

Texas Legislature Passes Bill to Address TASO vs. UIL Dispute

By Michael Fitch, TASO Executive Director

Many of you have kept up with HB1775 as it was introduced in the 83rd Legislative Session and as it worked its way through the legislative process. As of today, both the Texas House and Senate have passed HB 1775 and the last step is for Governor Perry to sign it into law. Once that is done, the conflict between TASO and the University Interscholastic League (UIL) will essentially be resolved.

Before I get into the details of the legislation, let me provide some background.

Representative Ed Thompson (R-Pearland) introduced HB1775 at the beginning of the legislative session. The goal of the bill was to help find a resolution to the long and costly TASO-UIL conflict. Representative Thompson has been a TASO member for over four decades, has served on the TASO Football Board of Directors, and was twice president of the TASO Houston Football Chapter. He made it clear from the outset that his desire was to create a bill that both TASO and the UIL could support.

To begin the process, both TASO and the UIL submitted drafts of their ideal versions of the bill. As you might expect, they were vastly different. Over the subsequent weeks and months, there were literally dozens of revisions made by TASO, by the UIL, and by Rep. Thompson personally.

It was during these intense negotiations that I, acting as the TASO Executive Director, consulted the presidents of each of the TASO Divisions – both individually and collectively. Following my internal discussions and with Rep. Thompson's leadership, the revisions to the bill became more highly focused on finding the most important aspects of the dispute and crafting language which both sides agreed would remedy those disputes.

As often happens with important legislation, the final version was one that none of the parties particularly loved. However, as Rep. Thompson said shortly after one of our final negotiation meetings, "Since neither side likes the bill, it must be a good one."

HB1775 was passed out of the House Public Education Committee and soon passed by the entire House. The next step was to get the bill passed by the Senate. Senator Kelly Hancock (R-Fort Worth) carried the bill in the Senate.

Since both TASO and the UIL agreed to the bill that passed out of the House, HB1775 quickly passed out of the Senate Education Committee, and was favorably voted on by the entire Senate. As frequently occurs, other Senators attempted to add amendments to the Senate version, but Senator Hancock, realizing the importance of the legislation, worked very hard to keep amendments off which would have potentially jeopardized the entire bill.

As in most business conflicts and negotiations, neither party achieves 100% of their goals and objectives. While that was the case here, there are very positive aspects of the legislation that will please TASO members.

In the coming weeks, after any action by the Governor, I will provide a complete and thorough section-by-section analysis of the bill and give an overview of its various provisions. At this point, this

is all that can be provided because the all-important “implementation phase” of the legislation is yet to come. The UIL, TASO, Rep. Thompson and Senator Hancock will soon begin discussions on how best to move forward and what will be our next-steps in implementing the new law.

For now, however, please know that from a TASO standpoint, the most important section of the bill is subsection (g) which reads:

“The league may not sponsor or organize or attempt to sponsor or organize any association of sports officials in which the majority of the membership is composed of sports officials who officiate team sports.”

TASO fought hard to keep this language in the bill. This one provision of the bill finally ensures that the UIL cannot have an internal officiating organization or division of its own. While there are several important sections of the bill, subsection (g) is by far the most relevant to our current circumstance with the UIL.

Even before this bill was passed, the UIL Basketball Officials had created their own organization, The Texas High School Basketball Officials Association (THSBOA). Other UILSO chapters in other sports may do something similar to what THSBOA did. This gives TASO the opportunity to differentiate ourselves and further prove our value to the UIL in a positive and competitive way.

HB1775 does allow for a simple registration process on the UIL website. This is consistent with the position TASO has taken for several years now in that TASO has not been opposed to a “simple and basic” registration of our officials. UIL member schools believe they have a right to know who is coming on their campuses as independent contractors, and since the schools are responsible for the safety of their students, that is a valid argument. Officials registering with the UIL will simply provide basic contact information and acknowledge that they will follow the UIL fee and mileage schedule. This is really not an issue since all six TASO Division Boards of Directors and the TASO Board have voted unanimously that our chapters and members will abide by the fee schedule established by the UIL.

Some of you have already contacted me to “explain” your dissatisfaction with this bill. The biggest point of contention is that officials must agree to abide by UIL policies. I have explained many times that the UIL has always had this authority -- maybe not directly, but certainly indirectly -- in having the authority to establish guidelines their member schools must follow.

I know that many of you may not fully agree with the legislative solution encompassed in HB1775 as you might be visualizing all sorts of worst-case-scenarios. Trust me when I tell you that whatever situation your mind may conjure up, my mind has already been there. I know that it may be difficult for some to agree with these new changes, especially if you were not involved in the many strategic meetings, planning sessions, and contentious negotiations leading up to this agreement. I don't expect anyone to truly understand the painful, time consuming, and frustrating efforts that led us to where we are today.

I want you to know that I am so thankful to be the Executive Director of an organization which I care so deeply about. I can tell you that as your Executive Director I truly believe this is the best time with the best circumstances to finally resolve our conflict and move forward together with the UIL. I believe that if we conduct ourselves with the utmost professionalism at this moment, we are in a position to truly move TASO to the next level in the years to come.

With this legislation TASO remains a STRONG and viable organization, an outcome that did not seem possible three years ago. TASO is an organization that I believe is best prepared and equipped to represent the high school officials of Texas. I call on each and every TASO member and chapter to stand with me to make TASO an even stronger organization to better serve the student athletes of Texas.

To do this we acknowledge that, as good as we are, we can get better. We can be better at recruiting, at basic and continuing educational training, at improving on our state and local policies, and at striving to be the best officials we can be.

Both TASO and the UIL owe Representative Thompson and Senator Hancock an extreme debt of gratitude for their personal and professional resolve in bringing this dispute to a close. I look forward to reporting more to you as the details are worked out in the coming weeks and months.

Now is the time to put the dispute behind us and consider the UIL and TASO as partners along with the coaches and athletic director associations to provide the best high school athletic experience in the country.