

Regular Session, 2014

SENATE BILL NO. 633

BY SENATOR CLAITOR

SCHOOLS. Prohibits certain schools from being a member of any interscholastic extra-curricular athletic association or organization that does not provide for third-party arbitration of eligibility issues. (gov sig)

1 AN ACT

2 To enact R.S. 17:176(F), relative to school interscholastic extracurricular athletic programs;
3 to prohibit certain schools from being a member of, or participating in any
4 competition sponsored by, organizations that do not provide for arbitration of
5 eligibility issues; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:176(F) is hereby enacted to read as follows:

8 §176. Extracurricular activities; interscholastic athletics; participation; standards;
9 prohibitions; filming or videotaping; definitions

10 * * *

11 **F.(1) Notwithstanding any other law to the contrary, no public school**
12 **or nonpublic school that receives any public funds may be a member of, or**
13 **participate in any competition sponsored by, any intrastate interscholastic**
14 **extra-curricular athletic association or organization that does not provide for**
15 **third-party arbitration of eligibility issues.**

16 **(2) For the purposes of this Section, the term "third party arbitration"**
17 **means a process that provides all of the following elements:**

1 **(a) The rules and procedures established by the association or**
 2 **organization shall generally comply with the spirit of the rules and procedures**
 3 **of the American Arbitration Association.**

4 **(b) Arbitrators shall be approved by the American Arbitration**
 5 **Association and the parties.**

6 **(c) Arbitration shall be implemented only after all internal remedies**
 7 **have been exhausted.**

8 **(d) Each party shall bear the cost of its own representation and any other**
 9 **costs related to its presentation, if any.**

10 **(e) Except as provided in Subparagraph (d) of this Paragraph, the losing**
 11 **party shall bear the costs of the arbitration proceeding.**

12 **(f) The resulting arbitration decision shall be final and non-appealable.**

13 Section 2. This Act shall become effective upon signature by the governor or, if not
 14 signed by the governor, upon expiration of the time for bills to become law without signature
 15 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 16 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 17 effective on the day following such approval.

The original instrument was prepared by Jerry J. Guillot. The following
 digest, which does not constitute a part of the legislative instrument, was
 prepared by Mary Dozier O'Brien.

DIGEST

Claitor (SB 633)

Proposed law provides that no public school or nonpublic school that receives any public funds may be a member of, or participate in any competition sponsored by, any intrastate interscholastic extracurricular athletic association or organization that does not provide for third-party arbitration of eligibility issues.

Proposed law provides specific requirements to be met by the third party arbitration process as follows:

- (1) Process provided by the entity furnishing arbitration shall comply with the spirit of the rules and procedures of the American Arbitration Association.
- (2) Arbitrators shall be approved by the American Arbitration Association.
- (3) Arbitration shall be implemented only after all internal remedies are exhausted.
- (4) Each party shall bear the entire cost of presenting their case.

- (5) Except for the presentation of each party's case, the party losing the arbitration shall bear all additional costs of the arbitration proceeding.
- (6) The arbitration decision shall be final and non-appealable.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 17:176(F))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Deletes provision requiring a school receiving public funds to submit a budget of revenue and expenses of its interscholastic extracurricular program to the Dept. of Education annually.

Senate Floor Amendments to engrossed bill

1. Clarifies that the provisions apply only to interscholastic athletic associations operating within the state.
2. Provides specifics relating to the process involved in providing "third party arbitration."