

## **BILL ANALYSIS**

Senate Research Center  
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S.B. 573  
By: Patrick  
Education  
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As Filed

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

Private and parochial schools are allowed to compete against public schools in 48 states. Only two states, California and Connecticut, do not allow competition between private and public schools. Texas has very limited competition between public and private schools, with only two private schools being able to participate in University Interscholastic League (UIL) activities.

S.B. 573 allows private schools to join UIL and participate in all activities, other than football and basketball. The bill requires private school members to meet the same eligibility requirements as public school members, and requires UIL to use the same methods as applied to public schools when determining league placement.

S.B. 573 also requires UIL to adopt rules to prevent recruiting; includes an exception for the two Jesuit schools that already participate in UIL; and includes a staggered implementation date.

As proposed, S.B. 573 amends current law relating to equal opportunity for access by private and parochial school students to certain University Interscholastic League sponsored activities.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the University Interscholastic League in SECTION 1 (Section 33.0832, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter D, Chapter 33, Education Code, by adding Section 33.0832, as follows:

Sec. 33.0832. EQUAL OPPORTUNITY FOR ACCESS TO UNIVERSITY INTERSCHOLASTIC LEAGUE ACTIVITIES OTHER THAN FOOTBALL OR BASKETBALL. (a) Defines "private school" in this section.

(b) Requires the University Interscholastic League (UIL) to provide private and parochial schools with equal opportunity to become members of UIL for the purpose of providing their students with access to UIL activities other than football or basketball.

(c) Provides that this section does not exempt a private or parochial school or its students from satisfying each rule or eligibility requirement imposed by this subchapter or UIL for participating in an activity or UIL district sponsored by UIL.

(d) Requires a private or parochial school seeking to participate in a UIL activity or to become a member of a UIL district to apply to UIL on a signed form prescribed by UIL. Requires the school to certify its eligibility under this subchapter and UIL rules in the application and to attach proof of accreditation. Prohibits UIL from imposing eligibility requirements for private or parochial schools that exceed the requirements of this subchapter or UIL rules for public schools or require proof of eligibility that exceeds the proof required of public

schools. Requires UIL, on approval of an application, to issue a certificate of approval to the applicant school. Provides that the application and certificate of approval are governmental records for purposes of Section 37.10 (Tampering with Governmental Record), Penal Code.

(e) Requires UIL to determine the appropriate UIL district in which an eligible private or parochial school will participate using the same standard UIL applies to public schools, provided that the private or parochial school may not be placed in a UIL district lower than the 1A level.

(f) Requires UIL to adopt rules that prohibit an eligible private or parochial school from recruiting any student to attend the school for the purpose of participating in a UIL activity. Prohibits a rule adopted under this subsection from discriminating against an eligible private or parochial school.

(g) Requires a private or parochial school, to be eligible under this section, to meet certain criteria.

(h) Provides that nothing in this section affects the right of a private school participating in UIL activities during the 2012-2013 school year to continue participating in UIL activities in subsequent school years in a manner comparable to the school's participation during the 2012-2013 school year.

(i) Requires UIL, notwithstanding any other provision of this section, but subject to Subsection (h), to implement this section by providing private and parochial schools with equal opportunity to participate in certain UIL activities.

(j) Provides that Subsection (i) and this subsection expire September 1, 2017.

SECTION 2. Effective date: upon passage or September 1, 2013.