

1-1 By: Taylor of Collin S.B. No. 640
 1-2 (In the Senate - Filed January 27, 2017; February 13, 2017,
 1-3 read first time and referred to Committee on Education;
 1-4 April 12, 2017, reported favorably by the following vote: Yeas 8,
 1-5 Nays 2; April 12, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor of Galveston	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Campbell	X			
1-11 Hall			X	
1-12 Huffines	X			
1-13 Hughes	X			
1-14 Seliger		X		
1-15 Taylor of Collin	X			
1-16 Uresti	X			
1-17 West		X		

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to equal opportunity for access by home-schooled students
 1-22 to University Interscholastic League sponsored activities;
 1-23 authorizing a fee.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter D, Chapter 33, Education Code, is
 1-26 amended by adding Section 33.0832 to read as follows:

1-27 Sec. 33.0832. EQUAL OPPORTUNITY FOR HOME-SCHOOLED STUDENTS
 1-28 TO PARTICIPATE IN UNIVERSITY INTERSCHOLASTIC LEAGUE ACTIVITIES.

1-29 (a) In this section, "home-schooled student" has the meaning
 1-30 assigned by Section 29.916.

1-31 (b) Except as provided by Subsection (g), a public school
 1-32 that participates in an activity sponsored by the University
 1-33 Interscholastic League shall provide a home-schooled student, who
 1-34 otherwise meets league eligibility standards to represent that
 1-35 school in a league activity, with the opportunity to participate in
 1-36 the activity on behalf of the school in the same manner that the
 1-37 school provides the opportunity to participate to students enrolled
 1-38 in the school.

1-39 (c) A home-schooled student who seeks to participate or who
 1-40 participates in a league activity on behalf of a school is subject
 1-41 to the following relevant policies that apply to students enrolled
 1-42 in the school: policies regarding registration, age eligibility,
 1-43 fees, insurance, transportation, physical condition,
 1-44 qualifications, responsibilities, event schedules, standards of
 1-45 behavior, and performance.

1-46 (d) The parent or person standing in parental relation to a
 1-47 home-schooled student is responsible for oversight of academic
 1-48 standards relating to the student's participation in a league
 1-49 activity. As a condition of eligibility to participate in a league
 1-50 activity during the first six weeks of a school year, a
 1-51 home-schooled student must demonstrate grade-level academic
 1-52 proficiency on any nationally recognized, norm-referenced
 1-53 assessment instrument, such as the Iowa Test of Basic Skills,
 1-54 Stanford Achievement Test, California Achievement Test, or
 1-55 Comprehensive Test of Basic Skills. A home-schooled student
 1-56 demonstrates the required academic proficiency by achieving a
 1-57 composite, core, or survey score that is within the average or
 1-58 higher than average range of scores, as established by the
 1-59 applicable testing service. For purposes of this subsection, a
 1-60 school district shall accept assessment results administered or
 1-61 reported by a third party.

2-1 (e) A home-schooled student's demonstration of academic
2-2 proficiency under Subsection (d) is sufficient for purposes of that
2-3 subsection for the school year in which the student achieves the
2-4 required score and the subsequent school year.

2-5 (f) After the first six weeks of a school year, the parent or
2-6 person standing in parental relation to a home-schooled student
2-7 participating in a league activity on behalf of a public school must
2-8 periodically, in accordance with the school's grading calendar,
2-9 provide written verification to the school indicating that the
2-10 student is receiving a passing grade in each course or subject being
2-11 taught.

2-12 (g) A home-schooled student is not authorized by this
2-13 section to participate in a league activity during the remainder of
2-14 any school year during which the student was previously enrolled in
2-15 a public school.

2-16 (h) The University Interscholastic League may not prohibit
2-17 a home-schooled student from participating in league activities in
2-18 the manner authorized by this section.

2-19 (i) With respect to a home-schooled student's education
2-20 program, nothing in this section shall be construed to permit an
2-21 agency of this state, a public school district, or any other
2-22 governmental body to exercise control, regulatory authority, or
2-23 supervision over a home-schooled student or a parent or person
2-24 standing in parental relation to a home-schooled student beyond the
2-25 control, regulatory authority, or supervision required to
2-26 participate in a league activity.

2-27 (j) Subject only to eligibility requirements under this
2-28 section, for a home-schooled student to participate in a league
2-29 activity:

2-30 (1) the curriculum or assessment requirements,
2-31 performance standards, practices, or creed of the education program
2-32 provided to a home-schooled student may not be required to be
2-33 changed in order for the home-schooled student to participate in a
2-34 league activity; and

2-35 (2) for a home-schooled student participating in an
2-36 education program on January 1, 2017, the education program
2-37 provided to that student may not be required to comply with any
2-38 state law or agency rule relating to that education program unless
2-39 the law or rule was in effect on January 1, 2017.

2-40 SECTION 2. This Act applies beginning with the 2017-2018
2-41 school year.

2-42 SECTION 3. This Act takes effect immediately if it receives
2-43 a vote of two-thirds of all the members elected to each house, as
2-44 provided by Section 39, Article III, Texas Constitution. If this
2-45 Act does not receive the vote necessary for immediate effect, this
2-46 Act takes effect September 1, 2017.

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