TO: Directors of Tennis Academies in South Carolina

FROM: Alexandria Howard, Competition Coordinator, USTA South Carolina DATE: April 6, 2015

SUBJECT: Clarification of South Carolina Junior Residency Policy

With the rapid growth of tennis academies in South Carolina, including players from outside of the state and foreign players, it is imperative that as key staff in managing roles at these academies you are aware of the South Carolina Policy on Residency for Junior Division Closed Tournaments and State Ranking. The purpose of the policy is to set criteria for determining the residency status of junior players in the state. This is a policy in which you should be well‐versed in order to communicate the appropriate eligibility information to your staff, coaches, players, and parents.

**Eligibility for Ranking/Standing/State Closed Tournaments**

Players must establish residency in South Carolina to earn a ranking in the state. A player’s residence for purposes of establishing his/her eligibility is the player’s legal residence. A person’s legal residence is his/her permanent dwelling place. It is the place where he/she is physically present with the intent to remain there indefinitely and return when absent. **A junior player’s legal residency is that of the parent(s) or guardian who has legal custody.** Shown below is an excerpt from the policy:

“Participation in Junior Division closed USTA South Carolina State Championships and the award of annual rankings shall be limited to players who have established a legal residency in South Carolina, hold a current United States Tennis Association membership assigned to South Carolina and are citizens of the United States of America or meet the resident alien requirements for a USTA National ranking. In the case of a junior player, legal residency is that of the parent(s) or guardian who has legal custody.

Resident alien status includes: permanent alien residents (“green card” holders); aliens who have resided in the United States continuously for more than one year and are members of families of persons in the diplomatic or consular corps; aliens with Refugee Status; aliens with Asylee Status; aliens with Temporary Protected Status; aliens with Adjustment Status. Foreign students on a student visa are not considered resident aliens.”

To summarize, players must be citizens of the United States or meet the resident alien requirements for a USTA National Ranking in order to be eligible for a ranking in South Carolina and the Southern Section. Moreover, players must establish legal residency in South Carolina in order to be eligible for a ranking in South Carolina. **A junior player’s legal residency is that of the parent(s) or guardian who has legal custody.** The examples below are provided as a guide to determine which events and rankings for which your players are eligible.

**Player’s Residency is within the Southern Section**

If a player resides in a state within the Southern Section, meets the citizenship requirements listed

above, and attends your academy, the following is applicable:

 Player will remain a USTA member in his/her home state

 Player will have a state ranking in his/her home state

 Player may participate only in State Closed Championships in his/her home state

 Player is required to participate in the home state’s Qualifier to advance to the Southern Closed Championships

 Player is required to participate in the June Southern Closed Championships to qualify for

the National Championships, based on Southern Endorsement requirements

 Player is eligible for Southern Ranking, and is thus eligible for various Southern

tournaments, including but not limited to:

o Southern Closed Championships

o Bullfrog Designated

o Southern L3

 Player is eligible for National Ranking

**Player’s Residency is outside the Southern Section**

If a player resides in a state outside of the Southern Section, meets the above citizenship

requirements, and attends your academy, the following is applicable:

 Player will remain USTA member in home state/district

 Player will have a ranking in their home state/district/section

o Player will NOT be eligible for USTA Southern Ranking or SC Ranking

 Player must to go through their home section to qualify for the National Championships

based on their section’s endorsement requirements

 Player is eligible for the following USTA Southern & USTA South Carolina Tournaments:

o Southern L3 tournaments

 Selection is based first on USTA Southern ranking. Out‐of‐section players

will be placed at bottom of alternate list.

o Southern L4 tournaments ‐Open State Championships

 Some of these events have limited draws and selection may be based on

their respective state rankings.

o Southern L5 tournaments

o South Carolina L3‐L5 tournaments

 Player is eligible for National Ranking

**Player’s Residency lies outside the US**

If a player’s residency lies outside of the United States but he/she attends your academy, they must meet the resident alien requirements outlined above in order to obtain a ranking in South Carolina and the Southern Section. Player must have USTA Membership to participate in sanctioned USTA events.

Foreign players who do not meet alien requirements are not eligible for a South Carolina, Southern, or National Ranking. The chart below shows which tournaments these players can and cannot participate in:

|  |  |
| --- | --- |
| **Eligible**  | **Ineligible** |
| Southern L3 tournaments\*   | South Carolina Closed Championships, including State Qualifier  |
| Southern L4 tournaments\*\*  | Southern Closed Championships |
| Southern L5 tournaments  | Southern Designated Tournaments (Bullfrogs)  |
| South Carolina L3‐5 Tournaments  | USTA National Championships |

\* Selection is based first on USTA Southern Standing. Out of section players will be placed at bottom of alternate list.

\*\* Some of these events have limited draws and selection may be based on their respective state rankings.

Foreign players who meet the citizenship/resident alien requirements **AND** whose parents meet

the SC residency requirements are eligible for the following:

 South Carolina, Southern Section, and National Ranking

 South Carolina Closed Championships, including State Qualifier

 Southern tournaments, including, but not limited to:

o Southern Closed Championships o Southern Designated (Bullfrogs) o Southern L3

 National Tournaments

A player must have his/her birth certificate on file with USTA Southern in order for him/her to participate in the State Qualifier, Southern Designated Tournaments, and the National Championships. To submit, please fax a copy of the players’ birth certificate to USTA Southern, Attn: Deborah Howard at 770‐368‐9091 or e‐mail to howard@sta.usta.com.

If you have players who have appeared on standings lists who DO NOT MEET the alien requirements to obtain a ranking AND/OR the residency requirements for South Carolina, please notify Alexandria Howard immediately at 800‐644‐7282 or email howard@sctennis.com with the player’s name, USTA Membership Number, and age division so that they may be removed from the applicable standings lists.

Enclosure: South Carolina Policy on Residency for Junior Division Closed Tournaments and State Ranking

**Policy on Residency for Junior Division Closed Tournaments and State**

**Ranking**

**Purpose:** Entry into South Carolina closed tournaments and eligibility for state ranking are limited to residents of South Carolina. This policy sets forth the criteria for determining the residency status of junior players in South Carolina. It is the intent of this policy that no one should be allowed to participate in closed tournaments or be ranked in two or more USTA Districts during any single ranking year.

**Policy:** Participation in Junior Division closed USTA South Carolina State Championships and the award of annual rankings shall be limited to players who have established a legal residency in South Carolina, hold a current United States Tennis Association membership assigned to South Carolina and are citizens of the United States of America or meet the resident alien requirements for a USTA National ranking. In the case of a junior player, legal residency is that of the parent(s) or guardian who has legal custody.

Resident alien status includes: permanent alien residents (“green card” holders); aliens who have resided in the United States continuously for more than one year and are members of families of persons in the diplomatic or consular corps; aliens with Refugee Status; aliens with Asylee Status; aliens with Temporary Protected Status; aliens with Adjustment Status. Foreign students on a student visa are not considered resident aliens.

In establishing the residency of a player (or their parent or guardian) in South Carolina, the

Association follows the criteria adopted by the Southern Section, stated as follows:

A person's legal residence is his/her permanent dwelling place. It is the place where he/she is generally understood to reside with the intent to remain there indefinitely and return when absent. There must be a concurrence of actual residence and of intent to remain

indefinitely to acquire legal residence. Examples of evidence of residence are as follows:

1. Employment in South Carolina,

2. Location of residence of the individual,

3. Location of eligibility of voter registration,

4. Location of individual's personal property and payment of taxes thereon,

5. Place where the individual has filed and paid state income tax,

6. Address and other pertinent facts listed on federal and state income tax returns,

7. Address listed on credit cards,

8. State where individual's personal automobile title is registered and the payment of property tax thereon.

9. Address on individual's drivers license.

The above are only examples of many factors that might reveal one's true intent with regard to residency. Intent should not be determined on the basis of one of these facts alone; neither should a predetermined number of facts be required. Instead, all the facts that tend to display intent to become a legal resident of South Carolina should be considered.

The burden of proof of eligibility for entry to USTA South Carolina closed tournaments and for USTA South Carolina ranking is on the player seeking to be declared eligible.

Juniors who desire to qualify for the Southern Closed Championships from South Carolina will be required to play in the association Qualifying Tournament or receive a waiver from the association Boys or Girls Endorser if they are legal residents of this District (state) on the May 15 immediately preceding the association Qualifying Tournament.

Junior players who meet any one of the following criteria can register their intent to participate in closed state championship tournaments in SC and/or receive a ranking in this state if their parents are residents of South Carolina:

1. Juniors going to school/college outside of South Carolina;

2. Juniors who spend time with joint-custody parents;

3. Players who live in more than one location during the year; and

4. Family members of the military.

The intent must be registered in writing with the association Office before the first closed tournament held by the association during the ranking year in question.

If a player (or parent/guardian acting on his or her behalf) wishes to determine if their eligibility as a SC resident is valid, the player may request a written determination of their eligibility by the USTA SC Junior Competition Committee. Such request, in writing, must precede, by at least 15 days, the commencement of any closed tournament which the player wishes to enter. In the case of ranking, the request must be submitted within the prescribed appeals period for USTA South Carolina rankings. Aside from the criteria listed above, the Junior Competition Committee may consider other extenuating circumstances. A decision of the Junior Competition Committee may be grieved to the Grievance Committee.

A player (or parent/guardian acting on his or her behalf) may contest the residency of another player by filing a written grievance to the USTA SC Grievance Committee. The grievance must be submitted within ten days of completion of a closed tournament that the player in question has entered. In the case of ranking, the grievance must be submitted within the prescribed appeals period for a USTA South Carolina ranking.

Determinations by the Grievance Committee may be appealed, in writing, within ten days, to the USTA South Carolina Executive Committee.

**Board Approval Date:** February 1, 2008, revised by BPC August 25, 2009.