

BILL ANALYSIS

C.S.H.B. 547
By: Frank
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current University Interscholastic League (UIL) policies, home-schooled students are prohibited from participating in extracurricular activities such as sports, theater, and musical competitions. In recent years, some parents of home-schooled students have chosen to organize and enroll their children in private athletic leagues or other creative outlets. However, it has been noted that some families with home-schooled children are of limited economic means or live in rural areas that do not have access to these activities. C.S.H.B. 547 seeks to address this issue by providing home-schooled students who are eligible to participate in UIL activities the option to participate in those activities in their local public school district if the district offers the option.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 547 amends the Education Code to authorize a public school that participates in an activity sponsored by the University Interscholastic League (UIL) to provide a home-schooled student who otherwise meets UIL eligibility standards with the opportunity to participate in the activity on behalf of the school in the same manner that the school provides that opportunity to its enrolled students. The bill subjects a home-schooled student who seeks to participate or participates in a UIL activity on behalf of a school to certain relevant policies that apply to students enrolled in the school.

C.S.H.B. 547 makes the parent or person standing in parental relation to a home-schooled student responsible for oversight of academic standards relating to the student's participation in a UIL activity. The bill sets out the following provisions regarding academic proficiency:

- requires the student, as a condition of eligibility to participate during the first six weeks of a school year, to demonstrate grade-level academic proficiency by means of certain nationally recognized standardized test scores and establishes target score ranges;
- requires a district to accept test results administered or reported by a third party;
- establishes that a student's demonstration of academic proficiency is sufficient for determining eligibility for the school year in which it occurs and the subsequent school year; and

- requires the student's parent or person with parental standing, periodically after the first six weeks of a school year, to provide written verification to the school that the student is receiving a passing grade in each course or subject.

The bill prohibits the UIL from prohibiting a home-schooled student from participating in UIL activities in the manner authorized by the bill. The bill's provisions expressly do not authorize a home-schooled student to participate in a UIL activity during the remainder of any school year during which the student was previously enrolled in a public school.

C.S.H.B. 547 prohibits its provisions from being construed to permit any governmental body to exercise control, regulatory authority, or supervision over a home-schooled student or the student's parent or person with parental standing with respect to the student's education program beyond the control, regulatory authority, or supervision required to participate in a UIL activity. The bill establishes the following limitations on regulation of an education program provided to a home-schooled student, subject only to applicable UIL eligibility requirements:

- specified aspects of a program may not be required to be changed for the student to participate in a UIL activity; and
- a program provided to a home-schooled student who was participating in that program on January 1, 2021, may not be required to comply with any state law or Texas Education Agency rule relating to that program unless the law or rule was in effect on that date.

C.S.H.B. 547 applies beginning with the 2021-2022 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 547 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The original required a public school that participates in UIL activities to provide an eligible home-schooled student with the opportunity to participate in those activities, whereas the substitute authorizes such a public school to provide that opportunity.