

By: Bell of Kaufman

H.B. No. 31

A BILL TO BE ENTITLED

AN ACT

relating to virtual and off-campus electronic instruction at a public school and the allotment for certain special-purpose school districts under the Foundation School Program.

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

SECTION 1. Section 25.092(a-4), Education Code, is amended to read as follows:

(a-4) A school district or open-enrollment charter school may adopt a policy to exempt students from the requirements of this section for one or more courses identified in the policy that are offered under a local remote learning program under Section 29.9091. ~~[This subsection expires September 1, 2023.]~~

SECTION 2. Section 29.9091(r), Education Code, is amended to read as follows:

(r) In calculating under Subsection (q) the number of students that may be enrolled in a local remote learning program, a school district or open-enrollment charter school shall count students who spend at least half of the student's instructional time during the ~~[2021-2022]~~ school year ~~[or 2022-2023 school year, as applicable,]~~ enrolled in virtual courses or receiving remote instruction, other than by enrollment in electronic courses offered through the state virtual school network under Chapter 30A, including students enrolled in virtual courses or who received remote instruction during the ~~[2021-2022]~~ school year ~~[or 2022-2023]~~

~~school year, as applicable,~~] because the student was:

(1) medically fragile;

(2) placed in a virtual setting by an admission, review, and dismissal committee; or

(3) receiving accommodations under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794).

SECTION 3. Section 48.005(h-1), Education Code, is amended to read as follows:

(h-1) Subject to rules adopted by the commissioner under Section 48.007(b), time that a student participates in a course or program provided under Section 48.0071(b) shall be counted as part of the minimum number of instructional hours required for a student to be considered a full-time student in average daily attendance for purposes of this section. ~~[This subsection expires September 1, 2023.]~~

SECTION 4. The following provisions of the Education Code are repealed:

(1) Section 29.9091(s);

(2) Section 39.0549(d);

(3) Section 39.301(c-2);

(4) Section 48.005(m-2);

(5) Section 48.0071(d); and

(6) Section 48.053(b-2).

SECTION 5. 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

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1 Act takes effect August 31, 2023.