

By: Patrick, Ogden

S.B. No. 1214

A BILL TO BE ENTITLED

1 AN ACT
2 relating to equal opportunity for access by private and parochial
3 school students to certain University Interscholastic League
4 sponsored 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 OTHER THAN FOOTBALL OR
10 BASKETBALL. (a) In this section, "private school" has the meaning
11 assigned by Section 39.033(d).

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

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

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

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

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

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

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

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

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

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

6 (h) Nothing in this section affects the right of a private
7 school participating in league activities during the 2010-2011
8 school year to continue participating in league activities in
9 subsequent school years in a manner comparable to the school's
10 participation during the 2010-2011 school year.

11 (i)(1) Notwithstanding any other provision of this section,
12 but subject to Subsection (h), the league shall implement this
13 section by providing private and parochial schools with equal
14 opportunity to participate in:

15 (A) league academic activities beginning with
16 the 2011-2012 school year;

17 (B) league athletic activities, other than
18 football or basketball, at the 1A and 2A league district levels
19 beginning with the spring semester of the 2011-2012 school year;

20 (C) league athletic activities, other than
21 football or basketball, at the 3A league district level beginning
22 with the 2012-2013 school year;

23 (D) league athletic activities, other than
24 football or basketball, at the 4A league district level beginning
25 with the 2013-2014 school year; and

26 (E) league athletic activities, other than
27 football or basketball, at the 5A league district level beginning

1 with the 2014-2015 school year.

2 (2) Nothing in this subsection affects the right of a
3 private school participating in league activities during the
4 2010-2011 school year to continue participating in league
5 activities in subsequent school years in a manner comparable to the
6 school's participation during the 2010-2011 school year.

7 (j) Subsection (i) and this subsection expire September 1,
8 2015.

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