

- SUBJECT:** No pass-no play suspensions and modifications of UIL rules
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 8 ayes — Sadler, Dutton, Grusendorf, Hochberg, Lengefeld, Oliveira, Olivo, Smith
0 nays
1 absent — Dunnam
- WITNESSES:** None
- BACKGROUND:** The University Interscholastic League (UIL), a division of the University of Texas at Austin, promulgates rules that govern all extracurricular competitions for public school students. The State Board of Education (SBOE) must approve or disapprove all UIL rules relating to extracurricular activities and has authority to modify rules as well.
- The no pass-no play rule, first adopted in 1984 under HB 72, now appears in Education Code, sec. 33.081. It states that a student who fails to receive a grade of at least 70 in any academic course, except honors or advanced courses, for any six-week grading period must be suspended from participating in any extracurricular activities for three weeks.
- DIGEST:** HB 3573 would specify that when students are suspended under the no pass-no play rule, the suspension must be for three school weeks.
- The bill also would remove the SBOE’s authority to modify UIL rules. The board would have to approve or disapprove of rules without modification.
- This bill would take effect September 1, 1999.
- SUPPORTERS SAY:** The no pass-no play rule originally was instituted to ensure that public school students put academics ahead of any extracurricular activities. Currently, different school districts treat students on traditional calendars and year-round calendars differently.

When a student on a traditional calendar is suspended for three weeks, that suspension can extend over a break without that time being counted for the suspension. In other words, a student suspended over spring break could experience a four-week suspension. Students on a year-round calendar, however, are not suspended during breaks. Year-round breaks are often much longer, and these students often participate in many events during the break. HB 3573 would resolve the confusion on this issue and would clarify that suspensions under the no pass-no play rule must occur only during school weeks.

Restricting the SBOE from modifying UIL rules that the board already has approved would prevent the integrity of the UIL rule system from being compromised. The UIL develops rules in cooperation with superintendents, principals, and other school officials. Adequate time for modifications is allowed, and any needed modifications can be made during the next rulemaking process. This change would not take away the SBOE's authority to disapprove UIL rules.

OPPONENTS
SAY:

While this bill would equalize the treatment of students subject to no pass-no play suspensions, the penalty attached to no pass-no play would be diluted by allowing students to participate in extracurricular activities over school breaks. Often, the most important activity of a student's calendar can occur during a break, such as tournament playoffs, national conventions, or stock shows.

The authority of the elected SBOE should not be diluted further by prohibiting the board from modifying rules promulgated by an appointed body.

NOTES:

An identical companion bill, SB 1671 by Bernsen, has been referred to the Senate Education Committee.

A related bill, HB 2367 by Wilson, which would allow a suspension from extracurricular activities only when the student's average in all academic classes was below 70 during a six-week grading period, is pending in the House Public Education Committee.