

1-1 By: Patrick S.B. No. 1831
1-2 (In the Senate - Filed March 11, 2009; March 20, 2009, read
1-3 first time and referred to Committee on Education; April 7, 2009,
1-4 reported favorably, as amended, by the following vote: Yeas 5,
1-5 Nays 4; April 7, 2009, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: Patrick

1-7 Amend S.B. No. 1831 (Introduced version), in SECTION 1 of the
1-8 bill, in added Subsection (e), Section 33.0831, Education Code
1-9 (page 1, line 55, by striking "4A" and substituting "2A".

1-10 COMMITTEE AMENDMENT NO. 2 By: Williams

1-11 Amend S.B. No. 1831 (Introduced version) in SECTION 1 of the
1-12 bill, in added Section 33.0831, Education Code (page 2, between
1-13 lines 3 and 4), by inserting the following:

1-14 (f-1) Notwithstanding Subsection (f), a private school
1-15 participating in league activities during the 2008-2009 school year
1-16 may continue in subsequent school years to compete in any
1-17 applicable public school bracket or division established under that
1-18 subsection and remains eligible for designation as champion or
1-19 award recipient under that bracket or division.

1-20 A BILL TO BE ENTITLED
1-21 AN ACT

1-22 relating to participation by private school students in University
1-23 Interscholastic League sponsored activities.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter D, Chapter 33, Education Code, is
1-26 amended by adding Section 33.0831 to read as follows:

1-27 Sec. 33.0831. PARTICIPATION IN UNIVERSITY INTERSCHOLASTIC
1-28 LEAGUE ACTIVITIES. (a) In this section, "private school" has the
1-29 meaning assigned by Section 39.033(d).

1-30 (b) The University Interscholastic League may not deny a
1-31 school or its students the opportunity to become a member of the
1-32 league or otherwise discriminate against a school or its students
1-33 because the school is a private school.

1-34 (c) This section does not exempt a private school or its
1-35 students from satisfying each rule or eligibility requirement
1-36 imposed by this subchapter or the league for participating in an
1-37 activity or league district sponsored by the league.

1-38 (d) A private school seeking to participate in a league
1-39 activity or to become a member of a league district shall apply to
1-40 the league on a signed form prescribed by the league. The private
1-41 school must certify its eligibility under this subchapter and
1-42 league rules in the application and must attach proof of
1-43 accreditation. The league may not impose eligibility requirements
1-44 for private schools that exceed the requirements of this subchapter
1-45 or league rules for public schools or require proof of eligibility
1-46 that exceeds the proof required of public schools. On approval of
1-47 an application, the league shall issue a certificate of approval to
1-48 the applicant school. The application and certificate of approval
1-49 are governmental records for purposes of Section 37.10, Penal Code.

1-50 (e) To determine the appropriate league district in which an
1-51 eligible private school will participate, the league must multiply
1-52 the private school's enrollment by two and place the private school
1-53 in an appropriate league district based on that enrollment figure,
1-54 provided that the private school is placed in a league district not
1-55 lower than the 4A level.

1-56 (f) For each league activity in which competition results in
1-57 a state championship or state-level award, the league shall
1-58 structure the competition by dividing the competitors at an
1-59 appropriate point in the competition into public school and private
1-60 school brackets or divisions so that at each relevant level of

2-1 competition a public school is designated as public school champion
2-2 or award recipient and a private school is designated as private
2-3 school champion or award recipient.

2-4 (g) The league may adopt rules designed to discourage an
2-5 eligible private school from recruiting any student to attend the
2-6 school for the purpose of participating in a league activity. A
2-7 rule adopted under this subsection may not be designed to
2-8 discriminate against an eligible private school.

2-9 (h) To be eligible under this section, a private school
2-10 must:

2-11 (1) be accredited by an accrediting organization
2-12 recognized by the agency;

2-13 (2) not have had its ability or eligibility to
2-14 participate in an association similar to the league compromised,
2-15 revoked, or suspended for violating the rules or codes of that
2-16 association;

2-17 (3) offer a four-year high school curriculum;

2-18 (4) offer interscholastic competition; and

2-19 (5) require daily student attendance at a specific
2-20 location.

2-21 SECTION 2. This Act applies beginning with the 2010-2011
2-22 school year.

2-23 SECTION 3. This Act takes effect immediately if it receives
2-24 a vote of two-thirds of all the members elected to each house, as
2-25 provided by Section 39, Article III, Texas Constitution. If this
2-26 Act does not receive the vote necessary for immediate effect, this
2-27 Act takes effect September 1, 2009.

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