

By: Ogden

S.B. No. 700

A BILL TO BE ENTITLED

AN ACT

relating to participation by private school students in University Interscholastic League sponsored activities.

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

SECTION 1. Subchapter D, Chapter 33, Education Code, is amended by adding Section 33.087 to read as follows:

Sec. 33.087. PARTICIPATION IN UNIVERSITY INTERSCHOLASTIC LEAGUE ACTIVITIES. (a) The University Interscholastic League may not deny a school or its students the opportunity to participate in an activity sponsored by the league or the opportunity to become a member of an appropriate league district or otherwise discriminate against a school or its students because the school is a private school.

(b) This section does not exempt a private school or its students from satisfying each eligibility requirement imposed by this subchapter or the league for participating in an activity or league district sponsored by the league.

(c) A private school seeking to participate in a league activity or to become a member of a league district shall apply to the league on a signed form prescribed by the league. The private school must certify its eligibility under this subchapter and league rules in the application and must attach proof of accreditation. The league may not impose eligibility requirements for private schools that exceed the requirements of this subchapter

1 or league rules for public schools or require proof of eligibility
2 that exceeds the proof required of public schools. On approval of
3 an application, the league shall issue a certificate of approval to
4 the applicant school. The application and certificate of approval
5 are governmental records for purposes of Section 37.10, Penal Code.

6 (d) To determine the appropriate league district in which an
7 eligible private school with a single-sex student enrollment will
8 participate, the league must multiply the private school's
9 enrollment by two and place the private school in an appropriate
10 league district based on that enrollment figure, provided that the
11 private school is placed in a league district not lower than the 3A
12 level.

13 (e) The league may adopt rules designed to discourage an
14 eligible private school from recruiting any student to attend the
15 school for the purpose of participating in a league activity. A
16 rule adopted under this subsection may not be designed to
17 discriminate against an eligible private school.

18 (f) To be eligible under this section, a private school
19 must:

20 (1) be accredited by an accrediting organization
21 recognized by the agency;

22 (2) offer a four-year high school curriculum;

23 (3) offer interscholastic competition; and

24 (4) require daily student attendance at a specific
25 location.

26 (g) In this section, "private school" has the meaning
27 assigned by Section 39.033(d).

1 SECTION 2. This Act applies beginning with the 2003-2004
2 school year.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2003.