

Jennie Knapp and Jason Fenton Win for Public Schools at the 5th Circuit Court of Appeals

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After his child lost eligibility to participate in varsity athletics for

one year upon transferring to another Texas school district, the plaintiff in this case asserted that the prior school district treated his child differently than other students in the information it filled out on the student's Previous Athletic Participation Form (PAPF).

The plaintiff lost a Motion to Dismiss filed by the School District at the Federal Court and appealed that court's decision to the 5th Circuit Court of Appeals. Following the arguments briefed by Underwood litigators [Jennie Knapp](#) and [Jason Fenton](#), and the trial court process, assisted by [Slater Elza](#), the 5th Circuit affirmed the lower court's dismissal of the lawsuit by recognizing that the school district had a rational basis for making the determinations it set forth in the PAPF.

While this case produced a great result for the Underwood client, it was also a significant win for all Texas public school athletic programs that are called upon regularly to exercise their judgment and discretion in completing PAPF forms on student athletes who transfer to other schools.