

By: Gervin-Hawkins

H.B. No. 832

A BILL TO BE ENTITLED

AN ACT

relating to procedures regarding hearings and meetings held by or involving the University Interscholastic League.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 33, Education Code, is amended by adding Subchapter D-1 to read as follows:

SUBCHAPTER D-1. UNIVERSITY INTERSCHOLASTIC LEAGUE HEARINGS AND MEETINGS

Sec. 33.125. DEFINITIONS. In this subchapter:

(1) "League" means the University Interscholastic League.

(2) "Legislative council" means the governing body of the league that proposes, implements, and administers rules and procedures for the league as provided by this chapter.

Sec. 33.126. CONSTITUTION AND CONTEST RULES. (a) The legislative council shall amend the league's constitution and contest rules as necessary to comply with this subchapter and submit the proposed amended constitution and rules to the commissioner for approval. The commissioner may not approve a provision of the proposed constitution or a rule submitted by the league that conflicts with the requirements of this subchapter.

(b) The league's constitution and contest rules must:

(1) clearly describe the procedure, process, and timing for a hearing or meeting held by, the reconsideration of a

1 decision made by, or an appeal taken from a decision made by a  
2 district executive committee of the league or the state executive  
3 committee of the league; and

4 (2) provide a person or school district campus  
5 guidance for actions available following the exhaustion of  
6 administrative remedies.

7 Sec. 33.127. DISTRICT EXECUTIVE COMMITTEE DUTIES. (a) A  
8 district executive committee of the league shall, when holding a  
9 hearing or meeting relating to an alleged violation of a league  
10 contest rule by a person or school district campus:

11 (1) hold the hearing or meeting in a school district in  
12 which the person or campus does not compete;

13 (2) permit the person or campus to object to a member  
14 of the committee's participation in the hearing or meeting due to  
15 the member's conflict of interest and resolve the objection before  
16 holding the hearing or meeting; and

17 (3) allow a person or campus to appeal the decision of  
18 the committee before an administrative law judge in accordance with  
19 Section 33.131.

20 (b) In a hearing by a district executive committee of the  
21 league to determine whether a student changed schools for an  
22 athletic purpose, the committee:

23 (1) must, in determining the purpose of the student's  
24 change in schools, give the greatest weight to the purpose given by  
25 the student's parent or person standing in parental relation;

26 (2) may only consider the student's unhappiness with a  
27 coach at the student's previous school as a minor indicator of the

1 purpose of the student's change in schools;

2 (3) may consider the student's removal from  
3 participation in Amateur Athletic Union athletics or other club  
4 athletics as an indicator of the purpose of the student's change in  
5 schools; and

6 (4) may impose as a penalty for a student determined to  
7 have changed schools for an athletic purpose a prohibition from  
8 varsity league athletics of not more than one year.

9 Sec. 33.128. STATE EXECUTIVE COMMITTEE DUTIES. The state  
10 executive committee of the league:

11 (1) must accept any appeal taken from a decision of a  
12 district executive committee of the league; and

13 (2) may not impose a penalty until the penalty is  
14 reviewed and approved by the commissioner.

15 Sec. 33.129. LEAGUE CONTEST RULES. The rules of the league  
16 shall, for any hearing or meeting by a district executive committee  
17 of the league or the state executive committee of the league  
18 regarding an alleged violation of league contest rules by a person  
19 or school district campus:

20 (1) require the burden of proof to be borne by the  
21 person or campus alleging the violation or the district executive  
22 committee of the league or state executive committee of the league  
23 if the committee alleges the violation;

24 (2) provide that only the minimum penalty applicable  
25 may be imposed for the first violation by the person or campus;

26 (3) require the hearing or meeting to be audio- and  
27 video-recorded and made accessible through the league's Internet

1 website not later than 24 hours after the end of the hearing or  
2 meeting;

3 (4) require the district executive committee of the  
4 league or state executive committee of the league to provide, not  
5 later than five business days before the date of the hearing or  
6 meeting, written notice of the hearing or meeting, including a list  
7 of any evidence or witnesses the committee intends to present at the  
8 hearing or meeting relating to the alleged violation, to each  
9 person or campus involved in the alleged violation;

10 (5) prohibit investigation or use of an anonymous  
11 complaint by the district executive committee of the league or  
12 state executive committee of the league;

13 (6) require testimony presented by a person or campus,  
14 the district executive committee of the league, or the state  
15 executive committee of the league against a person or campus to be  
16 provided in person, under oath, and subject to cross-examination;

17 (7) to the extent practicable, require the Texas Rules  
18 of Evidence to apply to the hearing or meeting in the same manner as  
19 those rules apply in a court of law;

20 (8) require the district executive committee of the  
21 league or state executive committee of the league to ensure the  
22 presence of an attorney licensed in this state at the hearing or  
23 meeting to ensure compliance with applicable law and the league's  
24 constitution and contest rules;

25 (9) permit a person or campus to:

26 (A) be represented by legal counsel; and

27 (B) participate, on the person's or campus's own

1 behalf or through legal counsel, including by allowing:

2 (i) opening statements;

3 (ii) closing statements;

4 (iii) cross-examination of witnesses; and

5 (iv) submission of and objections to

6 evidence consistent with the Texas Rules of Evidence;

7 (10) prohibit the district executive committee of the

8 league or state executive committee of the league from setting a

9 predetermined time limit on the duration of the hearing or meeting;

10 and

11 (11) require the district executive committee of the

12 league or state executive committee of the league to include in any

13 decision of the committee issued after the hearing or meeting

14 written findings of fact addressing the witness testimony and any

15 evidence presented.

16 Sec. 33.130. SUBPOENA. On the motion of any party to a

17 hearing or meeting relating to an alleged violation of league

18 contest rules, a district executive committee of the league or the

19 state executive committee of the league may issue an administrative

20 subpoena to compel the production of records relating to the

21 hearing or meeting or the attendance of any person at the hearing or

22 meeting.

23 Sec. 33.131. ADMINISTRATIVE HEARING. (a) A person or

24 school district campus may submit a motion for hearing to the State

25 Office of Administrative Hearings to contest the decision of a

26 district executive committee of the league regarding an alleged

27 violation of league contest rules by that person or campus. The

1 State Office of Administrative Hearings shall grant a motion timely  
2 submitted under this subsection.

3 (b) The state executive committee of the league shall stay  
4 the imposition of a penalty ordered by a district executive  
5 committee of the league until the State Office of Administrative  
6 Hearings enters a decision in the matter.

7 (c) An administrative law judge who conducts a hearing under  
8 this section shall:

9 (1) consider the matter de novo, without deference to  
10 the decision by the district executive committee of the league;

11 (2) determine whether each hearing or meeting of the  
12 district executive committee of the league at which the alleged  
13 violation was considered was conducted consistently with the laws  
14 of this state and the league's constitution and contest rules, and,  
15 if not and if appropriate, revise the decision and any recommended  
16 penalty; and

17 (3) permit any relevant party to provide testimony or  
18 submit relevant evidence.

19 (d) The administrative law judge shall include in the  
20 judge's decision written findings of fact and recommendations to  
21 the state executive committee of the league for action by that  
22 committee. The judge shall permit a relevant party to timely submit  
23 a motion for reconsideration of the judge's decision before  
24 submitting the judge's decision to the state executive committee of  
25 the league.

26 SECTION 2. Subchapter D-1, Chapter 33, Education Code, as  
27 added by this Act, applies only to a hearing or meeting conducted by

1 a district executive committee, the state executive committee, or  
2 any other committee of the University Interscholastic League  
3 commenced on or after the effective date of this Act. A hearing or  
4 meeting commenced before the effective date of this Act is governed  
5 by the law in effect on the date the hearing or meeting commenced,  
6 and that law is continued in effect for that purpose.

7 SECTION 3. This Act takes effect September 1, 2025.