

By: Goodwin

H.B. No. 245

A BILL TO BE ENTITLED

AN ACT

1
2 relating to personal leave provided for a public school teacher who
3 must isolate due to exposure to or testing positive for certain
4 diseases.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 22.003(c-1), Education Code, is amended
7 to read as follows:

8 (c-1) Any informational handbook a school district provides
9 to employees in an electronic or paper form or makes available by
10 posting on the district website must include notification of an
11 employee's rights under Subsection (b) and Section 22.0031 in the
12 relevant section of the handbook. Any form used by a school
13 district through which an employee may request leave under this
14 section must include assault leave under Subsection (b) and
15 disaster leave under Section 22.0031 as options [~~an option~~].

16 SECTION 2. Subchapter A, Chapter 22, Education Code, is
17 amended by adding Section 22.0031 to read as follows:

18 Sec. 22.0031. DISASTER LEAVE FOR CLASSROOM TEACHERS. (a)
19 In addition to all other days of leave provided by Section 22.003 or
20 by the school district, a classroom teacher employed by a school
21 district who:

22 (1) is subject to federal, state, or local regulations
23 requiring isolation due to exposure to or testing positive for the
24 coronavirus disease (COVID-19) or another disease that is the basis

1 for a disaster declared by the governor under Section 418.014,
2 Government Code, and is unable to perform the employee's job duties
3 remotely, including because the teacher is experiencing symptoms of
4 the disease, is entitled to not less than the number of days of
5 leave for compensation necessary to comply with an order to isolate
6 following the exposure to the disease or positive test result; or
7 (2) tests positive for a disease described by
8 Subdivision (1) but who is not subject to an order to isolate, is
9 entitled to not less than the number of days of leave for
10 compensation necessary to meet guidelines for isolation following a
11 positive test result for that disease established by the Centers
12 for Disease Control and Prevention or by a state or local health
13 authority.

14 (b) Days of leave taken under this section may not be
15 deducted from accrued personal leave or leave that the employee is
16 entitled to under the Family and Medical Leave Act of 1993 (29
17 U.S.C. Section 2601 et seq.).

18 (c) The commissioner shall reimburse each school district
19 for the costs incurred by the district to provide a substitute
20 teacher or otherwise replace a classroom teacher who takes disaster
21 leave under this section.

22 (d) In providing reimbursement under Subsection (c), the
23 commissioner shall prioritize money received by the agency under
24 the American Rescue Plan Act of 2021 (Pub. L. No. 117-2, reprinted
25 in note, 20 U.S.C. Section 3401).

26 (e) A school district shall reimburse a classroom teacher
27 who used personal leave between August 1, 2021, and December 31,

1 2021, the number of days of leave required to be taken by that
2 teacher to isolate following exposure to or a positive test result
3 for the coronavirus disease (COVID-19).

4 (f) The commissioner shall reimburse each school district
5 the costs incurred between August 1, 2021, and December 31, 2021, to
6 provide a substitute teacher or otherwise replace a classroom
7 teacher who was required to take leave to isolate following
8 exposure to or a positive test result for the coronavirus disease
9 (COVID-19). In providing reimbursement under this subsection, the
10 commissioner shall prioritize money received by the agency under
11 the American Rescue Plan Act of 2021 (Pub. L. No. 117-2, reprinted
12 in note, 20 U.S.C. Section 3401).

13 (g) Subsections (d), (e), and (f) and this subsection expire
14 January 1, 2023.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect on the 91st day after the last day of the
20 legislative session.