

1-1 By: Patrick S.B. No. 1214
1-2 (In the Senate - Filed March 7, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Education; April 4, 2011,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 5, Nays 2, 1 present not voting;
1-6 April 4, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1214 By: Patrick

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to equal opportunity for access by private and parochial
1-11 school students to University Interscholastic League sponsored
1-12 activities.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter D, Chapter 33, Education Code, is
1-15 amended by adding Section 33.0832 to read as follows:

1-16 Sec. 33.0832. EQUAL OPPORTUNITY FOR ACCESS TO UNIVERSITY
1-17 INTERSCHOLASTIC LEAGUE ACTIVITIES. (a) In this section, "private
1-18 school" has the meaning assigned by Section 39.033(d).

1-19 (b) The University Interscholastic League shall provide
1-20 private and parochial schools with equal opportunity to become
1-21 members of the league for the purpose of providing their students
1-22 with access to league activities.

1-23 (c) This section does not exempt a private or parochial
1-24 school or its students from satisfying each rule or eligibility
1-25 requirement imposed by this subchapter or the league for
1-26 participating in an activity or league district sponsored by the
1-27 league.

1-28 (d) A private or parochial school seeking to participate in
1-29 a league activity or to become a member of a league district shall
1-30 apply to the league on a signed form prescribed by the league. The
1-31 school must certify its eligibility under this subchapter and
1-32 league rules in the application and must attach proof of
1-33 accreditation. The league may not impose eligibility requirements
1-34 for private or parochial schools that exceed the requirements of
1-35 this subchapter or league rules for public schools or require proof
1-36 of eligibility that exceeds the proof required of public schools.
1-37 On approval of an application, the league shall issue a certificate
1-38 of approval to the applicant school. The application and
1-39 certificate of approval are governmental records for purposes of
1-40 Section 37.10, Penal Code.

1-41 (e) The league shall determine the appropriate league
1-42 district in which an eligible private or parochial school will
1-43 participate using the same standard the league applies to public
1-44 schools, provided that the private or parochial school may not be
1-45 placed in a league district lower than the 1A level.

1-46 (f) The league shall adopt rules that prohibit an eligible
1-47 private or parochial school from recruiting any student to attend
1-48 the school for the purpose of participating in a league activity. A
1-49 rule adopted under this subsection may not discriminate against an
1-50 eligible private or parochial school.

1-51 (g) To be eligible under this section, a private or
1-52 parochial school must:

1-53 (1) be accredited by an accrediting organization
1-54 recognized by the agency;

1-55 (2) not have had its ability or eligibility to
1-56 participate in an association similar to the league compromised,
1-57 revoked, or suspended for violating the rules or codes of that
1-58 association within the five-year period preceding the date of
1-59 application to participate in the league;

1-60 (3) offer a four-year high school curriculum;

1-61 (4) offer interscholastic competition; and

1-62 (5) require daily student attendance at a specific
1-63 location.

2-1 (h) Nothing in this section affects the right of a private
2-2 school participating in league activities during the 2010-2011
2-3 school year to continue participating in league activities in
2-4 subsequent school years in a manner comparable to the school's
2-5 participation during the 2010-2011 school year.

2-6 (i) Notwithstanding any other provision of this section,
2-7 but subject to Subsection (h), the league shall implement this
2-8 section by providing private and parochial schools with equal
2-9 opportunity to participate in:

2-10 (1) league academic activities beginning with the
2-11 2011-2012 school year;

2-12 (2) league athletic activities at the 1A and 2A league
2-13 district levels beginning with the spring semester of the 2011-2012
2-14 school year;

2-15 (3) league athletic activities at the 3A league
2-16 district level beginning with the 2012-2013 school year;

2-17 (4) league athletic activities at the 4A league
2-18 district level beginning with the 2013-2014 school year; and

2-19 (5) league athletic activities at the 5A league
2-20 district level beginning with the 2014-2015 school year.

2-21 (j) Subsection (i) and this subsection expire September 1,
2-22 2015.

2-23 SECTION 2. 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, 2011.

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