

House Bill 391
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 26.006, Education Code, is amended by amending Subsection (c) and adding Subsections (d) and (e) to read as follows:

(c) A student's parent is entitled to request that the school district or open-enrollment charter school the student attends allow the student to take home any instructional materials used by the student. Subject to the availability of the instructional materials, the district or school shall honor the request. A student who takes home instructional materials must return the instructional materials to school at the beginning of the next school day if requested to do so by the student's teacher. A school district or open-enrollment charter school must provide the instructional materials to the student in printed book format if the student does not have reliable access to technology at the student's home. In this subsection, "instructional material" has the meaning assigned by Section 31.002.

(d) A school district or open-enrollment charter school must document each parental request made under Subsection (c) to allow a student to take home instructional material used by the student that the district or school denies. The documentation must include each reason for denying the request. Not later than the 30th day after the date the district or school receives the request, the district or school must report to the agency that the request has been denied and each reason for the denial.

(e) Not later than September 1 of each year, the agency shall submit an annual report to the legislature that includes the number of parental requests made under Subsection (c) to allow a student to take home instructional material used by the student that each school district and open-enrollment charter school denied and the reasons for denial.

SENATE VERSION (CS)

SECTION 1. Section 26.006, Education Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) A student's parent is entitled to request that the school district or open-enrollment charter school the student attends allow the student to take home any instructional materials used by the student. Subject to the availability of the instructional materials, the district or school shall honor the request. A student who takes home instructional materials must return the instructional materials to school at the beginning of the next school day if requested to do so by the student's teacher. A school district or open-enrollment charter school must provide the instructional materials to the student in printed format if the student does not have reliable access to technology at the student's home. In this subsection, "instructional material" has the meaning assigned by Section 31.002.

CONFERENCE

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HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

(d) The requirement under Subsection (c) to provide to a student instructional materials in a printed format does not require a school district or open-enrollment charter school to purchase printed copies of instructional materials that the district or school otherwise would not purchase. A district or school may comply with Subsection (c) by providing the student a printout of the relevant electronic instructional materials.

SECTION 2. Section 26.006, Education Code, as amended by this Act, applies beginning with the 2019-2020 school year.

SECTION 2. Same as House version.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

SECTION 3. Same as House version.