

SUBJECT: Allowing home-schooled students to access UIL-sponsored activities

COMMITTEE: Public Education — committee substitute recommended

VOTE: *After recommitted:*  
7 ayes — Dutton, Lozano, Bernal, Buckley, M. González, Huberty,  
Talarico

6 nays — Allen, Allison, K. Bell, K. King, Meza, VanDeaver

WITNESSES: *March 9 public hearing:*  
For — Jeremy Newman, Texas Home School Coalition; Olivia Lawson;  
Jayla Ward; (*Registered, but did not testify:* Jennifer Allmon, The Texas  
Catholic Conference of Bishops; Kara Alexander; Meagan Corser;  
Shayron Lawson)

Against — Kevin McCasland, Olton ISD; Joe Martin, Texas High School  
Coaches Association; Faith Bussey, Texans for Homeschool Freedom;  
Paula Broadway; Kate Craig; Elise Eaton; (*Registered, but did not testify:*  
Monty Exter, ATPE; Charles Luke, Coalition for Education Funding;  
Grover Campbell, TASB; Barry Haenisch, Texas Association of  
Community Schools; Amy Beneski, Texas Association of School  
Administrators; Mark Terry, Texas Elementary Principals and Supervisors  
Association; Suzi Kennon, Texas PTA; Dee Carney, Texas School  
Alliance)

On — Jamey Harrison, UIL; (*Registered, but did not testify:* Eric Marin  
and Monica Martinez, Texas Education Agency)

DIGEST: CSHB 547 would authorize a public school that participated in an activity sponsored by the University Interscholastic League (UIL) to provide a home-schooled student who otherwise meets UIL eligibility standards with the opportunity to participate in the activity on behalf of the school in the same manner that the school provides that opportunity to its enrolled students. A home-schooled student would mean a student who predominantly received instruction in a general elementary or secondary

education program that was provided by the parent, or a person standing in parental authority, in or through the child's home.

The bill would specify the following provisions regarding academic proficiency for a home-school student to participate in a UIL activity:

- the student, as a condition of eligibility to participate during the first six weeks of the school year, would have to demonstrate grade-level academic proficiency by means of certain nationally recognized standardized test scores and establishes target score ranges;
- a district would be required to accept test results administered or reported by a third party;
- a student's demonstration of academic proficiency would be sufficient for determining eligibility for the school year in which it occurs and the subsequent school year; and
- the student's parent or person with parental standing, periodically after the first six weeks of a school year, would be required to provide written verification to the school that the student was receiving a passing grade in each course or subject.

A home-schooled student would not be authorized to participate in a league activity during the remainder of any school year during which the student was previously enrolled in a public school.

The UIL could not prohibit a home-schooled student from participating in league activities in the manner authorized by the bill.

CSHB 547 would prohibit its provisions from being construed to permit an agency of the state, a public school district, or any other governmental body to exercise control, regulatory authority, or supervision over a home-schooled student beyond that required to participate in a UIL activity.

The bill would establish the following limitations on regulation of an education program provided to a home-schooled student, subject only to applicable UIL eligibility requirements:

- specified aspects of a program may not be required to be changed for the student to participate in a UIL activity; and
- a program provided to a home-schooled student who was participating in that program on January 1, 2021, may not be required to comply with any state law for Texas Education Agency rule relating to that program unless the law or rule was in effect on January 1, 2021.

The bill would apply beginning with the 2021-2022 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.

**SUPPORTERS  
SAY:**

CSHB 547 would provide an opportunity for home-schooled students from across Texas to participate in sports and other extracurricular activities at a local public school. Texas should join the 35 other states with policies that support home-schooled students who want to participate in their favorite school sport or activity.

The bill would authorize but would not require a public school to provide an eligible home-schooled student with the opportunity to participate in University Interscholastic League (UIL) events. Such an opportunity would be especially important for home-schooled students in rural areas that may not offer opportunity for sports participation outside of the local public school.

CSHB 547 contains provisions to ensure that home-schooled students would meet academic standards similar to those required of their public school counterparts for participation in UIL competitions. They would have to demonstrate grade-level proficiency on a nationally recognized, norm-referenced test such as the Iowa Test of Basic Skills.

While some say that UIL participation should be limited to students who attend public schools, the parents of home-schooled students pay taxes for

public schools and school facilities. Concerns that the bill could lead to more government involvement in home schooling are unfounded as that has not occurred in the many other states that allow extracurricular participation by home-schooled students.

**CRITICS  
SAY:**

CSHB 547 would create an imbalance between home-schooled students and public school students who must meet state attendance and academic requirements to be eligible for UIL sports participation. Giving parents responsibility for their children's academic eligibility is problematic and unfair to other students competing for the same opportunities. Participation in UIL activities is a privilege that should be reserved for students who did not opt out of the right to access a public, free education at a Texas school.

**OTHER  
CRITICS  
SAY:**

CSHB 547 essentially would redefine home schooling in Texas in a way that could lead to government regulations. For instance, the bill would require a home-schooled student to demonstrate grade-level proficiency on a nationally recognized, norm-referenced test. This is a higher standard than the requirement that public school students have passing grades in order to be eligible for UIL activities.