

Section 1204: SPORTS OFFICIALS

- (a) AGREEMENT. All officials must be satisfactory to both parties and agreed upon in advance. However, beginning a game with an official constitutes agreement.
- (b) SPORTS OFFICIALS FOR UIL CONTESTS. UIL member schools shall use only sports officials registered with the UIL in all varsity contests including playoffs.
- (1) If UIL registered sports officials are not available for a varsity contest, the involved member schools must receive prior written approval from the UIL Director of Athletics, or his or her designee, to use sports officials who are not currently registered with UIL.
 - (2) In cross-country, golf, swimming and diving, team tennis, tennis, track and field, and wrestling, member schools may select and use non-UIL registered referees (sports officials) for contests.
 - (3) Unless mutually decided otherwise UIL member schools shall use UIL registered officials for non-varsity games.
- (c) REGISTRATION AND ELGIBILITY OF SPORTS OFFICIALS. In order to officiate a UIL varsity contest a sports official must:
- (1) be registered with the UIL in the sports being officiated, and annually provide the UIL with directory information and, as required by law, submit to a criminal background check;
 - (2) be a member in good standing of, and assigned to the contest in a sport for which the official is registered by the local chapter or association of sports officials registered with and recognized by the UIL for that purpose;
 - (3) complete either an initial or a continuing education program regarding UIL rules as prescribed and made available by UIL. Refer to (p)(1) below; and
 - (4) agree to abide by UIL rules, including fee schedules and travel reimbursement guide-
- lines for payment by UIL member schools to a sports official.
- (d) ADMINISTRATION OF REGISTRATION; FEES. UIL shall, consistent with this section, determine and post on its website the process through which an official may annually register with UIL. UIL may charge and collect a fee from sports officials who initiate UIL's registration process in an amount that has been reasonably determined by UIL to be necessary to cover the cost of administering registration and/or the continuing education program as set forth in subsection (p), below. This amount shall be determined annually by UIL and shall be posted on UIL's website and otherwise made available at other places as UIL determines appropriate.
- (e) NEUTRAL OFFICIALS. In all contests, schools should always attempt to secure neutral sports officials.
- (f) HOST RESPONSIBILITY. The responsibility to obtain satisfactory sports officials is upon the host school which shall provide names of officials to the visiting school at least 14 days prior to the contest.
- (g) NOTIFICATION. When names of officials are received by the visiting school, the visiting school shall immediately notify the host school if officials are not satisfactory. Failure of the visiting school to solicit names of officials from the home school within four days of the contest constitutes agreement.
- (h) FAILURE TO SHOW; CHAPTER RULES.
- (1) If agreed upon officials fail to show, the visiting school shall not be in violation by refusing to play. However, earnest effort should be expended to find officials so that the game may be played without additional travel expenses for team and fans. A host school does not have to forfeit the contest unless the District Executive Committee rules that they have been negligent in contracting and securing officials.
 - (2) A sports official's failure to show after being assigned a contest in a manner consistent with the rules and/or policies of a recognized local chapter or association of sports officials constitutes a violation of UIL rules. Schools shall contact the UIL office and identify the officials who did not show for a contest.
 - (3) A recognized local chapter or association of sports officials shall provide UIL with a copy of their most current governing documents, such as its constitutions, rules and by-laws. Such governing documents shall include, but

- are not limited to, rules and/or procedures governing assignment of contests and disciplinary procedures applicable to sports officials who fail to honor a chapter assignment or otherwise violate UIL rules.
- (i) **SCRATCHES.**
- (1) After a school has accepted an official, and then scratches the official prior to a contest, the scratching must be in writing and approved by the superintendent, principal, athletic director or other designated representative. Note: Officials shall not be scratched the day of the game, except by mutual consent of both schools. A copy of the letter must be submitted to the other school and the officiating chapter.
 - (2) When officials who have been previously agreed upon by both teams are scratched, the school scratching the officials shall pay them the fee they would have received had they worked the game minus any travel expenses and shall also pay the additional travel costs in obtaining new officials. If scratched officials obtain another game, they do not have to be paid.
 - (3) UIL discourages indiscriminate scratching of entire chapters except in cases when potential problems could result with fans and/or school employees.
 - (4) Officiating chapters should be fair in their game assignments, offering smaller schools the opportunity to use higher level officials when possible.
 - (5) When officials do not show, or when the previously agreed upon officials do not show and the game has to be rescheduled, the chapter shall be responsible for the rescheduled game fee, unless it is determined by the school that an emergency arose beyond the control of the officials.
- (j) **PENALTY.** The penalty for failure to provide officials is forfeiture of the game or match. The District Executive Committee shall determine whether or not forfeiture is applicable.
- (k) **FEE VIOLATIONS.** The fee listed shall be paid to officials working varsity and sub-varsity contests. If a member school exceeds or pays less than the fee schedule for a contest, the District Executive Committee shall meet as soon as possible to decide if an emergency warranted the fee violation. If the school in question proves an emergency caused the fee violation, the District Executive Committee does not have to assess a penalty.
- (l) **FEE APPROVAL/PAYMENT.** Fees are to be paid by the host school or by the game management as approved by the school. Fees should be paid promptly. Schools that do not pay within 45 days of the contest are subject to the range of penalties listed in Section 29.
- (m) **FLAT FEE SCHEDULE AND TRAVEL REIMBURSEMENT.**
- (1) The flat fee schedule and mileage reimbursement, as approved by the Legislative Council, shall be posted on the UIL website.
- (n) **OTHER ALLOWABLE EXPENSES.**
- (1) *Lodging.* By agreement of the officials and schools, schools may pay lodging.
 - (2) *Ground Transportation.* If prior agreement exists, schools may pay taxi fare, etc., for officials.
- (o) **LIMITATION.** No other item shall be included in payment of officials.
- (p) **OFFICIALS RULES COMPLIANCE PROGRAM(OCP).**
- (1) *Officials Required To Complete Online Rules Compliance Program.* All officials in baseball, basketball, football, soccer, softball, volleyball and wrestling shall annually complete an online Rules Compliance Program approved by UIL. The Officials Rules Compliance Program (OCP) is a condition of registration as prescribed by this section.
 - (2) *Registration List.* UIL shall maintain, verify, and make available to member schools a list of all sports officials registered with UIL.
- (q) **REVOCATION OR SUSPENSION OF REGISTRATION.**
- (1) UIL may revoke or suspend UIL registration of a sports official determined by UIL to have violated the provisions of *UIL Constitution and Contest* rules governing sports officials or other UIL policy applicable to sports officials. Except in cases arising from criminal background checks, before UIL may take action to revoke or suspend a sports official's registration, UIL shall:
 - (A) notify and consult with the local chapter or association of sports officials of which the sports official is a member;
 - (B) allow the local chapter or association 15 days after the date notice is received from the UIL to take action to adjudicate the alleged violation; and
 - (C) if after the 15th day following the date notice is received from UIL the local

- chapter or association has failed to take action against the sports official or takes action UIL finds to be insufficient, UIL may refer the matter to the UIL Sports Officials Committee to consider action against the sports official through a process adopted by the committee. The process adopted shall include provisions for providing notice to the sports official in question of the allegations made and any relevant evidence as well as an opportunity for the sports official, either in writing or in person, to present his or her case to the committee.
- (D) UIL shall advise both the sports official and the local chapter or association of sports officials in writing of any decisions and any actions taken against the sports official by the UIL Sports Officials Committee, along with any supporting evidence relied upon in reaching a decision. UIL shall maintain copies of the decisions of the UIL Sports Officials Committee for purposes of establishing precedent and guidance to local chapters or associations in regard to actions and sanctions.
- (2) *Revocation or Suspension of Registration*
- (A) Criminal Background Checks. Criminal background checks as described below, a sports official may be disqualified from officiating or otherwise working at a UIL game or event based on the information revealed by a criminal background check or for failure to report convictions as required under this section. A sports official who is disqualified under this process may, after one year, resubmit to the UIL registration, Official Rules Compliance Program and criminal background check process. For purposes of criminal background checks, the term "Sports Official" is defined under Section 33.085 (2), Texas Education Code.
- (B) Initial Processing; Errors In Results. As part of the annual registration of sports officials, the UIL shall itself, or through an appropriate third party, conduct a criminal background check on every team sports official who engages in the registration process under this section and provide, or cause an appropriate third party to provide, the results of the criminal background check to the recognized sports officials' association of which the sports official is a member. All criminal background checks must be conducted in a manner that is consistent with UT Austin and UT System rules and regulations. The Executive Director may enter into agreements with recognized sports officials associations and other appropriate third parties to implement this section.
- (i) In cases where the criminal background check reveals information that, if true, would require, based on the criteria below, the further review of the sports official, the Sports Officials Association of which the sports official is a member, shall give the sports official notice of the information revealed by the background check and provide the sport official a reasonable opportunity to correct any factual errors in the criminal background check results, such as mistaken identity or dates.
- (ii) Information contained in government records or documents will be presumed to be factually correct absent clear and convincing evidence to the contrary. The mere assertion that the information revealed by the background check is in error or mistaken is, by itself, insufficient to rebut this presumption.
- (iii) A sports official who claims a factual error in the information produced by the criminal background check bears the burden of proof to show the error by clear and convincing evidence. The factual error raised by a sports official must be material to the determination of the sports officials' disqualification from officiating or otherwise working UIL games or events.
- (iv) All UIL recognized sports officials' chapters and associations

- shall adopt a fair and reasonable process for receiving, considering and deciding a challenge or complaint by a member sports official who has registered with the UIL that the information produced by the criminal background check of the sports official contains one or more material factual errors or mistakes.
- (v) Consideration of a claim by a sports official that the criminal background check produced factually incorrect or mistaken results does not require a hearing and may be done by written submission. However, each sports officials' association shall provide written notice to its membership of the process by which such claims will be received, considered and decided.
- (vi) When, after receiving notice from the sports officials' chapter or association regarding the criminal background check results and pending review, a sports official does not respond in writing within five days after receipt of the notice with a claim or challenge to the factual accuracy of the background check's results, it is presumed that the results of the background check are factually correct.
- (C) Review Criteria and Process.
- (i) *Review Criteria.* A sports official shall be subject to review when the results of a criminal background check show that:
- (aa) The sports official has been convicted or placed on deferred adjudication for an offense that would require the individual to register as a sex offender under Chapter 62, Texas Code of Criminal Procedure, which includes but is not limited to, such offenses as continuous sexual abuse of a young child, sexual assault, aggravated sexual assault; or an offense under the laws of another state or federal law that is equivalent to an offense requiring registration.
- In such cases, the sports official shall be reviewed by the sports officials chapter or association of which the official is a member and shall be disqualified from officiating or otherwise working UIL games or events unless a compelling justification to waive this standard is articulated in writing by the sports officials' chapter or association. The written request for an exception to this standard must be approved by the UIL Sports Officials Committee and in accordance with the rules and policies of The University of Texas at Austin, including UTS 124, *Criminal Background Checks*.
<http://policies.utexas.edu/policies/criminal-background-checks>
- (bb) The sports official has been convicted of a felony involving theft, bodily injury or threats of bodily injury, weapons and destruction of property during the prior seven-year period.
- (cc) The sports official has been convicted of drug or alcohol-related felony offenses in the prior seven-year period.

od. In such cases, the sports official shall be reviewed by the sports officials' chapter or association in which the sports official is a member and may be disqualified from officiating or otherwise working at UIL games or events.

- (ii) *Process.* Upon resolution of any issues or complaints concerning the factual accuracy of the results of the criminal background check, if the review criteria is met, the sports officials' chapter or association in which the official in question is a member shall review the information produced by the background check, along with any other relevant information, and make a determination as to whether the official should be disqualified from officiating or otherwise working UIL games or events. The sports officials chapter or association shall make this determination in a manner that is consistent with its established disciplinary process or policy regarding criminal background history and shall provide a clear process in its by-laws or other governance documents; making sure to provide notice of the process to all its members. Any sports official, whose background check reveals information that causes that official to be subject to review and possible disqualification, must be given any notice required by law and at a minimum given the results of the background check along with any other relevant evidence and be provided an opportunity to respond to the decision maker(s), either in person or in writing, in a timely fashion prior to a decision being made. All such reviews must be done on a case-by-case basis.

Except in cases involving review for convictions or deferred adjudication that would require registration as a sex offender under chapter 62, Texas Code of Criminal Procedure and similar offenses as set out above, a sports official who is the subject of review bears the burden of showing that the official does not pose an unreasonable risk of harm to the health, safety or welfare of any participants, spectators or other persons involved with or attending a UIL game or event or to any property or equipment that would be reasonably associated with the game or event. A determination that a sports official is disqualified from officiating or otherwise working a UIL game or event must be based on the available, credible, evidence, including but not limited to, the results of a criminal background check.

- (D) *Self-Reporting Requirement.* A sports official who is registered with the UIL must promptly report to the sports officials chapter or association in which the official is a member any conviction that would make the official subject to review under this section. Any such conviction will cause the sports official to be reviewed as set forth in this section. Failure to promptly report such convictions may cause the sports official to be subject to discipline as set forth in this section.

Refer to Official Interpretations 17-09-11, Appendix I

- (E) *Appeal To The UIL.* Any sports official who has been determined by a sports officials chapter or association to be disqualified from officiating or otherwise working UIL games or events based on the information revealed by the criminal background check may appeal to the UIL Sports Officials Committee. The committee's decision on an appeal is final and is not subject to further UIL review.

The committee shall adopt an appeals process for receiving, considering and deciding appeals made by sports officials who have been disqualified from officiating or otherwise working UIL games or events. The appeals process adopted by the committee must include provisions that give the appealing sports official reasonable notice of the date and time of any hearings or other relevant deadlines as well as provisions for providing copies of any evidence relied on or submitted to a sports officials chapter or association as part of its review process.

- (F) Memberships In Sports Officials Chapter Or Association. Any language in this section notwithstanding, sports officials chapters and associations control their terms of membership. All decisions regarding membership in a sports officials chapter or association are to be determined by the chapter or association.
- (r) CONDUCT AND REPORT OF ALL MAJOR INCIDENTS. Officials shall report all ejections of coaches, players, or fans, or severe verbal and physical abuse, and any major disruptions that occur during a game. Officials shall:
 - (1) hold themselves to the highest standard of conduct before, during, and after any contest and shall not instigate any verbal or physical confrontation;
 - (2) attempt to inform the game administrator immediately following the contest of any major incident, and continue to make reasonable attempts to contact the administrator until successful; and
 - (3) submit a written report from each official involved to the UIL office within 48 hours of the incident.
- (s) LIAISON TO CHAPTERS. It is recommended that officials' chapters secure a liaison school coach, athletic director or administrator to serve as a non-voting member of the board of directors of each chapter.
- (t) NO PROTESTS. A protest based on a game or contest official's decision will not be considered.
- (u) DISPUTES RELATED TO ASSIGNMENT, SCRATCHES, AND/OR PAY OF SPORTS OFFICIALS. In situations where there is a dispute regarding the assignment, scratching, and/or pay of a sports official, a recognized chapter or associa-

tion, and time is of the essence in resolving the dispute, as determined by the UIL Executive Director (or designee), the Executive Director, after consulting with the chair of the UIL Sports Officials Committee, may take any reasonable, necessary action not in contravention of the UIL *Constitution and Contest Rules* to address the situation in the short term and refer any such matter to the UIL Sports Officials Committee for any final resolution that may be necessary.

In situations where time is not of the essence but the situation involving the assignment, scratching, and/or pay of a sports official, a recognized chapter or association is not addressed in the UIL *Constitution and Contest Rules*, the Executive Director may refer the matter to the UIL Sports Officials Committee for resolution through the committee's hearing process.