

## Chapter 105. Foundation School Program

### Subchapter DD. Commissioner's Rules Concerning University Interscholastic League Allotment

#### §105.1031. Allotment for Non-enrolled Students Participating in University Interscholastic League Activities.

- (a) The following terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.
- (1) Activity season--The period established by a school or the University Interscholastic League (UIL) in which practices, rehearsals, and interschool competitions or contests take place.
  - (2) Non-enrolled student--A student who predominantly receives instruction in a general elementary or secondary education program that is provided by the parent, or a person standing in parental authority, in or through the child's home. This may include a student who is designated as enrolled, not in membership.
  - (3) Participation--The active involvement of a student in a minimum of 75% of a combined total of practices, rehearsals, or preparation activities and associated competitions and contests, including selection as an alternate, for a specific UIL activity.
  - (4) University Interscholastic League or UIL activity--Any official UIL activity identified in the UIL Constitution and Contest Rules, not including pilot activities.
- (b) In accordance with Texas Education Code (TEC), §48.305, a school district or open-enrollment charter school that allows participation of non-enrolled students in UIL activities under TEC, §33.0832, is entitled, for each non-enrolled student, to an annual allotment of \$1,500 for each UIL activity in which the non-enrolled student participates.
- (c) In the fall of each school year, as part of the settle-up process for the preceding school year, data reported through the Texas Student Data System Public Education Information Management System (TSDS PEIMS) summer submission will be used to calculate the allotment prescribed in subsection (b) of this section.
- (d) UIL activities shall:
- (1) be overseen by a school district- or charter school-approved coach or sponsor;
  - (2) provide for a minimum of four weeks of coach- or sponsor-led practice, rehearsal, or preparation specific to the activity within the designated activity season; and
  - (3) provide opportunities for students to take part in formal, interschool competitions or contests in the associated activity during the designated activity season.
- (e) A school district or charter school may still receive the allotment if a student began the activity season without injury or illness and later experienced an injury or prolonged illness that prevented participation.
- (f) For audit purposes, a school district or charter school shall maintain documentation to support the requirements of this section.
- (g) School districts and charter schools will be provided with estimated funding during a school year for non-enrolled students based on the prior year's summer TSDS PEIMS data using the same methodology described in subsection (c) of this section to calculate the entitlement. The final entitlement will be based on data from the current school year as provided for in subsection (c) of this section. Any difference from the estimated entitlement will be addressed as part of the Foundation School Program settle-up process according to the provisions of TEC, §48.272.

*Statutory Authority: The provisions of this §105.1031 issued under Texas Education Code, §§33.0832(a)(2); 48.004; and 48.305, as added by House Bill 3708, 88th Texas Legislature, Regular Session, 2023.*

*Source: The provisions of this §105.1031 adopted to be effective August 4, 2024, 49 TexReg 5527.*