

By: Madla

S.B. No. 658

A BILL TO BE ENTITLED

AN ACT

relating to the scheduling of certain University Interscholastic League competitions.

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

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

Sec. 33.0812. SCHEDULING EXTRACURRICULAR ACTIVITIES PROHIBITED IN CERTAIN CIRCUMSTANCES. (a) The State Board of Education by rule shall prohibit participation in a University Interscholastic League regional competition during the school week in which assessment instruments are administered under Section 39.023(a), (c), or (l) and the school week preceding that week.

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

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

(1) include a procedure for changing, in exceptional circumstances, testing dates reserved under the periodic calendar;

(2) define circumstances that constitute exceptional circumstances under Subdivision (1) as unforeseen events,

1 including a natural disaster, severe weather, fire, explosion, or  
2 similar circumstances beyond the control of school districts or the  
3 agency; and

4 (3) establish criteria for determining whether a  
5 University Interscholastic League regional competition must be  
6 cancelled if that event conflicts with a changed testing date.

7 (d) This section does not apply to testing dates on which  
8 assessment instruments are administered only to students retaking  
9 assessment instruments.

10 SECTION 2. Section 7.056(e), Education Code, is amended to  
11 read as follows:

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

15 (1) a prohibition on conduct that constitutes a  
16 criminal offense;

17 (2) a requirement imposed by federal law or rule,  
18 including a requirement for special education or bilingual  
19 education programs; or

20 (3) a requirement, restriction, or prohibition  
21 relating to:

22 (A) essential knowledge or skills under Section  
23 28.002 or minimum graduation requirements under Section 28.025;

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

26 (C) extracurricular activities under Section  
27 33.081 or participation in a University Interscholastic League

1 regional competition under Section 33.0812;

2 (D) health and safety under Chapter 38;

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

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

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

8 (H) at-risk programs under Subchapter C, Chapter  
9 29;

10 (I) prekindergarten programs under Subchapter E,  
11 Chapter 29;

12 (J) educator rights and benefits under  
13 Subchapters A, C, D, E, F, G, and I, Chapter 21, or under Subchapter  
14 A, Chapter 22;

15 (K) special education programs under Subchapter  
16 A, Chapter 29; or

17 (L) bilingual education programs under  
18 Subchapter B, Chapter 29.

19 SECTION 3. A rule adopted under Section 33.0812(a),  
20 Education Code, as added by this Act, does not apply to student  
21 participation in a University Interscholastic League regional  
22 competition for which a contract for the provision of facilities in  
23 which the competition will be conducted was entered into before the  
24 effective date of this Act.

25 SECTION 4. This Act applies beginning with the 2006-2007  
26 school year.

27 SECTION 5. This Act takes effect immediately if it receives

S.B. No. 658

1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2005.