

BILL ANALYSIS

Senate Research Center

S.B. 1955
By: Taylor
Education
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the crisis learning phase of the COVID-19 pandemic, many parents in Texas chose to establish learning pods in their homes for the purpose of educating their children and their children's peers. Some parents have chosen to maintain these pods, even as schools have and are continuing to open their doors again. S.B. 1955, the Learning Pod Protection Act, ensures that local municipalities cannot attempt to regulate learning pods.

S.B. 1955 also prohibits local or school district employees from conducting site inspections or investigative visits, nor can they take any action to discriminate against or distinguish anyone (parent, student, or teacher) participating in a learning pod, or force any forms of registration or reporting to any authorities relating to the operation of the learning pod.

Finally, the Learning Pod Protection Act does not unduly impede or impair the freedom of parents and guardians to provide care and supervision of their children, nor does it single out educational activities while gatherings of children for recreational, social, or other activities remain unregulated, and the act is tailored to protect public health and safety.

(Original Author's / Sponsor's Statement of Intent)

S.B. 1955 amends current law relating to exempting learning pods from certain local government regulations.

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. Authorizes this Act to be cited as the Learning Pod Protection Act.

SECTION 2. Amends Subtitle E, Title 2, Education Code, by adding Chapter 27, as follows:

CHAPTER 27. LEARNING PODS

Sec. 27.001. DEFINITIONS. Defines "child-care facility" and "learning pod."

Sec. 27.002. EXEMPTION FROM LOCAL GOVERNMENT REGULATIONS. (a) Provides that, notwithstanding other law:

(1) a learning pod is exempt from any ordinance, rule, regulation, policy, or guideline adopted by a local governmental entity that applies to a school district campus or child-care facility, including any requirements regarding staff-to-child ratios, staff certification, background checks, physical accommodations, or building or fire codes; and

(2) any group, building, or facility associated with or used by a learning pod is exempt from any ordinance, rule, regulation, policy, or guideline

adopted by a local governmental entity that would not apply to the group, building, or facility if it was not associated with or used by a learning pod.

(b) Prohibits an employee, contractor, or agent of a school district or other local governmental entity from initiating or conducting a site inspection of, investigation of, or visit to a location in which a learning pod meets if the district or entity would not have initiated or conducted the inspection, investigation, or visit if the learning pod did not meet at that location.

(c) Prohibits a school district from taking action against, denying any benefit to, discriminating in any manner against, or otherwise distinguishing any child or child's parent on the basis of the child's participation in a learning pod.

(d) Prohibits a school district or other local governmental entity from requiring a learning pod to be registered with the district or entity, or from requiring a person participating in a learning pod to report to the district or entity information regarding the learning pod's existence or operation.

(e) Prohibits this section from being construed to alter or affect a parent's right to choose a home-school setting for the parent's child or to alter or affect the regulation of a child-care facility.

SECTION 3. Severability clause.

SECTION 4. Effective date: upon passage or September 1, 2021.