

BILL ANALYSIS

Senate Research Center

S.B. 100
By: Patterson
Education
1-27-97
As Filed

DIGEST

Currently, Texas law does not provide for the participation of children enrolled in private school or in home school in University Interscholastic League (UIL) events. These events include scholastic, artistic, and athletic events. S.B. 100 sets forth specific guidelines to allow for the participation of home school students in UIL activities and provides additional funding to support home school student involvement in these activities. This bill also establishes penalties for violation of the rules and guidelines set forth in the bill.

PURPOSE

As proposed, S.B. 100 sets forth specific guidelines regarding the participation of a home school student in an activity sponsored by the University Interscholastic League.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the State Board of Education under SECTION 1 (Sec. 33.086(d), Education Code), of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 33D, Education Code, by adding Section 33.086, as follows:

Sec. 33.086. INTERSCHOLASTIC LEAGUE PARTICIPATION BY HOME SCHOOL STUDENTS. Provides that each home school student entitled to attend school under Section 25.001(a) is entitled to participate in an activity sponsored by the University Interscholastic League on behalf of the school district the student is eligible to attend, if the board of trustees of that school district adopts a policy authorizing home school students to participate in league-sponsored activities.

(b) Provides that home school students are not exempt from satisfying, as provided by league rule, each eligibility requirement for participating in a league-sponsored activity other than class attendance requirements.

(c) Requires the home school instructor to provide to the principal of the school to which the student is assigned for participation in extracurricular activities an affidavit affirming that the student is meeting certain specified academic requirements.

(d) Provides that for each home school student who participates in one or more league-sponsored activities under this section, the school district is entitled to receive \$300 from the foundation school fund for each school year. Authorizes the State Board of Education to adopt rules requiring a home school student to participate in a league-sponsored activity for a minimum period to qualify the school district for payment under this subsection, or prorating the amount paid to a school district if a home school student fails to complete at least one league-sponsored activity during the school year.

(e) Authorizes the commissioner of education (commissioner) to impose on the league an administrative penalty after providing the league with the opportunity for a hearing, if the league fails to allow a student entitled and eligible to participate under Subsections (a) and

(b). Provides that the imposition of a penalty under this subsection is considered to be a contested case under Chapter 2001, Government Code. Authorizes the commissioner to designate a hearing examiner to conduct a hearing under this subsection and to make a recommendation to the commissioner.

(f) Sets forth the minimum and maximum administrative penalties.

(g) Sets forth the guidelines to be used in assessing administrative penalties.

(h) Requires a penalty collected under this section to be deposited in the state treasury to the credit of the foundation school fund.

SECTION 2. Provides that this Act applies beginning with the 1997-1998 school year.

SECTION 3. Emergency clause.

Effective date: upon passage.