

## **BILL ANALYSIS**

Senate Research Center

S.B. 481  
By: Kolkhorst  
Education  
5/25/2021  
Enrolled

### **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 that 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.

### **Key Provisions**

- 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-person instruction, have the ability to do so during any part of the school year.
- S.B. 481 provides that a student who transfers under this provision may not be charged tuition and is to be included in the average daily attendance of the district the student attends.
- S.B. 481 clarifies that if a school district provides notice to the parent or person standing in parental relation to a student enrolled of the district's intent to offer only virtual instruction for more than one grading period, the student may transfer to a school district that offers in-person instruction and that agrees to accept the transfer student.

S.B. 481 amends current law relating to the transfer of certain public school students 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, if a school district provides notice to the parent or person standing in parental relation to a student enrolled in the district of the district's intent to offer only virtual instruction for more than one grading period during a school year, to transfer for that school year to another school district that offers

in-person instruction during that school year, and that accepts the student's transfer.

(c) Prohibits a student who transfers to another school district under this section from being charged tuition. Provides that the student is 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.