

BILL ANALYSIS

C.S.H.B. 699
By: Rosenthal
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that although a public school district is required to excuse a student's temporary absence for an appointment with a medical professional if the student returns to school on the same day of the appointment, there is no excused absence requirement applicable to a student facing a prolonged health emergency. It has been suggested that such students need some protection from adverse consequences, particularly during a public health emergency such as a pandemic. C.S.H.B. 699 seeks to provide protections to students who are facing medical challenges by requiring a district to excuse a student's absence resulting from a serious or life-threatening illness or related treatment. The bill also prohibits a district from denying promotion to a student who did not meet certain testing requirements due to the student's health emergency.

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

C.S.H.B. 699 amends the Education Code to require a public school district to excuse a student from attending school for an absence resulting from a serious or life-threatening illness or related treatment that makes attendance infeasible, if the student or the student's parent or guardian provides a certification from a licensed physician specifying the illness and the anticipated period of absence relating to the illness or treatment. The bill prohibits the following actions regarding a student that qualifies for such an excused absence:

- consideration of the absence in determining whether the student has satisfied the minimum attendance requirements for class credit or for a final grade; and
- denying the student promotion if the district determines that the student failed to perform satisfactorily on certain statewide standardized tests administered in the fifth and eighth grades due primarily to circumstances that resulted from the illness or treatment.

C.S.H.B. 699 prohibits a district from referring a student to truancy court if the school determines that the student's truancy is the result of severe or life-threatening illness or related treatment and requires the district to offer additional counseling to such a student. The bill applies beginning with the 2021-2022 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 699 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the physician who must provide certification of a student's applicable illness from a qualified physician to a physician licensed in Texas.

The substitute does not include a prohibition against denying promotion to an applicable student if a district determines the student failed to meet certain academic requirements other than the statewide standardized tests specified by the bill.