

1-1 By: Patrick S.B. No. 573
 1-2 (In the Senate - Filed February 14, 2013; February 20, 2013,
 1-3 read first time and referred to Committee on Education;
 1-4 March 12, 2013, reported favorably by the following vote: Yeas 7,
 1-5 Nays 2; March 12, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Patrick	X			
1-8 Lucio	X			
1-9 Campbell	X			
1-10 Duncan		X		
1-11 Paxton	X			
1-12 Seliger	X			
1-13 Taylor	X			
1-14 Van de Putte		X		
1-15 West	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to equal opportunity for access by private and parochial
 1-20 school students to certain University Interscholastic League
 1-21 sponsored activities.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter D, Chapter 33, Education Code, is
 1-24 amended by adding Section 33.0832 to read as follows:

1-25 Sec. 33.0832. EQUAL OPPORTUNITY FOR ACCESS TO UNIVERSITY
 1-26 INTERSCHOLASTIC LEAGUE ACTIVITIES OTHER THAN FOOTBALL OR
 1-27 BASKETBALL. (a) In this section, "private school" has the meaning
 1-28 assigned by Section 39.033(d).

1-29 (b) The University Interscholastic League shall provide
 1-30 private and parochial schools with equal opportunity to become
 1-31 members of the league for the purpose of providing their students
 1-32 with access to league activities other than football or basketball.

1-33 (c) This section does not exempt a private or parochial
 1-34 school or its students from satisfying each rule or eligibility
 1-35 requirement imposed by this subchapter or the league for
 1-36 participating in an activity or league district sponsored by the
 1-37 league.

1-38 (d) A private or parochial school seeking to participate in
 1-39 a league activity or to become a member of a league district shall
 1-40 apply to the league on a signed form prescribed by the league. The
 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 or parochial schools that exceed the requirements of
 1-45 this subchapter or league rules for public schools or require proof
 1-46 of eligibility that exceeds the proof required of public schools.
 1-47 On approval of an application, the league shall issue a certificate
 1-48 of approval to the applicant school. The application and
 1-49 certificate of approval are governmental records for purposes of
 1-50 Section 37.10, Penal Code.

1-51 (e) The league shall determine the appropriate league
 1-52 district in which an eligible private or parochial school will
 1-53 participate using the same standard the league applies to public
 1-54 schools, provided that the private or parochial school may not be
 1-55 placed in a league district lower than the 1A level.

1-56 (f) The league shall adopt rules that prohibit an eligible
 1-57 private or parochial school from recruiting any student to attend
 1-58 the school for the purpose of participating in a league activity. A
 1-59 rule adopted under this subsection may not discriminate against an
 1-60 eligible private or parochial school.

1-61 (g) To be eligible under this section, a private or

2-1 parochial school must:
2-2 (1) be accredited by an accrediting organization
2-3 recognized by the agency;

2-4 (2) not have had its ability or eligibility to
2-5 participate in an association similar to the league compromised,
2-6 revoked, or suspended for violating the rules or codes of that
2-7 association within the five-year period preceding the date of
2-8 application to participate in the league;

2-9 (3) offer a four-year high school curriculum;

2-10 (4) offer interscholastic competition; and

2-11 (5) require daily student attendance at a specific
2-12 location.

2-13 (h) Nothing in this section affects the right of a private
2-14 school participating in league activities during the 2012-2013
2-15 school year to continue participating in league activities in
2-16 subsequent school years in a manner comparable to the school's
2-17 participation during the 2012-2013 school year.

2-18 (i) Notwithstanding any other provision of this section,
2-19 but subject to Subsection (h), the league shall implement this
2-20 section by providing private and parochial schools with equal
2-21 opportunity to participate in:

2-22 (1) league academic activities beginning with the
2-23 2013-2014 school year;

2-24 (2) league athletic activities, other than football or
2-25 basketball, at the 1A and 2A league district levels beginning with
2-26 the spring semester of the 2013-2014 school year;

2-27 (3) league athletic activities, other than football or
2-28 basketball, at the 3A league district level beginning with the
2-29 2014-2015 school year;

2-30 (4) league athletic activities, other than football or
2-31 basketball, at the 4A league district level beginning with the
2-32 2015-2016 school year; and

2-33 (5) league athletic activities, other than football or
2-34 basketball, at the 5A league district level beginning with the
2-35 2016-2017 school year.

2-36 (j) Subsection (i) and this subsection expire September 1,
2-37 2017.

2-38 SECTION 2. This Act takes effect immediately if it receives
2-39 a vote of two-thirds of all the members elected to each house, as
2-40 provided by Section 39, Article III, Texas Constitution. If this
2-41 Act does not receive the vote necessary for immediate effect, this
2-42 Act takes effect September 1, 2013.

2-43 * * * * *