

## **BILL ANALYSIS**

Senate Research Center

H.B. 699  
By: Rosenthal (Zaffirini)  
Education  
5/3/2021  
Engrossed

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

Although public school districts are required to excuse a student's temporary absence for an appointment with a medical professional, there is no excused absence requirement for a student facing a serious long-term illness. Students need protection from adverse consequences, particularly during a public health emergency such as a pandemic.

H.B. 699 would amend the Education Code to require a public school district to excuse a student for an absence due to a serious or life-threatening illness or related treatment that makes attendance infeasible. The student or the student's parent or guardian must provide a certification from a licensed physician specifying the illness and the anticipated period of absence relating to the illness or treatment. This bill would protect Texas students from being punished for circumstances beyond their control and help them and their families focus on their health.

H.B. 699 amends current law relating to public school attendance and promotion requirements for students diagnosed with or undergoing related treatment for severe or life-threatening illnesses.

### **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. Provides that this Act may be cited as Riley's Rule.

SECTION 2. Amends Section 25.087(b), Education Code, as follows:

(b) Requires a school district to excuse a student from attending school for:

(1) and (2) makes nonsubstantive changes to these subdivisions; 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 3. Amends Section 25.0915(a-3), Education Code, as follows:

(a-3) Provides that a school district is required to offer additional counseling to a student and is prohibited from referring the student to truancy court under Section 25.0915 (Truancy Prevention Measures), Section 25.0951 (School District Complaint or Referral for Failure to Attend School), or any other provision if the school determines that the student's truancy is the result of severe or life-threatening illness or related treatment. Makes nonsubstantive changes.

SECTION 4. Amends Section 25.092, Education Code, by adding Subsection (a-3), as follows:

(a-3) Prohibits a student's excused absence under Section 25.087(b)(3) from being considered in determining whether the student has satisfied the attendance requirement under Subsection (a) (relating to prohibiting credit from being given or a final grade being given for a class unless the student attends 90 percent of the days the class is offered) or (a-1) (relating to conditions under which a student may receive credit or a final grade for attending at least 75 percent but less than 90 percent of the days the class is offered).

SECTION 5. Amends Section 28.0211, Education Code, by adding Subsection (q), as follows:

(q) Prohibits a student, notwithstanding any other provision of Section 28.0211 (Satisfactory Performance on Assessment Instruments Required; Accelerated Instruction), from being denied promotion if the school district determines that the student failed to perform satisfactorily on an assessment instrument specified under Subsection (a) (relating to certain conditions under which a student may not be promoted to sixth grade or ninth grade) due primarily to circumstances that resulted from a serious or life-threatening illness or related treatment that qualifies the student for an excused absence under Section 25.087(b)(3).

SECTION 6. Provides that this Act applies beginning with the 2021-2022 school year.

SECTION 7. Effective date: upon passage or September 1, 2021.