

Regular Session, 2014

SENATE RESOLUTION NO. 147

BY SENATOR WARD

LEGISLATIVE OVERSIGHT. Requests the Department of Education to study the feasibility of establishing a Louisiana high school athletic agency within the department to administer high school intrastate interscholastic athletics.

A RESOLUTION

To urge and request the Department of Education to study the feasibility of establishing a Louisiana high school athletic agency within the department to administer high school intrastate interscholastic athletics.

WHEREAS, the Louisiana High School Athletic Association was formed by a group of principals in 1920 to regulate high school interscholastic athletics; and

WHEREAS, the association is currently composed of approximately three hundred ninety member schools, of which almost eighty percent are public institutions; and

WHEREAS, the principals of the public schools are public employees; and

WHEREAS, the principals of the public schools are members of the association by virtue of their public employment; and

WHEREAS, many private school members receive state funding through the Educational Excellence Fund, required services, lunch programs, and school transportation; and

WHEREAS, nearly ninety thousand Louisiana students annually participate in athletics; and

WHEREAS, the state has a compelling interest in protecting the due process rights of its citizens and institutions; and

1 WHEREAS, until recently, the association was considered to be a quasi-public entity ,
2 until the association sued the state of Louisiana over a legislative audit (*LHSAA v. State of*
3 *Louisiana*, 107 So.3d 583 (La 2013)); and

4 WHEREAS, despite the state's compelling interest in interscholastic athletics
5 conducted for its citizens and the association's membership being comprised of an
6 overwhelming super majority of public employees, the Louisiana Supreme Court found that
7 the association was a private corporation, not subject to the Open Meetings Law, and not
8 subject to legislative audits; and

9 WHEREAS, the association has come under great scrutiny over several eligibility
10 matters and the alleged lack of due process in its proceedings; and

11 WHEREAS, since the state of Louisiana has such a compelling interest in the fair
12 disposition of proceedings for its citizens and institutions, it may be in everyone's best
13 interests to have high school intrastate interscholastic athletics administered by a state
14 agency.

15 THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana
16 does hereby urge and request the Department of Education to study the feasibility of
17 establishing a Louisiana high school athletic agency within the department to administer
18 high school intrastate interscholastic athletics.

19 BE IT FURTHER RESOLVED that the department report its findings in writing to
20 the Senate Committee on Education not later than February 1, 2015.

21 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the executive
22 director of the Louisiana High School Athletic Association and the state superintendent of
23 education.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Alan Miller.

DIGEST

Ward

SR No. 147

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Requires DOE to report its findings in writing to the Senate Committee on Education not later than February 1, 2015.