

By: Madla

S.B. No. 658

A BILL TO BE ENTITLED

AN ACT

1 relating to the scheduling of certain University Interscholastic
2 League competitions.
3

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

5 SECTION 1. Subchapter D, Chapter 33, Education Code, is
6 amended by adding Section 33.0812 to read as follows:

7 Sec. 33.0812. SCHEDULING EXTRACURRICULAR ACTIVITIES
8 PROHIBITED IN CERTAIN CIRCUMSTANCES. (a) The State Board of
9 Education by rule shall prohibit participation in a University
10 Interscholastic League area, regional, or state competition on
11 Monday through Thursday of the school week in which the primary
12 administration of assessment instruments under Section 39.023(a),
13 (c), or (l) occurs. The commissioner shall determine the school
14 week during the school year in which the primary administration of
15 assessment instruments occurs for purposes of this subsection.

16 (b) The commissioner shall adopt rules to provide the
17 University Interscholastic League with a periodic calendar of dates
18 reserved for testing for planning purposes under this section. The
19 periodic calendar must be provided at least every three years on or
20 before May 1 of the year preceding the three-year cycle of reserved
21 testing dates.

22 (c) In adopting rules under this section, the commissioner
23 shall:

24 (1) include a procedure for changing, in exceptional

1 circumstances, testing dates reserved under the periodic calendar;

2 (2) define circumstances that constitute exceptional
3 circumstances under Subdivision (1) as unforeseen events,
4 including a natural disaster, severe weather, fire, explosion, or
5 similar circumstances beyond the control of school districts or the
6 agency; and

7 (3) establish criteria for determining whether a
8 University Interscholastic League area, regional, or state
9 competition must be canceled if that event conflicts with a changed
10 testing date.

11 (d) This section does not apply to testing dates on which
12 assessment instruments are administered only to students retaking
13 assessment instruments.

14 SECTION 2. Subsection (e), Section 7.056, Education Code,
15 is amended to read as follows:

16 (e) Except as provided by Subsection (f), a school campus or
17 district may not receive an exemption or waiver under this section
18 from:

19 (1) a prohibition on conduct that constitutes a
20 criminal offense;

21 (2) a requirement imposed by federal law or rule,
22 including a requirement for special education or bilingual
23 education programs; or

24 (3) a requirement, restriction, or prohibition
25 relating to:

26 (A) essential knowledge or skills under Section
27 28.002 or minimum graduation requirements under Section 28.025;

1 (B) public school accountability as provided by
2 Subchapters B, C, D, and G, Chapter 39;

3 (C) extracurricular activities under Section
4 33.081 or participation in a University Interscholastic League
5 area, regional, or state competition under Section 33.0812;

6 (D) health and safety under Chapter 38;

7 (E) purchasing under Subchapter B, Chapter 44;

8 (F) elementary school class size limits, except
9 as provided by Section 25.112;

10 (G) removal of a disruptive student from the
11 classroom under Subchapter A, Chapter 37;

12 (H) at-risk programs under Subchapter C, Chapter
13 29;

14 (I) prekindergarten programs under Subchapter E,
15 Chapter 29;

16 (J) educator rights and benefits under
17 Subchapters A, C, D, E, F, G, and I, Chapter 21, or under Subchapter
18 A, Chapter 22;

19 (K) special education programs under Subchapter
20 A, Chapter 29; or

21 (L) bilingual education programs under
22 Subchapter B, Chapter 29.

23 SECTION 3. A rule adopted under Subsection (a), Section
24 33.0812, Education Code, as added by this Act, does not apply to
25 student participation in a University Interscholastic League area,
26 regional, or state competition for which a contract for the
27 provision of facilities in which the competition will be conducted

1 was entered into before the effective date of this Act.

2 SECTION 4. This Act applies beginning with the 2006-2007
3 school year.

4 SECTION 5. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2005.