

## **BILL ANALYSIS**

Senate Research Center

H.B. 681  
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Education  
4/26/2023  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Over the last three years, districts across the state have transitioned students and teachers into virtual remote learning environments due to the pandemic. The demand for virtual remote learning continued as public education transitioned into a collaborative and innovative 21st century learning environment. Virtual remote learning is not for every student, but during the previous years, a large number of students have excelled in this environment. The State of Texas has made ten years of progress in virtual learning, and it would be a great disservice to see this progress go to waste.

S.B. 15 passed during the second called session of the 87th Legislature:

- H.B. 681 removes expiration dates to subsections of the Education Code:
  - Section 1. Section 21.051
  - Section 2. Section 25.092(a-4)
  - Section 4. Section 48.005(h-1)

H.B. 681 removes specific school year dates to Section 3. Section 29.9091(r).

H.B. 681 amends current law 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.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 25.092(a-4), Education Code, to delete existing text providing that Subsection (a-4) (relating to authorizing a school district or open-enrollment charter school to adopt a policy to exempt students from certain requirements for one or more courses identified in the policy that are offered under a local remote learning program) expires September 1, 2023.

SECTION 2. Amends Section 29.9091(r), Education Code, as follows:

(r) Requires a school district or open-enrollment charter school, in calculating under Subsection (q) (relating to prohibiting a school district or open-enrollment charter school that operates a local remote learning program from enrolling in the program a number of students that exceeds 10 percent of the total number of students enrolled in the district or school during the 2021–2022 school year) the number of students authorized to be enrolled in a local remote learning program, to count students who spend at least half of the student's instructional time during the school year, rather than 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 (State Virtual School Network), including students enrolled in virtual courses or who received remote instruction during the school year because the student met certain criteria. Makes a conforming change.

SECTION 3. Amends Section 48.005(h-1), Education Code, to delete existing text providing that Subsection (h-1) (relating to requiring that time that a student participates in certain courses or programs 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) expires September 1, 2023.

SECTION 4. Repealers: Sections 29.9091(s) (relating to providing that Section 29.9091 (Local Remote Learning Program) expires September 1, 2023) and 39.0549(d) (relating to providing that Section 39.0549 (Evaluating Virtual and Local Remote Programs) expires September 1, 2023), Education Code.

Repealers: Sections 39.301(c-2) (relating to providing that certain subsections expire September 1, 2023) and 48.005(m-2) (relating to providing that certain subsections expire September 1, 2023), Education Code.

Repealers: Sections 48.0071(d) (relating to providing that Section 48.0071 (Off-Campus Courses or Programs Counted for Purposes of Average Daily Attendance) expires September 1, 2023) and 48.053(b-2) (relating to providing that certain subsections expire September 1, 2023), Education Code.

SECTION 5. Effective date: upon passage or August 31, 2023.