

BILL ANALYSIS

H.B. 3803
By: Cunningham
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to the Texas Education Agency, students started the 2020-2021 school year with an average of 3.2 months behind their academic studies in the wake of the COVID-19 pandemic. Many students continue to struggle to catch up, posing serious and negative consequences for their future academic and professional careers. The 87th Legislature, Regular Session, enacted S.B. 1697, which was signed into law by Governor Abbott and gave parents the authority to choose to have their child repeat a high school course, or an entire grade level, instead of the public school district or open-enrollment charter school having the sole authority over such a decision. However, provisions in that legislation relating to students in grades four through eight expired in 2022. H.B. 3803 seeks to resolve these issues by reinstating the language permitting parents of fourth- through eighth-grade students to choose to have their child repeat a grade level and permitting parents of high school students to choose to repeat a course taken for high school credit.

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

ANALYSIS

H.B. 3803 amends the Education Code to authorize a parent or guardian to elect for a student to repeat any course taken for high school credit in which the student was enrolled during the previous school year, unless the public school district or open-enrollment charter school determines the student has met all of the requirements for graduation, in which case such an election is prohibited. The bill changes from grade three to grade eight the maximum grade that a parent or guardian may elect for a student to repeat. The bill authorizes a parent or guardian to make an election for grades one through eight or for courses taken for high school credit, or both. The bill's provisions apply beginning with the 2023-2024 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.