

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1943
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Education
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A private school in San Antonio has been denied membership to the Texas Association of Private and Parochial Schools (association) which creates rules for, and sometimes administers, almost all athletic and academic contests for non-public high schools. The University Interscholastic League (UIL), the counterpart organization for public schools in Texas, has also denied membership for this same private school.

UIL previously allowed membership to private schools, such as Jesuit College Preparatory School of Dallas and Strake Jesuit College Preparatory of Houston, in an agreement centered on the fact that these non-public schools were ineligible for any other statewide extracurricular organization, but only after much litigation.

The value of extracurricular activities for educational institutions is critical and requires membership in an oversight organization, such as the association and UIL. Private schools that have no statewide membership alternative should be allowed to participate as members of UIL in this limited circumstance if they meet minimum requirements of UIL.

C.S.S.B. 1943 requires UIL to admit private schools under certain conditions.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the University Interscholastic League in SECTION 1 (Section 33.0831, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 33, Education Code, by adding Section 33.0831, as follows:

Sec. 33.0831. PARTICIPATION IN UNIVERSITY INTERSCHOLASTIC LEAGUE ACTIVITIES. (a) Defines "private school."

(b) Prohibits the University Interscholastic League (UIL) from denying a school or its students the opportunity to participate in an activity sponsored by UIL or the opportunity to become a member of an appropriate UIL district or otherwise discriminating against a school or its students because the school is a private school.

(c) Provides that this section does not exempt a private school or its students from satisfying each eligibility requirement imposed by this subchapter (Extracurricular Activities) or UIL for participating in a UIL activity or UIL district sponsored by UIL.

(d) Requires a private school seeking to participate in a UIL activity or to become a member of a UIL district to apply to UIL on a signed form prescribed by UIL. Requires the private school to certify its eligibility under this subchapter (Extracurricular Activities) and UIL rules in the application and to attach proof of accreditation. Prohibits UIL from imposing eligibility requirements for private schools that exceed the requirements of this subchapter or UIL rules for public schools or require proof of eligibility that exceeds the proof required of public

schools. Requires UIL, on approval of an application, to issue a certificate of approval to the applicant school. Provides that the application and certificate of approval are governmental records for purposes of Section 37.10 (Tampering With Governmental Record), Penal Code.

(e) Requires UIL to multiply the private school's enrollment by two and place the private school in an appropriate UIL district based on that enrollment figure, and provides that such placement cannot be lower than the 2A level.

(f) Authorizes UIL to adopt rules designed to discourage an eligible private school from recruiting any student to attend the school for the purpose of participating in a UIL activity. Prohibits a rule adopted under this subsection from being designed to discriminate against an eligible private school.

(g) Sets forth certain criteria required of a private school to be eligible under this section.

SECTION 2. Makes application of this Act prospective to the 2007-2008 school year.

SECTION 3. Effective date: upon passage or September 1, 2007.