

By: King

S.B. No. 1049

A BILL TO BE ENTITLED

AN ACT

relating to excused absences from public school for the purpose of attending a released time course.

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

SECTION 1. Section 25.087(b), Education Code, is amended to read as follows:

(b) A school district shall excuse a student from attending school for:

(1) the following purposes, including travel for those purposes:

(A) observing religious holy days;

(B) attending a required court appearance;

(C) appearing at a governmental office to complete paperwork required in connection with the student's application for United States citizenship;

(D) taking part in a United States naturalization oath ceremony;

(E) serving as an election clerk; ~~[or]~~

(F) if the student is in the conservatorship of the Department of Family and Protective Services, participating, as determined and documented by the department, in an activity:

(i) ordered by a court under Chapter 262 or 263, Family Code, provided that it is not practicable to schedule the participation outside of school hours; or

(ii) required under a service plan under Subchapter B, Chapter 263, Family Code; or

(G) attending a course under Section 25.0875;

(2) a temporary absence resulting from an appointment with health care professionals for the student or the student's child if the student commences classes or returns to school on the same day of the appointment; or

(3) an absence resulting from a serious or life-threatening illness or related treatment that makes the student's attendance infeasible, if the student or the student's parent or guardian provides a certification from a physician licensed to practice medicine in this state specifying the student's illness and the anticipated period of the student's absence relating to the illness or related treatment.

SECTION 2. Subchapter C, Chapter 25, Education Code, is amended by adding Section 25.0875 to read as follows:

Sec. 25.0875. EXCUSED ABSENCE TO ATTEND RELEASED TIME COURSE. (a) In this section, "released time course" means a course in religious instruction offered by a private entity.

(b) A school district or open-enrollment charter school shall, on the request of a parent or legal guardian of a student enrolled at the district or school and subject to the policy adopted under Subsection (c), excuse the student from attending school to attend a released time course for at least one but not more than five hours a week.

(c) Each school district and open-enrollment charter school shall adopt a policy for excusing a student enrolled at the district

1 or school from attending school to attend a released time course.

2 The policy:

3 (1) must require:

4 (A) the student's parent or legal guardian to
5 provide written consent for the student to attend the released time
6 course;

7 (B) the private entity offering the released time
8 course to maintain attendance records and make the records
9 available to the district or school at which the student is
10 enrolled;

11 (C) the private entity, parent or legal guardian,
12 or student to assume responsibility for transportation, including
13 transportation for a student with a disability, to and from any
14 location at which the released time course is offered;

15 (D) the private entity to make provisions for and
16 assume liability for the student enrolled in the released time
17 course while the student is under the private entity's care; and

18 (E) the student to assume responsibility for any
19 schoolwork issued during the student's absence;

20 (2) must prohibit:

21 (A) the district or school from using district or
22 school funds, excluding de minimis costs, to facilitate the
23 provision of a released time course; and

24 (B) the private entity from offering the released
25 time course on district or school property, unless permitted under
26 a neutral policy of equal access that allows community
27 organizations to use district or school property; and

1 (3) may not interfere with the ability of the student's
2 parent or legal guardian to request or access a released time course
3 for the student.

4 SECTION 3. Not later than January 1, 2026, each school
5 district and open-enrollment charter school shall adopt the excused
6 absence policy required by Section 25.0875, Education Code, as
7 added by this Act.

8 SECTION 4. This Act takes effect September 1, 2025.