

AN ACT

relating to an exception to dropped course limitations at public institutions of higher education for courses dropped during a disaster that results in a bar or limit on in-person course attendance.

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

SECTION 1. Section 51.907, Education Code, is amended by amending Subsection (e) and adding Subsection (e-2) to read as follows:

(e) The Texas Higher Education Coordinating Board shall adopt rules under which an institution of higher education shall permit a student to drop more courses under circumstances described by Subsection (b) than the number of courses permitted to be dropped under Subsection (c) or under a policy adopted under Subsection (d) if ~~[the student shows]~~ good cause exists for dropping more than that number, including:

(1) the student's ~~[a]~~ showing of:

(A) ~~[(1)]~~ a severe illness or other debilitating condition that affects the student's ability to satisfactorily complete a course;

(B) ~~[(2)]~~ the student's responsibility for the care of a sick, injured, or needy person if the provision of care affects the student's ability to satisfactorily complete a course;

(C) ~~[(3)]~~ the death of a person who:

1 (i) [~~(A)~~] is considered to be a member of
2 the student's family under a rule adopted under this subsection for
3 purposes of this paragraph [~~subdivision~~]; or

4 (ii) [~~(B)~~] is otherwise considered to have a
5 sufficiently close relationship to the student under a rule adopted
6 under this subsection that the person's death is considered to be a
7 showing of good cause; or

8 (D) [~~(4)~~] the active duty service as a member of
9 the Texas National Guard or the armed forces of the United States
10 of:

11 (i) [~~(A)~~] the student; or

12 (ii) [~~(B)~~] a person who is considered to be a
13 member of the student's family under a rule adopted under this
14 subsection for purposes of this paragraph; or

15 (2) a disaster declared by the governor under Section
16 418.014, Government Code, resulting in a bar or limit on in-person
17 course attendance at the institution of a duration that
18 significantly affects the student's ability to participate in
19 coursework, as determined in accordance with a rule adopted under
20 this subsection for purposes of this subdivision.

21 (e-2) Notwithstanding any other provision of this section,
22 an institution of higher education may not count toward the number
23 of courses permitted to be dropped under Subsection (c) or a policy
24 adopted under Subsection (d) a course dropped by a student during
25 the 2020 spring semester or summer term or the 2020-2021 academic
26 year because of a bar or limit on in-person course attendance at the
27 institution during the applicable semester or term due to the

1 coronavirus disease (COVID-19) pandemic.

2 SECTION 2. Section 51.907(e), Education Code, as amended by
3 this Act, applies beginning with the 2021 fall semester.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 165 passed the Senate on April 13, 2021, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 28, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 165 passed the House, with amendment, on May 25, 2021, by the following vote: Yeas 101, Nays 46, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor