

By: Campbell
(Tinderholt)

S.B. No. 937

A BILL TO BE ENTITLED

AN ACT

relating to an excused absence from a public institution of higher education for a student called to required military service.

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

SECTION 1. The heading to Section 51.9111, Education Code, is amended to read as follows:

Sec. 51.9111. EXCUSED ABSENCE FOR REQUIRED ~~[ACTIVE]~~ MILITARY SERVICE.

SECTION 2. Section 51.9111(a)(2), Education Code, is amended to read as follows:

(2) "Required ~~[Active]~~ military service" includes required ~~[active]~~ military service performed by a member of the Texas National Guard or the Texas State Guard.

SECTION 3. Sections 51.9111(b) and (c), Education Code, are amended to read as follows:

(b) This section applies only if:

(1) a student enrolled in an institution of higher education fails to attend classes or engage in other required activities because the student is called to required ~~[active]~~ military service that is of a reasonably brief duration, as determined by rule adopted under Subsection (d); and

(2) the student chooses not to withdraw as authorized by Section 54.006(f).

(c) An institution of higher education shall excuse a

1 student from attending classes or engaging in other required
2 activities, including examinations, in order for the student to
3 participate in required [~~active~~] military service to which the
4 student is called, including travel associated with the service. A
5 student whose absence is excused under this subsection may not be
6 penalized for that absence and shall be allowed to complete an
7 assignment or take an examination from which the student is excused
8 within a reasonable time after the absence. An instructor may
9 appropriately respond if the student fails to satisfactorily
10 complete the assignment or examination within a reasonable time
11 after the absence.

12 SECTION 4. (a) Section 51.9111, Education Code, as amended
13 by this Act, applies beginning with the 2021 fall semester.

14 (b) As soon as practicable after the effective date of this
15 Act, the Texas Higher Education Coordinating Board shall adopt or
16 amend rules as necessary to implement Section 51.9111, Education
17 Code, as amended by this Act.

18 SECTION 5. 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.