

BILL ANALYSIS

Senate Research Center
76R13989 BDH-F

C.S.S.B. 266
By: Armbrister
Education
4/29/1999
Committee Report (Substituted)

DIGEST

Currently, Texas law does not authorize participation by private school students in University Interscholastic League (league) sponsored activities. The current system creates unnecessary travel risks. Private school students must travel hundreds of miles by bus or van to compete in extracurricular activities when there are numerous schools considerably closer with whom they are not eligible to compete. Certain private schools have petitioned the league repeatedly to join, but in every case the petition has been either denied or sent for further study. C.S.S.B. 266 authorizes the league to develop rules to allow private schools to participate in league activities.

PURPOSE

As proposed, C.S.S.B. 266 authorizes participation by private school students in University Interscholastic League sponsored activities.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 33D, Education Code, by adding Section 33.086, as follows:

Sec.33.086. PARTICIPATION IN UNIVERSITY INTERSCHOLASTIC LEAGUE ACTIVITIES. Prohibits the University Interscholastic League (league) from denying a school or its students the opportunity to participate in an activity sponsored by the league or the opportunity to become a member of a league district because the school is a private school. Provides that this section does not exempt a private school or its students from satisfying each eligibility requirement imposed by this subchapter or the league for participating in an activity or league district sponsored by the league. Requires a private school seeking to participate in a league activity or to become a member of a league district to make application to the league on a signed form prescribed by the league. Requires the private school to certify its eligibility under this subchapter and league rules in the application and to attach proof of accreditation. Prohibits the league from imposing eligibility requirements for private schools that exceed the requirements of this subchapter or league rules for public schools or require proof of eligibility that exceeds the proof required of public schools. Requires the league to issue a certification of approval to the applicant school, on approval of the application. Provides that the application and certificate of approval are governmental records for purposes of Section 37.10, Penal Code. Requires the league to multiply the private school's enrollment by two and place the private school in an appropriate league district based on that enrollment figure, to determine the appropriate league district in which an eligible private school will participate, provided that the private school is placed in a league district not lower than the 3A level. Authorizes an eligible private school to draw students only from the same area as the public school district in which the private school is located, for purposes of determining the eligibility of a student to participate in a league activity. Sets forth certain criteria for eligibility under this section.

SECTION 2. Amends Section 39.003, Education Code, as follows:

Sec. 39.033. New heading: ASSESSMENT OF PRIVATE SCHOOL STUDENTS. Requires a private school that participates in a league activity or that is a member of a league district under Section 33.086 to administer an assessment instrument adopted under this subchapter to students

at the school. Authorizes a private school that does not participate in a league activity and is not a member of a league district under Section 33.086 to administer an assessment instrument adopted under this subchapter to students at the school, under an agreement with the agency. Requires a private school that administers an assessment instrument under this section to provide to the commissioner certain information. Requires the agency to aggregate the information described by Section 39.051(b) that relates to students enrolled in a private school separately from the information that relates to other students. Makes conforming changes.

SECTION 2. Provides that this Act applies beginning with the 1999-2000 school year.

SECTION 3. Emergency clause.

Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 33.086, Education Code, to require the league to multiply the private school's enrollment by two and place the private school in an appropriate league district based on that enrollment figure, to determine the appropriate league district in which an eligible private school will participate, provided that the private school is placed in a league district not lower than the 3A level. Authorizes an eligible private school to draw students only from the same area as the public school district in which the private school is located, for purposes of determining the eligibility of a student to participate in a league activity. Sets forth certain criteria for eligibility under this section, including having certain enrollments.

SECTION 2.

Adds new SECTION 2 by amending Section. 39.003, Education Code, to provide a new heading. Sets forth requirements for assessments of private school students.

Redesignates existing SECTIONS accordingly.