

By: Alonzo

H.B. No. 50

A BILL TO BE ENTITLED

AN ACT

relating to the exemptions from compulsory school attendance.

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

SECTION 1. Section 25.086(a), Education Code, as amended by S.B. No. 151, S.B. No. 1395, and S.B. No. 1452, Acts of the 79th Legislature, Regular Session, 2005, is reenacted and amended to read as follows:

(a) A child is exempt from the requirements of compulsory school attendance if the child:

(1) attends a private or parochial school that includes in its course a study of good citizenship;

(2) is eligible to participate in a school district's special education program under Section 29.003 and cannot be appropriately served by the resident district;

(3) has a physical or mental condition of a temporary and remediable nature that makes the child's attendance infeasible and holds a certificate from a qualified physician specifying the temporary condition, indicating the treatment prescribed to remedy the temporary condition, and covering the anticipated period of the child's absence from school for the purpose of receiving and recuperating from that remedial treatment;

(4) is expelled in accordance with the requirements of law in a school district that does not participate in a mandatory juvenile justice alternative education program under Section

1 37.011;

2 (5) is at least 17 years of age and~~+~~

3 ~~[(A) is attending a course of instruction to~~
4 ~~prepare for the high school equivalency examination, and+~~

5 ~~[(i) has the permission of the child's~~
6 ~~parent or guardian to attend the course,~~

7 ~~[(ii) is required by court order to attend~~
8 ~~the course,~~

9 ~~[(iii) has established a residence separate~~
10 ~~and apart from the child's parent, guardian, or other person having~~
11 ~~lawful control of the child; or~~

12 ~~[(iv) is homeless as defined by 42 U.S.C.~~
13 ~~Section 11302; or~~

14 ~~[(B)] has received a high school diploma [~~or high~~~~
15 ~~school equivalency certificate];~~

16 (6) ~~[is at least 16 years of age and is attending a~~
17 ~~course of instruction to prepare for the high school equivalency~~
18 ~~examination, if+~~

19 ~~[(A) the child is recommended to take the course~~
20 ~~of instruction by a public agency that has supervision or custody of~~
21 ~~the child under a court order; or~~

22 ~~[(B) the child is enrolled in a Job Corps~~
23 ~~training program under 29 U.S.C. Section 2881 et seq.;~~

24 ~~[(7)] is at least 16 years of age and is enrolled in a~~
25 ~~high school diploma program under Chapter 18;~~

26 (7) ~~[(8)] is enrolled in the Texas Academy of~~
27 ~~Mathematics and Science under Subchapter G, Chapter 105;~~

1 (8) [~~9~~] is enrolled in the Texas Academy of
2 Leadership in the Humanities;

3 (9) is enrolled in the Texas Academy of Mathematics
4 and Science at The University of Texas at Brownsville;

5 (10) [~~9~~] is enrolled in the Texas Academy of
6 International Studies; or

7 (11) [~~10~~] is specifically exempted under another
8 law.

9 SECTION 2. Section 25.086, Education Code, as amended by
10 this Act, applies only to a child who is not exempt from the
11 requirements of compulsory school attendance before the effective
12 date of this Act. A child who is exempt from the requirements of
13 compulsory school attendance before the effective date of this Act
14 is governed by the law as it existed before the effective date of
15 this Act, and the former law is continued in effect for that
16 purpose.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect on the 91st day after the last day of the
22 legislative session.