

## **BILL ANALYSIS**

Senate Research Center  
79R10024 PAM-D

C.S.S.B. 658  
By: Madla  
Education  
3/16/2005  
Committee Report (Substituted)

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

During the last six months of 2004, through on-site campus tours and visits with superintendents, school board members, and students, it was reported that the scheduling of University Interscholastic League (UIL) regional competition was problematic, especially for rural schools. Performance on the Texas Assessment of Knowledge and Skills (TAKS) was negatively impacted when UIL competitions were scheduled the same week or the week prior to testing. In rural areas, students may travel up to 150 miles to compete at the regional level, and often participate in several events, which further impacts academic performance.

A follow-up survey sent to school districts in Senate District 19 resulted in 21 responses in favor of requesting that UIL regional competitions be prohibited the week of, or prior to, TAKS testing. The prohibition would not apply to practice for extra-curricular activities of any kind or regularly scheduled sports games.

C.S.S.B. 658 prohibits UIL area, regional, or state competitions from being held the week of, or prior to, TAKS testing. It also requires the Texas Education Agency (TEA) to provide UIL a calendar of expected dates of testing three years in advance to allow sufficient time to negotiate contracts and prohibits schools from obtaining a waiver from TEA. C.S.S.B. 658 gives the commissioner of education discretion to cancel testing dates and reschedule the tests in the event of extreme emergencies and allow for rules to be developed regarding UIL rescheduling.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the State Board of Education in SECTION 1 (Section 33.0812, Education Code) of this bill.

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 33.0812, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter D, Chapter 33, Education Code, by adding Section 33.0812, as follows:

Sec. 33.0812. SCHEDULING EXTRACURRICULAR ACTIVITIES PROHIBITED IN CERTAIN CIRCUMSTANCES. (a) Requires the State Board of Education, by rule, to prohibit participation in a University Interscholastic League (UIL) area, regional, or state competition, on Monday through Thursday of the school week in which the primary administration of assessment instruments occurs. Requires the commissioner of education to determine the school week during the school year in which the primary administration of assessment instruments occurs for purposes of this subsection.

(b) Requires the commissioner to adopt rules to provide the UIL with a periodic calendar of dates reserved for testing for planning purposes under this section. Requires the periodic calendar to be provided at least every three years on or before May 1 of the year preceding the three-year cycle of reserved testing dates.

(c) Requires the commissioner, in adopting rules under this section, to consider certain instances in which the calendar can be changed unexpectedly.

(d) Provides that this section does not apply to testing dates on which assessment instruments are administered only to students retaking the assessments.

SECTION 2. Amends Section 7.056(e), Education Code, to prohibit a school campus or district, except as provided by Subsection (f), from receiving an exemption or waiver under this section from a requirement, restriction, or prohibition relating to participation in a UIL area, regional, or state competition under Section 33.0812.

SECTION 3. Makes application of a rule adopted under Section 33.0812(a), Education Code, as added by this Act, prospective.

SECTION 4. Provides that this Act applies beginning with the 2006-2007 school year.

SECTION 5. Effective date: upon passage or September 1, 2005.