

# TSSAA sues Arlington High School over injunction that allowed girls basketball team to play in playoffs

GIANNOTTO: [For Arlington girls basketball, the TSSAA has everyone but the kids in mind](#)

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**THE RULING:** [Judge's ruling allows Arlington girls basketball to play in state tournament; TSSAA to appeal](#)

**WHAT HAPPENED AT STATE:** [Following a whirlwind week, Arlington's girls basketball season ends in TSSAA quarterfinals](#)

The court found that the students named in the suit were third-party beneficiaries that have a property right or interest in the contract between TSSAA and member schools. The rights were "likely violated" by TSSAA failing to follow its own requirement of providing a hearing, according to the ruling.

Colbert said that TSSAA planned to appeal the decision, but that Arlington ended up dropping the suit. .

"We filed that motion and the day before the motion was to be heard, the plaintiffs non-suited their case," Colbert said. "In Tennessee you have a right to non-suit and re-file in a year. What we're faced with is the prospect of on the eve of the basketball tournaments this coming year when they're still on restrictive probation under our decision, they could file a lawsuit and get another injunction."

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## **Arlington at Collierville girls basketball**

TSSAA asserts that the contract is between TSSAA and its member schools, not third-party individuals. It mentioned that TSSAA membership is open to schools only, not individuals.

Treating students as third-party individuals, is: "inconsistent with established Tennessee law... that inconsistency creates uncertainty for TSSAA in how to conduct itself in its contractual relationship with AHS."

Arlington was removed from last season's playoffs after Dyer County girls basketball [Derek McCord was punched in the Arlington parking lot](#) after the Region 7-AAA semifinals, according to a police report.

TSSAA put Arlington on restrictive probation, banned the girls basketball team from the playoffs for two years, and imposed a fine of \$2,000.

Arlington submitted its own list of self-imposed sanctions, but TSSAA went with the restrictive probation. Arlington parents asked the court for an injunction, and the injunction was granted. Arlington was able to play the game, beat Collierville in the sectionals and advance to the

Class AAA quarterfinals, where it fell to Murfreesboro Blackman.

In the interest of preventing situations like this in the future, TSSAA asked the court to serve Arlington so that it would be required to answer, that the court expedite the proceedings and for the court to declare that the student defendants are not intended third-party beneficiaries who do not have standing to sue for breach of contract. It also asked the court to declare that participation in interscholastic athletics is privilege, not a constitutional right or a property right to which due process attaches.

"There is a vehicle for the school to appeal that decision, but there is not a vehicle for individual students to appeal it.," Colbert said. "And frankly, TSSAA is a small organization that's got 18 total employees. We've got 430 member high schools and about 400 member middle schools. We've got 140,000 kids statewide playing sports every year, if individual students had rights to appeal decisions TSSAA makes it would be a completely unworkable mechanism."