

BILL ANALYSIS

Senate Research Center
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S.B. 481
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the midst of the COVID pandemic, several school districts made a choice to offer only online instruction for their students. Based on guidance offered by the Texas Education Agency, parents could request virtual instruction from any school district that offered such instruction. However, parents of children in remote-only school districts who then desired to switch their child to on-campus instruction could do so, but only at the end of a grading period.

Many parents of children in school districts which only offered remote instruction made decisions to withdraw their child out of school and place their child in another educational setting offering on-campus instruction, some of which were outside of the public school system. While a number of students thrive with remote education, many others struggle academically to adapt to remote learning and require the engagement and discourse derived from in-person instruction.

S.B. 481 ensures that parents who wish to transfer their child out of a school district that provides only remote instruction to a district that provides in-class instruction have the ability to do so during the school year. S.B. 481 provides parents with the assurance that their child will always have access to the most appropriate educational setting for their child within the public school system.

As proposed, S.B. 481 amends current law relating to the entitlement of certain public school students to transfer to a school district offering in-person instruction.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 25.045, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 25, Education Code, by adding Section 25.045, as follows:

Sec. 25.045. TRANSFER TO DISTRICT OFFERING IN-PERSON INSTRUCTION. (a) Defines "virtual instruction."

(b) Authorizes a student enrolled in a school district that offers only virtual instruction for any part of a school year to transfer for that school year to another school district that offers in-person instruction during that school year.

(c) Prohibits a student who transfers to another school district under this section from being charged tuition. Requires the student to be included in the average daily attendance of the district in which the student attends school.

(d) Authorizes the commissioner of education to adopt rules necessary to implement this section.

SECTION 2. Provides that this Act applies beginning with the 2021-2022 school year.

SECTION 3. Effective date: upon passage or September 1, 2021.