

SUBJECT: Allowing student transfers to a district offering in-person instruction

COMMITTEE: Public Education — favorable, without amendment

VOTE: 11 ayes — Dutton, Lozano, Allison, K. Bell, Bernal, Buckley,  
M. González, Huberty, K. King, Talarico, VanDeaver

1 nay — Allen

1 absent — Meza

SENATE VOTE: On final passage, April 9 — 31-0, on Local and Uncontested Calendar

WITNESSES: For — (*Registered, but did not testify*: Shannon Meroney, Academic Language Therapy Association; Eddie Conger, International Leadership of Texas Public Schools; Stephen Howsley, Texas Home School Coalition; Suzi Kennon, Texas PTA; Starlee Coleman, Texas Public Charter Schools Association; Jennifer Allmon, The Texas Catholic Conference of Bishops; Craig Chick, Yes. Every Kid; Karen Marshall; Calvin Tillman; Cory Vessa; Al Zito)

Against — None

On — (*Registered, but did not testify*: Eric Marin, Leonardo Lopez, and Monica Martinez, Texas Education Agency)

DIGEST: SB 481 would allow a student enrolled in a public school district that provided notice to the student's parent of the district's intent to offer only virtual instruction for more than one grading period during a school year to transfer for that school year to another school district that:

- offered in-person instruction; and
- accepted the student's transfer.

"Virtual instruction" would mean instructional activities delivered to students primarily over the internet.

A student who transferred to another school district could not be charged tuition. The student would be included in the average daily attendance of the district in which the student attended school.

The commissioner of education could adopt rules necessary to implement the bill, which would apply beginning with the 2021-2022 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.

**SUPPORTERS  
SAY:**

SB 481 would provide flexibility for families during a future pandemic or other event that resulted in an extended time during which a student's school district was offering only virtual instruction. The bill would allow a family to transfer a student to another school district that offered in-person instruction and accepted the student's transfer. Parents are in the best position to know if their child is struggling with remote learning and whether the parent is able to support the child in a home learning environment. The bill would empower families to seek out an alternative that works best for their situation.

The bill would not mandate that a receiving district accept a student's transfer and would not apply to a situation where the student's regular school was closed to in-person instruction for less than one grading period. Districts that did not want to lose students, and the funding associated with their school attendance, would have an incentive to provide in-person instruction.

While some say the bill could result in a district losing funding, any funding loss would be at least partially offset due to reduced costs for serving that student. A district that was providing only virtual classes also would experience savings in building maintenance and operations costs.

**CRITICS  
SAY:**

SB 481 could negatively impact a school district financially for making a reasonable decision to provide instruction remotely for health reasons

during a pandemic. The district from which a student transferred under the bill would experience a loss in average daily attendance funding while still retaining costs for instructing the remaining students.