

By: Bell of Kaufman, King of Hemphill,
Buckley, Shaheen, Morales of Maverick

H.B. No. 681

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

8 (a-4) A school district or open-enrollment charter school
9 may adopt a policy to exempt students from the requirements of this
10 section for one or more courses identified in the policy that are
11 offered under a local remote learning program under Section
12 29.9091. [~~This subsection expires September 1, 2023.~~]

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

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

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

- 2 (1) medically fragile;
- 3 (2) placed in a virtual setting by an admission,
4 review, and dismissal committee; or
- 5 (3) receiving accommodations under Section 504,
6 Rehabilitation Act of 1973 (29 U.S.C. Section 794).

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

9 (h-1) Subject to rules adopted by the commissioner under
10 Section 48.007(b), time that a student participates in a course or
11 program provided under Section 48.0071(b) shall be counted as part
12 of the minimum number of instructional hours required for a student
13 to be considered a full-time student in average daily attendance
14 for purposes of this section. [~~This subsection expires September~~
15 ~~1, 2023.~~]

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17 are repealed:

- 18 (1) Section 29.9091(s);
- 19 (2) Section 39.0549(d);
- 20 (3) Section 39.301(c-2);
- 21 (4) Section 48.005(m-2);
- 22 (5) Section 48.0071(d); and
- 23 (6) Section 48.053(b-2).

24 SECTION 5. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect August 31, 2023.