



## **TANS Legislative Update—82<sup>nd</sup> Legislative Session 2011**

The 82<sup>nd</sup> Texas Legislative Session was a contentious affair, dominated by wrangling over how to deal with the state's budget deficit and re-districting. In spite of the major preoccupations, this was TANS' most active session in our 44-year history. A record number of initiatives with direct bearing on private schools were proposed. TANS proudly represents the 1,600 schools and 300,000 students that make up the Texas private school community, and it was clear that our collective voice is being heard.

### Before and After School Childcare Licensing

TANS has been closely involved in ensuring that accredited private schools remain exempt from licensing Before and After School Childcare programs with the Department of Family and Protective Services (DFPS). The exemption was removed in 2007, but reinstated in 2009. The commercial interests that oppose the exemption re-targeted their efforts on public schools in the 82<sup>nd</sup> session, to no avail.

### UIL participation

Senate Bill 1214, by Dan Patrick, and House Bill 2322 by Rep. John Garza, would have allowed for accredited private and parochial schools to participate in UIL activities. Athletic participation in UIL sports would have been phased in from 2011-2012 through 2014-2015, depending on the size of the schools. Patrick's bill passed the Senate, but failed to pass the House.

TANS became very involved in this effort, testifying on various occasions in both the House and Senate committees, and actively lobbying individual members and their staffs. We are very appreciative of Sen. Patrick's and Rep. Garza's support of private schools. In the end, the bill that passed the Senate exempted football and basketball as a concession to public school interests. While a step in the right direction, TANS' position is that halfway participation would be little use to most private schools interested in joining UIL. Should there be legislative support in 2013, we will work with the members to keep fighting for a full participation option for private schools.

### School Choice

As we have noted before, TANS has historically been neutral on the matter of directly funded private school vouchers. Nationally, however, the emergence of Educational Scholarship Tax Credit programs, funded privately by corporations, has motivated us to become active in this area.

This session, three bills by Rep. Ken Paxton, Rep. Jerry Madden, and Sen. Eddie Lucio, Jr. created a tax credit program that would allow for increased scholarship opportunities for students to attend private and parochial schools. Rep. Paxton's House Bill 1115, actually showed that a scholarship program based on franchise tax credits for businesses showed a cost savings to the state in the process. None of these 3 bills passed their respective legislative committees.

TANS will continue to work with legislators and other private school organizations to make the case for a tax credit program in Texas. These programs are very popular in other parts of the country, and they enjoy strong bi-partisan support in state legislatures that traditionally have opposed vouchers.

Rep. Sid Miller filed a bill in the Special Session to provide for an education savings account program. This legislation would have allowed for parents to invest a portion of their property taxes into an education saving account for use on their own children's education needs, including tuition for a private school. This legislation also failed to pass its legislative committee.



### Constitutional Ban on Vouchers

Rep. Richard Pena Raymond filed a House Joint Resolution that would constitutionally ban any direct state support of private education. While we are officially neutral on vouchers, TANS still opposes any permanent ban on future creative contributions that private schools might make to our state's responsibility to provide high quality education for every student. The resolution was left unheard in committee.

### Student-Athlete Safety

Several measures were proposed following up on legislation that passed in 2009 requiring UIL to implement a comprehensive concussion management program for all public school athletes. TANS is highly supportive of reasonable efforts to keep students safe, and we will continue to engage with those members who would like to see private schools adopt similar protocols to UIL, with the goal of keeping kids safe with safeguards that can be realistically implemented by private schools. None of the measures received hearings in their committees.

*Thanks to Randy Samuelson, Legislative Director for Rep. Ken Paxton, who contributed to this report.*