

BILL ANALYSIS

S.B. 1517
By: Janek
Public Education
Committee Report (Amended)

BACKGROUND AND PURPOSE

The "No-Pass No-Play" statute was designed to prioritize the competing interests of high school academic performance and athletic competition. The statute requires a student participating in sports or an extracurricular activity to be suspended from the activity upon receiving a failing grade. The statute also authorizes school districts to exempt certain courses from the requirements. Currently, many school districts utilize their ability to exempt courses, which vary in different school districts, while others do not. Under the current system, student athletes may be discouraged from taking the more challenging courses if it might jeopardize their ability to participate in athletic competition.

As proposed, this bill would standardize the courses that are to be excluded from the requirements of the "No-Pass No-Play" statute, as described below in the EXPLANATION OF AMENDMENTS section.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill amends Section 33.081, Education Code, by amending Subsections (c) and (d) and adding Subsection (d-1) to read as follows:

(c) A student who is enrolled in a school district in this state or who participates in a University Interscholastic League competition shall be suspended from participation in any extracurricular activity sponsored or sanctioned by the school district or the University Interscholastic League after a grade evaluation period in which the student received a grade lower than the equivalent of 70 on a scale of 100 in any academic class other than a course described by Subsection (d-1). A suspension continues for at least three school weeks and is not removed during the school year until the conditions of Subsection (d) are met. A suspension does not last beyond the end of a school year. For purposes of this subsection, "grade evaluation period" means: (1) the six-week grade reporting period; or (2) the first six weeks of a semester and each grade reporting period thereafter, in the case of a district with a grade reporting period longer than six weeks.

(d) Until the suspension is removed under this subsection or the school year ends, a school district shall review the grades of a student suspended under Subsection (c) at the end of each three-week period following the date on which the suspension began. At the time of a review, the suspension is removed if the student's grade in each class, other than a course described by Subsection (d-1), is equal to or greater than the equivalent of 70 on a scale of 100. The principal and each of the student's teachers shall make the determination concerning the student's grades.

(d-1) Subsections (c) and (d) do not apply to an identified honors, advanced placement, international baccalaureate, or dual credit course in the subject area of English language arts, mathematics, science, social studies, economics, or a language other than English. The Texas Education Agency shall review on a biennial basis courses described by this subsection to determine if other courses should be excluded from the requirement that a student be suspended from participation in an extracurricular activity under Subsection (c). Not later than January 1 of each odd-numbered year, the agency shall report the findings under this subsection to the legislature.

The bill provides that the Act applies beginning with the 2007-2008 school year.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

EXPLANATION OF AMENDMENTS

The engrossed Senate Bill provides, in pertinent part, that "Subsections (c) and (d) do not apply to an identified honors, advanced placement, international baccalaureate, or dual credit course in the subject area of English language arts, mathematics, science, social studies, economics, or a language other than English." The amendment strikes this sentence and substitutes the following: "Subsections (c) and (d) do not apply to an advanced placement or international baccalaureate course, or to an honors or dual credit course in the subject areas of English language arts, mathematics, science, social studies, economics, or a language other than English."