

## **BILL ANALYSIS**

Senate Research Center  
78R11175 MCK-D

H.B. 1050  
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Education  
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Engrossed

### **DIGEST AND PURPOSE**

A child who is removed from the home and sent to foster care can go for more than a week before the child is enrolled in a new school. H.B. 1050 mandates that a child removed from his or her home by the Department of Protective and Regulatory Services be placed in school within three days.

### **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. Amends Subchapter B, Chapter 264, Family Code, by adding Section 264.113, as follows:

Sec. 264.113. RETURNING CHILD TO SCHOOL. (a) Requires the Department of Protective and Regulatory Services (DPRS), if it takes possession of a child under Chapter 262 (Procedures in Suit by Governmental Entity to Protect Health and Safety of Child) during the school year, to ensure that the child returns to school not later than the third school day after the date an order is rendered providing for possession of the child by DPRS, unless the child has a physical or mental condition of a temporary and remediable nature that makes the child's attendance infeasible.

(b) Requires DPRS, if a child has a physical or mental condition of a temporary and remediable nature that makes the child's attendance in school infeasible, to notify the school in writing that the child is unable to attend school. Requires DPRS, if the child's physical or mental condition improves so that the child's attendance in school is feasible, to ensure that the child immediately returns to school.

SECTION 2. Amends Section 25.002, Education Code, by adding Subsection (g), as follows:

(g) Requires a school district to accept a child for enrollment in a public school without the documentation required by Subsection (a) (regarding requirements to enroll) if DPRS has taken possession of the child under Chapter 262, Family Code. Requires DPRS to ensure that the documentation required by Subsection (a) is furnished to the school district not later than the 30th day after the date the child is enrolled in the school.

SECTION 3. Effective date: September 1, 2003.