

BILL ANALYSIS

Senate Research Center

S.B. 2046
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 1913, the Texas Legislature established the University Interscholastic League (UIL) with the stated purpose of enhancing the educational experience of all Texas students through extracurricular activities in order to equip them for good citizenship. The original constitution of the UIL—Article III, Section 1—opened UIL activities to all public and private school students. At that time, UIL's activities were open to home-schooled students.

Currently, over 350,000 students in the state of Texas are home-schooled. Many are deeply involved in their local communities, campaign in local politics, and all pay taxes to support local schools. Nonetheless, these students are barred from participating within UIL activities because of the current policies of the organization.

S.B. 2046 proposes to end UIL's prohibition against home-schooled student participation. The bill prohibits UIL from barring a home-schooled student from participating in UIL activities. Public schools participating in UIL would be required to provide a home-schooled student eligible to participate in UIL activities with the opportunity to participate in the activity on behalf of the school. Home-schooled students participating in a UIL activity on behalf of a public school would be required to comply with that school's policies as a prerequisite for participation. The bill also requires that home-schooled students demonstrate academic proficiency on standardized tests to verify that they are passing at grade level. The intent of these changes is to ensure that home-schooled students who meet the participatory requirements for public school students are allowed to participate in UIL activities. Those students who are eligible can audition, try-out, and compete for positions and roles in extracurricular activities at their local school.

S.B. 2046 expands opportunities for home-schooled students, connects these students to their peers, and gives home school families open access to their communities and schools.

As proposed, S.B. 2046 amends current law relating to equal opportunity for access by home-schooled students to University Interscholastic League-sponsored activities and authorizes a fee.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 33, Education Code, by adding Section 33.0833, as follows:

Sec. 33.0833. EQUAL OPPORTUNITY FOR HOME-SCHOOLED STUDENTS TO PARTICIPATE IN UNIVERSITY INTERSCHOLASTIC LEAGUE ACTIVITIES.

(a) Defines "home-schooled student."

(b) Requires a public school that participates in an activity sponsored by the University Interscholastic League (UIL), except as provided by Subsection (g), to provide a home-schooled student, who otherwise meets UIL eligibility standards

to represent that school in a UIL activity, with the opportunity to participate in the activity on behalf of the school in the same manner that the school provides the opportunity to participate to students enrolled in the school.

(c) Provides that a home-schooled student who seeks to participate or who participates in a UIL activity on behalf of a school is subject to the following relevant policies that apply to students enrolled in the school: policies regarding registration, age eligibility, fees, insurance, transportation, physical condition, qualifications, responsibilities, event schedules, standards of behavior, and performance.

(d) Provides that the parent or legal guardian of a home-schooled student is responsible for oversight of academic standards relating to the student's participation in a UIL activity. Requires a home-schooled student, as a condition of eligibility to participate in a UIL activity during the first six weeks of a school year, to demonstrate grade-level academic proficiency on any nationally recognized, norm-referenced assessment instrument, including the Iowa Test of Basic Skills, Stanford Achievement Test, California Achievement Test, and Comprehensive Test of Basic Skills. Provides that a home-schooled student demonstrates the required academic proficiency by achieving a composite, core, or survey score that is within the average or higher than average range of scores, as established by the applicable testing service. Requires a school district, for purposes of this subsection, to accept assessment results administered or reported by a third party.

(e) Provides that a home-schooled student's demonstration of academic proficiency under Subsection (d) is sufficient for purposes of that subsection for the school year in which the student achieves the required score and the subsequent school year.

(f) Requires the parent or legal guardian of a home-schooled student participating in a UIL activity on behalf of a public school to, after the first six weeks of a school year, periodically, in accordance with the school's grading calendar, provide written verification to the school indicating that the student is receiving a passing grade in each course or subject being taught.

(g) Provides that a home-schooled student is not authorized by this section to participate in a UIL activity during the remainder of any school year during which the student was previously enrolled in a public school.

(h) Provides that the UIL may not prohibit a home-schooled student from participating in UIL activities in the manner authorized by this section.

SECTION 2. Provides that this Act applies beginning with the 2015-2016 school year.

SECTION 3. Effective date: upon passage or September 1, 2015.