records of the District Executive Committee be retained longer than the minimum periods set forth above.
- (8) **Ethics.** All school representatives serving on a District Executive Committee and persons who otherwise perform work on the committee's behalf shall be subject to the Code of Ethics for UIL committees found in Section 33.
- (f) **HEARINGS.** The process for District Executive Committee hearings shall be published in the District Executive Committee Handbook.

- (g) VOTES. Each member school in the assigned district shall have one vote. All votes shall be taken in open session.
- (h) 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*.
- (i) 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 member 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 member 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) *Schools Involved in the Case*. Schools that are involved in a case and not entitled to vote on the matter should only participate by providing witnesses and acting as a source of information during any hearing or deliberation on the case in question.
 - (5) *Transferal of Case*. If the chair determines that fewer than three (3) members of the committee remain entitled to vote in the case, the chair may immediately transfer the record of the case to the State Executive Committee for disposition.
- (j) RESPONSIBILITIES. In addition to those responsibilities found elsewhere in the UIL *Constitution and Contest Rules* for a District Executive Committee, it 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 Member Schools*. The District Executive Committee shall furnish, upon the request of member schools in the district, a list of eligible players submitted by each member 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) *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.
- (6) *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.
- (7) 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*.
- (k) 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.
- (l) 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*.
- (m) CONSEQUENCES OF UNAUTHORIZED COMMITTEE ACTION. The State Executive Committee shall have the authority to reject for post-district competition any member 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.

- (n) **FINANCIAL REPORT.** 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.

Section 29: PENALTIES THE DISTRICT EXECUTIVE COMMITTEE CAN IMPOSE

Subject to the provisions of all subsections below, the following constitute the penalties that may be imposed by the District Executive Committee following a determination of a violation of the UIL *Constitution and Contest Rules*. School district personnel covered by this section include athletic trainers employed by the district and all UIL contest sponsors. (Refer to Sections 50, 51 and 52 for Classification of Violations).

- (a) **FOR STUDENT REPRESENTATIVES.** The penalties that may be imposed by a District Executive Committee on a student representative of a member school for violations of ethics, sportsmanship codes, eligibility rules, contest plans or reporting practices as provided for in Section 50 are: reprimand and individual suspension.
- (1) **Reprimand.** A reprimand shall be in writing and shall state the violation found, with one copy going to the school and one copy being attached to the minutes of the meeting. A reprimand may include a probationary period of up to three (3) years, and may include any reasonable conditions, which, if not fulfilled, may result in a more stringent penalty.
 - (2) **Individual Suspension.** If a District Executive Committee finds that a student has failed to comply with the rules it may suspend the participant student from competition, including practice, in all germane activities for up to three (3) years. Suspension may include a probationary period of up to three (3) years, and may include any reasonable conditions, which, if not fulfilled, may result in additional suspension. For students found to have changed schools for athletic purposes, [Refer to Section 443 (f) (3)]. In regard to a student who intentionally, knowingly, or recklessly

causes bodily injury to a person serving as referee, judge, or other official of an extracurricular activity, see section 33.081 e-1 of the Texas Education Code.

- (b) **FOR MEMBER SCHOOLS.** The penalties that may be imposed by a District Executive Committee on a member school for UIL *Constitution and Contest Rules* violations by member school student representatives, fans, patrons or personnel, of ethics, sportsmanship codes, eligibility rules, contest plans or reporting practices are: reprimand; public reprimand; forfeiture of contest; disqualification from germane activity; and suspension recommended.
- (1) **Reprimand.** A reprimand may be oral or in writing and shall not be published in the *Leaguer*. A penalty stronger than reprimand to the school should be strongly considered in cases involving patron or fan misconduct.
 - (2) **Public Reprimand.** A public reprimand shall be in writing, published in the *Leaguer*, and state the violation found. A public reprimand may include a probationary period of up to three (3) years, and may include any reasonable conditions, which, if not fulfilled, may result in a more stringent penalty.
 - (3) **Forfeiture of Contest.**
 - (A) **Minimum Penalty for Ineligible Contestant.** A District Executive Committee shall forfeit the contest won by the individual or school, as a minimum penalty, if it finds that an individual contestant was not eligible to participate in the contest.
 - (B) **Mandatory Forfeiture for Participation of an Ineligible Student Under Court Order.** If a student who is finally determined to be ineligible participates in a UIL contest under a temporary or other court order, the District Executive Committee shall forfeit the contest.
 - (C) **Violations by Personnel or Participants.** The District Executive Committee may order contests to be forfeited prior to or after the competition for violations of rules by covered school district personnel and/or participants if an unfair advantage was gained.
 - (4) **Disqualification.**
 - (A) **Disqualification from District Honors.** Disqualification from district honors shall deny the awarding of district

championship honors and deny participation in UIL contests beyond the district level for a period of up to three (3) years. This penalty may include a probationary period of up to three (3) years and any reasonable conditions, which if not fulfilled, may result in an extension of the disqualification or recommendation of suspension to the State Executive Committee. The penalty of disqualification may be appealed to the State Executive Committee.

- (B) **Mandatory Disqualification.** The District Executive Committee shall disqualify a member school from all germane activities if the member school or school district has failed materially and knowingly to comply with the *Constitution* and/or *Contest Rules*, or if the member school or school district has knowingly and intentionally permitted an ineligible individual to represent it in a UIL contest, or if the member school or school district has competed against or participated in a tournament with a non-school team composed of one or more UIL member high school students with remaining eligibility in that sport, in violation of Section 1208. The penalty of disqualification may be appealed to the State Executive Committee.

(5) ***Suspension Recommended.***

- (A) **Competing Against a Suspended School.** If a District Executive Committee finds that a member school has knowingly competed with a suspended school in a germane contest or scrimmage, it shall submit to the State Executive Committee its findings and recommend that the member school be suspended.
- (B) **Other Offenses.** If in the opinion of the District Executive Committee the offense is of sufficient gravity to warrant suspension in the germane activity, the committee shall make such recommendation and transmit its findings to the State Executive Committee. The State Executive Committee shall determine whether or not the offending school shall be suspended.

- (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*. 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 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.