

The Texas Education Agency (TEA) proposes an amendment to §76.1001, concerning extracurricular activities. The proposed amendment would increase the number of activities in which a student may participate from one activity to two activities per school week.

BACKGROUND INFORMATION AND JUSTIFICATION: Texas Education Code (TEC), §7.055(b)(41), requires the commissioner of education to adopt rules relating to extracurricular activities under TEC, §33.081, which limits the participation in and practice for extracurricular activities during the school day and the school week and establishes the parameters for and exemptions of student participation in an extracurricular activity or a University Interscholastic League competition.

Section 76.1001(d) establishes limitations on participation in and practice for extracurricular activities during the school day and school week.

Currently, students are limited to participating in no more than one extracurricular activity per school week, excluding holidays. There are exceptions for tournaments or post-district contests, as well as contests postponed by weather or public disaster that may determine advancement to a post-district level of competition. TEA received a request to change the rule to allow students to participate in up to two activities per school week, and the request was approved. The proposed amendment would allow students to participate in up to two activities per school week with the listed exceptions.

FISCAL IMPACT: Monica Martinez, associate commissioner for standards and programs, has determined that for the first five-year period the proposal is in effect, there are no additional costs to state or local government, including school districts and open-enrollment charter schools, required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

TAKINGS IMPACT ASSESSMENT: The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

GOVERNMENT GROWTH IMPACT: TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would limit an existing regulation by allowing students to participate in more extracurricular activities during the school week.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not expand or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

PUBLIC BENEFIT AND COST TO PERSONS: Ms. Martinez has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be to provide districts with additional flexibility in scheduling extracurricular activities by allowing students to participate in up to two activities per school week. There is no anticipated economic cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: The proposal would have no data and reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: The public comment period on the proposal begins June 6, 2025, and ends July 7, 2025. A request for a public hearing on the proposal submitted under the Administrative Procedure Act must be received by the commissioner of education not more than 14 calendar days after notice of the proposal has been published in the *Texas Register* on June 6, 2025. A form for submitting public comments is available on the TEA website at [https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_\(TAC\)/Proposed_Commissioner_of_Education_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_(TAC)/Proposed_Commissioner_of_Education_Rules/).

STATUTORY AUTHORITY. The amendment is proposed under Texas Education Code (TEC), §7.055(b)(41), which requires the commissioner of education to adopt rules relating to extracurricular activities under TEC, §33.081, which limits the participation in and practice for extracurricular activities during the school day and the school week and establishes the parameters and exemptions of student participation in an extracurricular activity or a University Interscholastic League competition as they relate to student grades.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code, §7.055(b)(41).

<rule>

§76.1001. Extracurricular Activities.

(a)-(c) (No change.)

(d) Limitations on practice, rehearsal, and student participation in extracurricular activities during the school week shall be as follows.

- (1) For any given extracurricular activity, a student may not participate in more than two activities ~~[one activity]~~ per school week, excluding holidays, except as provided in paragraph (2) of this subsection.
- (2) In addition to the limit specified in paragraph (1) of this subsection of two ~~[one]~~ extracurricular activities ~~[activity]~~ permitted per school week, a student may also participate in a tournament or post-district contest, as well as a contest postponed by weather or public disaster that may determine advancement to a post-district level of competition.

(3)-(4) (No change.)

(e)-(f) (No change.)