

By: Olivo

H.B. No. 1050

A BILL TO BE ENTITLED

AN ACT

relating to school attendance of a child placed in substitute care.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 264, Family Code, is amended by adding Section 264.113 to read as follows:

Sec. 264.113. RETURNING CHILD TO SCHOOL. (a) If the department takes possession of a child under Chapter 262 during the school year, the department shall 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 the department, unless the child has a physical or mental condition of a temporary and remediable nature that makes the child's attendance infeasible.

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

SECTION 2. Section 25.002, Education Code, is amended by adding Subsection (g) to read as follows:

(g) A school district shall accept a child for enrollment in a public school without the documentation required by Subsection

1 (a) if the Department of Protective and Regulatory Services has  
2 taken possession of the child under Chapter 262, Family Code. The  
3 Department of Protective and Regulatory Services shall ensure that  
4 the documentation required by Subsection (a) is furnished to the  
5 school district not later than the 30th day after the date the child  
6 is enrolled in the school.

7 SECTION 3. This Act takes effect September 1, 2003.