

BILL ANALYSIS

S.B. 481
By: Kolkhorst
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

During the COVID-19 pandemic, some public school districts chose to offer only online instruction to their students. Based on guidance offered by the Texas Education Agency, parents who preferred that option could request virtual instruction from any district that offered it. However, while a number of students may thrive with remote education, many others may struggle academically to adapt to remote learning and require the engagement and discourse derived from in-person instruction. During the pandemic, parents of children in remote-only school districts who desired to switch their child to on-campus instruction could do so only at the end of a grading period. Some parents in such districts consequently decided to withdraw their child from school and place the child in another educational setting offering on-campus instruction, sometimes outside the public school system. S.B. 481 seeks to provide families an alternative within the public system in similar cases by authorizing a student, under certain circumstances, to transfer for one school year to another district that offers in-person instruction if the district in which the student is originally enrolled is offering only virtual instruction.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 of this bill.

ANALYSIS

S.B. 481 amends the Education Code to authorize a student enrolled in a public school district that provides certain notice of its intent to offer only virtual instruction, as defined by the bill, for more than one grading period during a school year to transfer for that school year to another district that offers in-person instruction during that school year and accepts the student's transfer. The requisite notice must be provided to the parent or person standing in parental relation to the student. A student who transfers to another district under this authorization may not be charged tuition and is included in the average daily attendance of the district in which the student attends school. The bill authorizes the commissioner of education to adopt rules necessary to implement the bill's provisions. The bill applies beginning with the 2021-2022 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.