

REPORT OF
THE UNIVERSITY INTERSCHOLASTIC LEAGUE
LEGISLATIVE COUNCIL
STANDING COMMITTEE ON POLICY

JUNE 15, 2021

ON JUNE 15, 2021, THE STANDING COMMITTEE ON POLICY MET IN REGULAR SESSION AT THE AT&T EXECUTIVE EDUCATION & CONFERENCE CENTER IN AUSTIN, TEXAS. BASED UPON ITEMS CONSIDERED, THE COMMITTEE TOOK THE FOLLOWING ACTIONS DURING ITS BUSINESS MEETING.



**Proposed Amendment to the
University Interscholastic League Constitution and Contest Rules**

A. Brief Explanation of Proposed Amendment

This amendment to the UIL Constitution and Contest Rules, UIL-TEA Side by Side and Previous Athletic Participation Form (PAPF) amends UIL rules and policies to comply with HB547 passed by the 87th Legislature.

B. Factual and Policy Justifications

These changes are required to address recent changes implemented by HB547 which allows homeschool students to be eligible for UIL activities, if approved by the local school district.

C. Proposed Amendment

UIL *Constitution and Contest Rules (as well as Reclassification and Realignment policies and the TEA-UIL Side by Side Manual)* would be amended as follows, pending approval by the Commissioner of Education:

Section 5: DEFINITIONS

- (ss) NON-ENROLLED (HOME SCHOOLED) STUDENT - MEANS A STUDENT WHO RECEIVES INSTRUCTION FROM A NON-PUBLIC SCHOOL AS DESCRIBED IN SECTION 29.916(A)(1) AND 33.0832 OF THE TEXAS EDUCATION CODE.

Section 351: CONFERENCE BASED ON ENROLLMENT

- (a) ENROLLMENT. SCHOOLS THAT ALLOW HOMESCHOOL PARTICIPATION MUST NOTIFY THEIR DEC AND UIL BY AUGUST 1st.

Section 403: ELIGIBILITY - ATHLETICS

- (f)(6)(D) CHARTER SCHOOLS. FOR NON-ENROLLED (HOME SCHOOLED) STUDENTS, IF THE PUBLIC INDEPENDENT SCHOOL DISTRICT WHERE THE PARENT(S) / GUARDIAN(S) OF THE STUDENT RESIDE DECIDES NOT TO ALLOW NON-ENROLLED (HOME SCHOOLED) STUDENTS TO PARTICIPATE, THE NON-ENROLLED (HOME SCHOOLED) STUDENT COULD PETITION FOR PARTICIPATION AT A CHARTER SCHOOL LOCATED WITHIN THE BOUNDARIES OF THE INDEPENDENT SCHOOL DISTRICT WHERE THE PARENT(S) / GUARDIAN(S) OF THE STUDENT RESIDE, IF ALLOWED BY THAT CHARTER SCHOOL ADMINISTRATION.

Section 406: FULL-TIME DAY STUDENT

- (f) IS A NON-ENROLLED (HOME SCHOOLED) STUDENT SEEKING PARTICIPATION AND IS IN COMPLIANCE WITH ALL PROVISIONS INCLUDED IN SECTION 33.0832 OF THE TEXAS EDUCATION CODE.

Section 407: REGULAR ATTENDANCE

- (d) A NON-ENROLLED (HOME SCHOOLED) STUDENT SEEKING PARTICIPATION, WHO IS IN COMPLIANCE WITH ALL PROVISIONS INCLUDED IN SECTION 33.0832 OF THE TEXAS EDUCATION CODE WOULD NOT BE SUBJECT TO THIS RULE.

SECTION 408: FOUR-YEAR PROGRAM OF HIGH SCHOOL COURSES

- (a) A student may participate in UIL contests during a program of high school courses over a period of four consecutive years after the student first enrolls in the ninth grade. A student is considered to be enrolled in the ninth grade the day of that student's registration as a ninth grader and

attendance in a full class period (INCLUDING AN ATHLETIC PERIOD OR PRACTICE) at the ninth grade level.

SECTION 411: CREDIT REQUIREMENTS FOR ELIGIBILITY DURING FIRST SIX WEEKS

- (e) A NON-ENROLLED (HOME SCHOOLED) STUDENT SEEKING PARTICIPATION FOR THE FIRST SIX WEEKS MUST 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 PRIOR TO THE FIRST DAY OF SCHOOL. A NON-ENROLLED 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. FOR PURPOSES OF THIS SUBSECTION, A SCHOOL DISTRICT SHALL ACCEPT ASSESSMENT RESULTS ADMINISTERED OR REPORTED BY A THIRD PARTY.

Section 442: RESIDENCE IN SCHOOL DISTRICT AND ATTENDANCE ZONE

This section applies to the first calendar year of attendance in grades 9-12, AND TO A NON-ENROLLED (HOME SCHOOLED) STUDENT SEEKING PARTICIPATION IN ACCORDANCE WITH SECTION 33.0832 OF THE TEXAS EDUCATION CODE.

Section 1102: General Regulations

- (b)(2) Grade Limits. No student in grades 6 and below may participate in UIL music competitions or events. Exception: Sixth grade students are eligible to participate in UIL concert and sight-reading evaluation under the following provisions.

(A) Orchestra. The student shall be enrolled in the corresponding music class of the ensemble that is participating in concert and sight-reading OR IS A NON-ENROLLED (HOME SCHOOLED) STUDENT SEEKING PARTICIPATION AND IS IN COMPLIANCE WITH ALL PROVISIONS INCLUDED IN SECTION 33.0832 OF THE TEXAS EDUCATION CODE.

(B) Band and Choir. The student shall be enrolled in the corresponding music class of the ensemble that is participating in concert and sight-reading and the band or choir shall be comprised of a majority of 7th grade students or above OR IS A NON-ENROLLED (HOME SCHOOLED) STUDENT SEEKING PARTICIPATION AND IS IN COMPLIANCE WITH ALL PROVISIONS INCLUDED IN SECTION 33.0832 OF THE TEXAS EDUCATION CODE.

Section 1205: ATHLETIC ELIGIBILITY

- (e) SUB-VARSITY ELIGIBILITY REQUIREMENTS. An individual is eligible to participate in UIL contests if that individual is a full-time student of the member school the student represents, has been in attendance and has passed the number of courses required by state law and by rules of the State Board of Education, and is passing the number of courses required by state law and by rules of the State Board of Education; OR IS A NON-ENROLLED (HOME SCHOOLED) STUDENT SEEKING PARTICIPATION AND IS IN COMPLIANCE WITH ALL PROVISIONS INCLUDED IN SECTION 33.0832 OF THE TEXAS EDUCATION CODE.

Section 1206: SCHOOL PRACTICE AND GAME RESTRICTIONS

- (d)(1) Accelerated physical education activities, calisthenics, skills, strength training or conditioning exercises may be conducted during the school year within the school day provided such activities do not exceed one regular classroom period, not to exceed 60 minutes when classes meet every day (300 minutes per week for block schedules). THIS PROVISION APPLIES TO A NON-ENROLLED (HOME SCHOOLED) STUDENT PARTICIPATING IN ACCORDANCE WITH SECTION 33.0832 OF THE TEXAS EDUCATION CODE.

Section 1207: RULES, VIOLATIONS AND PENALTIES

- (d) Unattached Participation. In any UIL member school sponsored athletic contest, meet or tournament, UIL member high school students shall not be permitted to enter unattached. The penalty for violation of this rule shall be assessed against the member school(s) in violation. THIS PROVISION APPLIES TO A NON-ENROLLED (HOME SCHOOLED) STUDENT PARTICIPATING IN ACCORDANCE WITH SECTION 33.0832 OF THE TEXAS EDUCATION CODE.

Section 1208: ATHLETIC REGULATIONS

- (u)(3) Participating With Other Leagues. A UIL member school that participates in an athletic activity offered by the UIL in a non-UIL league under the auspices of any other sanctioning organization is subject to the range of penalties, up to and including suspension from UIL athletic activities. THIS PROVISION APPLIES TO A NON-ENROLLED (HOME SCHOOLED) STUDENT PARTICIPATING IN ACCORDANCE WITH SECTION 33.0832 OF THE TEXAS EDUCATION CODE.

Section 1400: JUNIOR HIGH (SEVENTH AND EIGHTH GRADES)

- (a)(1) Student's Eligibility. An individual may participate in UIL competition or contests as a representative of the participant school he/she attends if that student has been in attendance and has passed the number of courses required by state law and by rules of the State Board of Education, and is passing the number of courses required by state law and by rules of the State Board of Education; OR IS A NON-ENROLLED (HOME SCHOOLED) STUDENT SEEKING PARTICIPATION AND IS IN COMPLIANCE WITH ALL PROVISIONS INCLUDED IN SECTION 33.0832 OF THE TEXAS EDUCATION CODE.
- (b)(1) Has been in attendance and has passed the number of courses required by state law and by rules of the State Board of Education and is passing the courses required by state law and by rules of the State Board of Education; OR IS A NON-ENROLLED (HOME SCHOOLED) STUDENT SEEKING PARTICIPATION AND IS IN COMPLIANCE WITH ALL PROVISIONS INCLUDED IN SECTION 33.0832 OF THE TEXAS EDUCATION CODE.

SECTION 1478: SEVENTH AND EIGHTH GRADE ATHLETIC PLAN

- (b)(5) - Is a full-time student in grade seven or eight at the school he/she represents, OR IS A NON-ENROLLED (HOME SCHOOLED) STUDENT SEEKING PARTICIPATION AND IS IN COMPLIANCE WITH ALL PROVISIONS INCLUDED IN SECTION 33.0832 OF THE TEXAS EDUCATION CODE.

Exception: Seventh and eighth grade students from public K-8 ISDs that do not field a team, may participate on the seventh and eighth grade baseball, basketball, football, soccer, softball and/or volleyball teams at the junior high school in the attendance area where they reside or which is a part of the designated receiving school district. (Parochial AND private, ~~and home~~-schooled students are not eligible.)

- (b)(6) Has been in attendance and has passed the number of courses required by state law and by rules of the State Board of Education, and is passing the number of courses required by state law and by rules of the State Board of Education; OR IS A NON-ENROLLED (HOME SCHOOLED) STUDENT SEEKING PARTICIPATION AND IS IN COMPLIANCE WITH ALL PROVISIONS INCLUDED IN SECTION 33.0832 OF THE TEXAS EDUCATION CODE.
- (d)(13) Physical Education/Athletic Periods. No student shall be enrolled in more than one physical education or athletics class per school day. Schools may use a seventh, eighth or zero period concept for athletics, provided no student enrolled in the class is enrolled in any other physical education/athletics class. This period shall not exceed 60 minutes per day (or 300 minutes per week on a block schedule) and the allotted time includes time for dressing and re-dressing in street clothes. Refer to Section 1206 (d). THIS PROVISION APPLIES TO A NON-ENROLLED (HOME SCHOOLED) STUDENT PARTICIPATING IN ACCORDANCE WITH SECTION 33.0832 OF THE TEXAS EDUCATION CODE.

Previous Athletic Participation Form (PAPF)

Question 2: Has the student ever enrolled or participated in a HOME SCHOOL PROGRAM, Magnet program, Charter school, Open/Choice Enrollment (within the ISD) or International Baccaluarte (IB) program in grades 9-12?

Question 10: Is the student enrolled in less than an average of four hours per day of instruction for either state or local high school credit? IF YES, PLEASE ATTACH AN EXPLANATION.

Question 11: HOMESCHOOL STUDENTS PARTICIPATING IN ACCORDANCE WITH SECTION 33.0832 OF THE TEXAS EDUCATION CODE: HAS THE STUDENT MOVED INTO THE ATTENDANCE ZONE WITHIN THE PAST 12 MONTHS? IF YES, A FULL HEARING OF THE DEC IS REQUIRED FOR VARSITY PARTICIPATION. YES or NO

TEA-UIL Side by Side:

First Six weeks:

UIL participants are eligible to participate in contests during the first six weeks of the school year provided the following standards have been met:

- Students beginning in grades nine and below must have been promoted from the previous grade prior to the beginning of the current school year.
- Students beginning their second year of high school must have earned five credits, which count toward state high school graduation requirements.
- Students beginning their third year of high school either must have earned a total of ten credits which count toward state high school graduation credits or have earned a total of five credits which count toward state high school graduation requirements during the 12 months preceding the first day of the current school year.
- Students beginning their fourth year of high school either must have earned a total of 15 credits which count toward state high school graduation credits or have earned a total of five credits which count toward state high school graduation requirements during the 12 months preceding the first day of the current school year.

A NON-ENROLLED (HOME SCHOOLED) STUDENT SEEKING PARTICIPATION FOR THE FIRST SIX WEEKS IN ACCORDANCE WITH SECTION 33.0832 OF THE TEXAS EDUCATION CODE MUST 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 PRIOR TO THE FIRST DAY OF SCHOOL.

A NON-ENROLLED 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. FOR PURPOSES OF THIS SUBSECTION, A SCHOOL DISTRICT SHALL ACCEPT ASSESSMENT RESULTS ADMINISTERED OR REPORTED BY A THIRD PARTY.

After the first six weeks:

A student who receives, at the end of any grading period (after the first six weeks of the school year), a grade below 70 in any class (other than an identified class eligible for exemption) or a

student with disabilities who fails to meet the standards in the Individual Education Plan (IEP) may not participate in extracurricular activities for three school weeks (SEE INFORMATION FOR NON-ENROLLED (HOME SCHOOLED) STUDENTS BELOW). An ineligible student may practice or rehearse, however. The student regains eligibility after the seven calendar day waiting period has ended following a grading period or the three school week evaluation period when the principal and teachers determine that he or she has earned a passing grade (70 or above) in all classes, other than those that are exempted.

All activity coaches and directors are responsible for obtaining official grade reports from the individual the principal designates as the keeper of official grades before the student represents the school. This provision applies to all grading periods. It also applies to all three-school week evaluation periods for ineligible students.

IN ACCORDANCE WITH SECTION 33.0832 OF THE TEXAS EDUCATION CODE, THE PARENT OR PERSON STANDING IN PARENTAL RELATION TO A NON-ENROLLED (HOME SCHOOLED) STUDENT PARTICIPATING IN A LEAGUE ACTIVITY ON BEHALF OF A PUBLIC SCHOOL MUST 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.

D. Potential Fiscal Impact of the Proposed Rule to Member Schools

This proposed amendment should have minimal fiscal impact on member schools.

E. Legislative Council Consideration; Effective Date

If approved by the Legislative Council and the Commissioner of Education, this amendment shall be effective August 1, 2021.