

By: Quintanilla

H.B. No. 2013

A BILL TO BE ENTITLED

AN ACT

relating to admission and enrollment of certain children attending public schools.

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

SECTION 1. Section 25.001(d), Education Code, is amended to read as follows:

(d) For a person under the age of 18 years to establish a residence for the purpose of attending the public schools separate and apart from the person's parent, guardian, or other person having lawful control of the person under a court order, it must be established that the person's presence in the school district is not for the primary purpose of participation in extracurricular activities. The board of trustees shall determine whether an applicant for admission is a resident of the school district for purposes of attending the public schools and may adopt reasonable guidelines for making a determination as necessary to protect the best interests of students. The board of trustees is not required to admit a person under this subsection if ~~[the person]~~:

(1) the person has engaged in conduct or misbehavior within the preceding year that has resulted in:

(A) removal to an alternative education program;

or

(B) expulsion;

(2) the person has engaged in delinquent conduct or

1 conduct in need of supervision and is on probation or other
2 conditional release for that conduct; [~~or~~]

3 (3) the person has been convicted of a criminal
4 offense and is on probation or other conditional release; or

5 (4) the board determines that the person's presence in
6 the district is primarily for the purpose of avoiding enrollment in
7 a school district outside of this state.

8 SECTION 2. This Act applies beginning with the 2003-2004
9 school year.

10 SECTION 3. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2003.