

By: Patrick

S.B. No. 902

A BILL TO BE ENTITLED

AN ACT

relating to participation by private school students in University Interscholastic League sponsored activities.

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

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

Sec. 33.0832. PARTICIPATION IN UNIVERSITY INTERSCHOLASTIC LEAGUE ACTIVITIES. (a) In this section, "private school" has the meaning assigned by Section 39.033(d).

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

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

(d) A private school seeking to participate in a league activity or to become a member of a league district shall apply to the league on a signed form prescribed by the league. The private school must certify its eligibility under this subchapter and league rules in the application and must attach proof of accreditation. The league may not impose eligibility requirements for private schools that exceed the requirements of this subchapter

1 or league rules for public schools or require proof of eligibility  
2 that exceeds the proof required of public schools. On approval of  
3 an application, the league shall issue a certificate of approval to  
4 the applicant school. The application and certificate of approval  
5 are governmental records for purposes of Section 37.10, Penal Code.

6 (e) To determine the appropriate league district in which an  
7 eligible private school will participate, the league must multiply  
8 the private school's enrollment by two and place the private school  
9 in an appropriate league district based on that enrollment figure,  
10 provided that the private school is placed in a league district not  
11 lower than the 4A level.

12 (f) For each league activity in which competition results in  
13 a state championship or state-level award, the league shall  
14 structure the competition by dividing the competitors at an  
15 appropriate point in the competition into public school and private  
16 school brackets or divisions so that at each relevant level of  
17 competition a public school is designated as public school champion  
18 or award recipient and a private school is designated as private  
19 school champion or award recipient.

20 (g) The league may adopt rules designed to discourage an  
21 eligible private school from recruiting any student to attend the  
22 school for the purpose of participating in a league activity. A  
23 rule adopted under this subsection may not be designed to  
24 discriminate against an eligible private school.

25 (h) To be eligible under this section, a private school  
26 must:

27 (1) be accredited by an accrediting organization

1 recognized by the agency;

2 (2) not have had its ability or eligibility to  
3 participate in an association similar to the league compromised,  
4 revoked, or suspended for violating the rules or codes of that  
5 association;

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

7 (4) offer interscholastic competition; and

8 (5) require daily student attendance at a specific  
9 location.

10 SECTION 2. This Act applies beginning with the 2012-2013  
11 school year.

12 SECTION 3. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2011.