

By: Rosenthal

H.B. No. 699

Substitute the following for H.B. No. 699:

By: Dutton

C.S.H.B. No. 699

A BILL TO BE ENTITLED

1

AN ACT

2 relating to public school attendance and promotion requirements for
3 students diagnosed with or undergoing related treatment for severe
4 or life-threatening illnesses.

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

6 SECTION 1. Section 25.087(b), Education Code, is amended to
7 read as follows:

8 (b) A school district shall excuse a student from attending
9 school for:

10 (1) the following purposes, including travel for those
11 purposes:

12 (A) observing religious holy days;

13 (B) attending a required court appearance;

14 (C) appearing at a governmental office to
15 complete paperwork required in connection with the student's
16 application for United States citizenship;

17 (D) taking part in a United States naturalization
18 oath ceremony;

19 (E) serving as an election clerk; or

20 (F) if the student is in the conservatorship of
21 the Department of Family and Protective Services, participating, as
22 determined and documented by the department, in an activity:

23 (i) ordered by a court under Chapter 262 or
24 263, Family Code, provided that it is not practicable to schedule

1 the participation outside of school hours; or

2 (ii) required under a service plan under
3 Subchapter B, Chapter 263, Family Code; ~~or~~

4 (2) a temporary absence resulting from an appointment
5 with health care professionals for the student or the student's
6 child if the student commences classes or returns to school on the
7 same day of the appointment; or

8 (3) an absence resulting from a serious or
9 life-threatening illness or related treatment that makes the
10 student's attendance infeasible, if the student or the student's
11 parent or guardian provides a certification from a physician
12 licensed to practice medicine in this state specifying the
13 student's illness and the anticipated period of the student's
14 absence relating to the illness or related treatment.

15 SECTION 2. Section 25.0915(a-3), Education Code, is amended
16 to read as follows:

17 (a-3) A school district shall offer additional counseling
18 to a student and may not refer the student to truancy court under
19 this section, Section 25.0951, or any other provision if the school
20 determines that the student's truancy is the result of:

21 (1) pregnancy;

22 (2) being in the state foster program;

23 (3) homelessness; ~~or~~

24 (4) severe or life-threatening illness or related
25 treatment; or

26 (5) being the principal income earner for the
27 student's family.

1 SECTION 3. Section 25.092, Education Code, is amended by
2 adding Subsection (a-3) to read as follows:

3 (a-3) A student's excused absence under Section
4 25.087(b)(3) may not be considered in determining whether the
5 student has satisfied the attendance requirement under Subsection
6 (a) or (a-1).

7 SECTION 4. Section 28.0211, Education Code, is amended by
8 adding Subsection (q) to read as follows:

9 (q) Notwithstanding any other provision of this section, a
10 student may not be denied promotion if the school district
11 determines that the student failed to perform satisfactorily on an
12 assessment instrument specified under Subsection (a) due primarily
13 to circumstances that resulted from a serious or life-threatening
14 illness or related treatment that qualifies the student for an
15 excused absence under Section 25.087(b)(3).

16 SECTION 5. This Act applies beginning with the 2021-2022
17 school year.

18 SECTION 6. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2021.