

BILL ANALYSIS

Senate Research Center

S.B. 1831
By: Patrick, Dan
Education
4/3/2009
Committee Report (Amended)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The University Interscholastic League (UIL) is the leadership organization in Texas which provides inter-school educational extracurricular academic, athletic, and music competition for schools. UIL membership is primarily given only to public schools, with the exception of two Jesuit college preparatory schools. Private and parochial schools are able to join the Texas Association of Private and Parochial Schools for similar academic, athletic, and music competitions. However, many private and parochial schools seek admission to UIL because of the additional competitive opportunities available through UIL. In addition, private schools located in rural parts of the state have to travel great distances to participate in competitions with other private schools.

S.B. 1831 prohibits UIL from denying private schools or private school students the opportunity to obtain membership in the UIL. The bill requires UIL to allow competition between public and private schools, until the state championship or state-level award, at which point UIL would structure the competition into public and private school brackets or divisions.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the University Interscholastic League in SECTION 1 (Section 33.0831, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 33, Education Code, by adding Section 33.0831 as follows:

Sec. 33.0831. PARTICIPATION IN UNIVERSITY INTERSCHOLASTIC LEAGUE ACTIVITIES. (a) Defines "private school."

(b) Prohibits the University Interscholastic League (UIL) from denying a school or its students the opportunity to become a member of UIL or otherwise discriminating against a school or its students because the school is a private school.

(c) Provides that this section does not exempt a private school or its students from satisfying each rule or eligibility requirement imposed by this subchapter or UIL for participating in an activity or UIL district sponsored by UIL.

(d) Requires a private school seeking to participate in a UIL activity or to become a member of a UIL district to apply to UIL on a signed form prescribed by UIL. Requires the private school to certify its eligibility under this subchapter and UIL rules in the application and to attach proof of accreditation. Prohibits UIL from imposing eligibility requirements for private schools that exceed the requirements of this subchapter or UIL rules for public schools or requiring proof of eligibility that exceeds the proof required of public schools. Requires UIL, on approval of an application, to issue a certificate of approval to the applicant school. Provides that the application and certificate of approval are governmental records for purposes of Section 37.10 (Tampering with Governmental Record), Penal Code.

(e) Requires UIL to multiply the private school's enrollment by two and place the private school in an appropriate UIL district based on that enrollment figure, provided that the private school is placed in a UIL district not lower than the 4A level, to determine the appropriate UIL district in which an eligible private school will participate.

(f) Requires UIL, for each UIL activity in which competition results in a state championship or state-level award, to structure the competition by dividing the competitors at an appropriate point in the competition into public school and private school brackets or divisions so that at each relevant level of competition a public school is designated as public school champion or award recipient and a private school is designated as private school champion or award recipient.

(g) Authorizes UIL to adopt rules designed to discourage an eligible private school from recruiting any student to attend the school for the purpose of participating in a UIL activity. Prohibits a rule adopted under this subsection from being designed to discriminate against an eligible private school.

(h) Requires a private school, to be eligible under this section, to be accredited by an accrediting organization recognized by the Texas Education Agency; not have had its ability to or eligibility to participate in an association similar to UIL compromised, revoked, or suspended for violating the rules or codes of that association; offer a four-year high school curriculum; offer interscholastic competition; and require daily student attendance at a specific location.

SECTION 2. Provides that this Act applies beginning with the 2010-2011 school year.

SECTION 3. Effective date: upon passage or September 1, 2009.

SUMMARY OF COMMITTEE CHANGES

Committee Amendment #1:

Amends SECTION 1 of the bill, in added Section 33.0831(e), Education Code (page 2, line 11), to strike "4A" and substitute with "2A".

Committee Amendment #2:

Amends SECTION 1 of the bill, in added Section 33.0831, Education Code (page 2, between lines 19 and 20), by inserting Subsection (f-1) to authorize a private school, notwithstanding Subsection (f), participating in league activities during the 2008-2009 school year to continue in subsequent school years to compete in any applicable public school bracket or division established under that subsection and to provide that a private school remains eligible for designation as champion or award recipient under that bracket or division.