

Regular Session, 2014

HOUSE RESOLUTION NO. 195

BY REPRESENTATIVES NORTON AND DIXON

SCHOOLS/HIGH SCHOOL: Requests that the Department of Education study the need for governmental oversight of procedures of the Louisiana High School Athletic Association

1 A RESOLUTION

2 To urge and request the Department of Education to study the need for government
3 oversight of the procedures of the executive committee of the Louisiana High School
4 Athletic Association, specifically with respect to protecting due process rights and
5 providing for appeals of its decisions, and to examine mechanisms by which such
6 oversight might be exercised and to report its findings to the House of
7 Representatives and the House Committee on Education by March first each year
8 until such oversight is established.

9 WHEREAS, the Louisiana High School Athletic Association was formed by a group
10 of principals in 1920 to regulate high school interscholastic athletics and is now governed
11 by an executive committee; and

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

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

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

18 WHEREAS, many considered the association to be a quasi-public entity until the
19 association sued the state of Louisiana over a legislative audit (*LHSAA v. State of Louisiana*,
20 107 So.3d 583 (La 2013)), and, despite the state's compelling interest in interscholastic

1 athletics conducted for its citizens and the fact that the association's membership is
2 overwhelmingly comprised of public employees, the Louisiana Supreme Court found that
3 the association was a private corporation; and

4 WHEREAS, during the 2014 Regular Session of the Legislature of Louisiana,
5 legislation such as Senate Bill No. 633 raised significant concerns about the fact that there
6 is no opportunity for students or schools to appeal decisions made by the association or its
7 executive committee, which, many argue, is in effect a denial of the due process rights of
8 those students and schools; and

9 WHEREAS, since the state of Louisiana has such a compelling interest in the fair
10 disposition of proceedings for its citizens and institutions, it is critical that a method be
11 found by which the state can oversee the actions and decisions of the association.

12 THEREFORE, BE IT RESOLVED that the House of Representatives of the
13 Legislature of Louisiana does hereby urge and request the Department of Education to study
14 the need for government oversight of the procedures of the executive committee of the
15 Louisiana High School Athletic Association, specifically with respect to protecting due
16 process rights and providing for appeals of its decisions, and to examine mechanisms by
17 which such oversight might be exercised and to report its findings to the House of
18 Representatives and the House Committee on Education by March first each year until such
19 oversight is established.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Norton

HR No. 195

Requests the Dept. of Education to study the need for government oversight of the procedures of the executive committee of the La. High School Athletic Assoc., specifically with respect to protecting due process rights and providing for appeals of decisions, and to examine mechanisms by which such oversight might be exercised and to report its findings to the House of Representatives and the House Committee on Education by March 1 each year until such oversight is established.