

BILL ANALYSIS

Senate Research Center
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S.B. 640
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 1913, the Texas Legislature established the University Interscholastic League (UIL) with the stated purpose of enhancing the educational experience of all Texas students through extracurricular activities in order to equip them for good citizenship. The original constitution of the UIL opened UIL activities to all public and private school students. At that time, UIL's activities were open to home school students. Currently, over 350,000 students in the state of Texas home school. Many are deeply involved in their local communities, campaign in local politics, and all pay taxes to support local schools. Nonetheless, these students are barred from participating within UIL activities because of the current policies of the organization.

S.B. 640 ends UIL's prohibition against home school student participation. Public schools participating in UIL would be required to provide a home-schooled student eligible to participate in league activities with the opportunity to participate in the activity on behalf of the school. Home school students participating in a UIL activity on behalf of a public school would be required to comply with that school's policies as a prerequisite for participation. The bill also requires that home-schooled students demonstrate academic proficiency on standardized tests to verify that they are passing at grade level. These changes ensure that home-schooled students meet the same participatory requirements for public school students before they are allowed to participate in league activities. Those students who are eligible can audition, try-out, and compete for positions and roles in extracurricular activities at their local school. Further, S.B. 640 clarifies and instructs that while home school students may participate in UIL activities, this authorization does not grant the state, school districts, or other governmental organizations additional authority over home school students or parents beyond that required for participation in a league activity. S.B. 640 also instructs that a home school student's curriculum or assessment requirements, performance standards, practices, or education program creed may not be required to be changed in order for the student to participate in a UIL activity.

As proposed, S.B. 640 amends current law relating to equal opportunity for access by home-schooled students to University Interscholastic League sponsored activities; and authorizes a fee.

RULEMAKING AUTHORITY

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

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 HOME-SCHOOLED STUDENTS TO PARTICIPATE IN UNIVERSITY INTERSCHOLASTIC LEAGUE ACTIVITIES. (a) Defines "home-schooled student."

(b) Requires a public school that participates in an activity sponsored by the University Interscholastic League (UIL), except as provided by Subsection (g), to provide a home-schooled student, who otherwise meets league eligibility standards to represent that school in a league activity, with the opportunity to

participate in the activity on behalf of the school in the same manner that the school provides the opportunity to participate to students enrolled in the school.

(c) Provides that a home-schooled student who seeks to participate or who participates in a league activity on behalf of a school is subject to the following relevant policies that apply to students enrolled in the school: policies regarding registration, age eligibility, fees, insurance, transportation, physical condition, qualifications, responsibilities, event schedules, standards of behavior, and performance.

(d) Provides that a parent or person standing in parental relation to a home-schooled student is responsible for oversight of academic standards relating to the student's participation in a league activity. Requires a home-schooled student, as a condition of eligibility to participate in a league activity during the first six weeks of a school year, to demonstrate grade-level academic proficiency on any nationally recognized, norm-referenced assessment instrument, such as the Iowa Test of Basic Skills, Stanford Achievement Test, California Achievement Test, or Comprehensive Test of Basic Skills. Provides that a home-schooled student demonstrates the required academic proficiency by achieving a composite, core, or survey score that is within the average or higher than average range of scores, as established by the applicable testing service. Requires a school district, for purposes of this subsection, to accept assessment results administered or reported by a third party.

(e) Provides that a home-schooled student's demonstration of academic proficiency under Subsection (d) is sufficient for purposes of that subsection for the school year in which the student achieves the required score and the subsequent school year.

(f) Requires the parent or person standing in parental relation to a home-schooled student participating in a league activity on behalf of a public school, after the first six weeks of a school year, to periodically, in accordance with the school's grading calendar, provide written verification to the school indicating that the student is receiving a passing grade in each course or subject being taught.

(g) Provides that a home-schooled student is not 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.

(h) Prohibits UIL from prohibiting a home-schooled student from participating in league activities in the manner authorized by this section.

(i) Requires that nothing in this section, with respect to a home-schooled student's education program, be construed to permit an agency of this state, a public school district, or any other governmental body to exercise control, regulatory authority, or supervision over a home-schooled student or parent or person standing in parental relation to a home-schooled student beyond the control, regulatory authority, or supervision required to participate in a league activity.

(j) Provides that subject only to eligibility requirements under this section for a home-schooled student to participate in a league activity, the curriculum or assessment requirements, performance standards, practices, or creed of the education program provided to a home-schooled student may not be required to be changed in order for the home-schooled student to participate in a league activity, and, for a home-schooled student participating in an education program on January 1, 2017, the education program provided to that student may not be required to comply with any state law or agency rule relating to that education program unless the law or rule was in effect on January 1, 2017.

SECTION 2. Provides that this Act applies beginning with the 2017-2018 school year.

SECTION 3. Effective date: upon passage or September 1, 2017.