

By: Garza

H.B. No. 2322

A BILL TO BE ENTITLED

AN ACT

1
2 relating to equal opportunity for access by private and parochial
3 school students to University Interscholastic League sponsored
4 activities.

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

6 SECTION 1. Subchapter D, Chapter 33, Education Code, is
7 amended by adding Section 33.0832 to read as follows:

8 Sec. 33.0832. EQUAL OPPORTUNITY FOR ACCESS TO UNIVERSITY
9 INTERSCHOLASTIC LEAGUE ACTIVITIES. (a) In this section, "private
10 school" has the meaning assigned by Section 39.033(d).

11 (b) The University Interscholastic League shall provide
12 private and parochial schools with equal opportunity to become
13 members of the league for the purpose of providing their students
14 with access to league activities.

15 (c) This section does not exempt a private or parochial
16 school or its students from satisfying each rule or eligibility
17 requirement imposed by this subchapter or the league for
18 participating in an activity or league district sponsored by the
19 league.

20 (d) A private or parochial school seeking to participate in
21 a league activity or to become a member of a league district shall
22 apply to the league on a signed form prescribed by the league. The
23 school must certify its eligibility under this subchapter and
24 league rules in the application and must attach proof of

1 accreditation. The league may not impose eligibility requirements
2 for private or parochial schools that exceed the requirements of
3 this subchapter or league rules for public schools or require proof
4 of eligibility that exceeds the proof required of public schools.
5 On approval of an application, the league shall issue a certificate
6 of approval to the applicant school. The application and
7 certificate of approval are governmental records for purposes of
8 Section 37.10, Penal Code.

9 (e) The league shall determine the appropriate league
10 district in which an eligible private or parochial school will
11 participate using the same standard the league applies to public
12 schools, provided that the private or parochial school may not be
13 placed in a league district lower than the 1A level.

14 (f) The league may adopt rules designed to discourage an
15 eligible private or parochial school from recruiting any student to
16 attend the school for the purpose of participating in a league
17 activity. A rule adopted under this subsection may not be designed
18 to discriminate against an eligible private or parochial school.

19 (g) To be eligible under this section, a private or
20 parochial school must:

21 (1) be accredited by an accrediting organization
22 recognized by the agency;

23 (2) not have had its ability or eligibility to
24 participate in an association similar to the league compromised,
25 revoked, or suspended for violating the rules or codes of that
26 association within the five-year period preceding the date of
27 application to participate in the league;

- 1 (3) offer a four-year high school curriculum;
- 2 (4) offer interscholastic competition; and
- 3 (5) require daily student attendance at a specific
- 4 location.

5 (h) Notwithstanding any other provision of this section,
6 the league shall implement this section by providing private and
7 parochial schools with equal opportunity to participate in:

8 (1) league academic activities beginning with the
9 2011-2012 school year;

10 (2) league athletic activities at the 1A and 2A league
11 district levels beginning with the spring semester of the 2011-2012
12 school year;

13 (3) league athletic activities at the 3A league
14 district level beginning with the 2012-2013 school year;

15 (4) league athletic activities at the 4A league
16 district level beginning with the 2013-2014 school year; and

17 (5) league athletic activities at the 5A league
18 district level beginning with the 2014-2015 school year.

19 (i) Subsection (h) and this subsection expire September 1,
20 2015.

21 SECTION 2. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2011.