

## **BILL ANALYSIS**

Senate Research Center  
79R15722 KKA-F

H.B. 25  
By: Delisi (Van de Putte)  
Education  
5/4/2005  
Committee Report (Amended)

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

In many cases, military dependents experience frequent moves during their K-12 educational years. One of the prime annoyances of this type of life is the difficulty with the transfer of records and credits, and the resumption of extracurricular activities at new schools for these dependents.

H.B. 25, in order to recognize the issues faced by military members and their dependents, outlines several steps to be taken by Texas school districts and by the Texas Education Agency (TEA). The bill requires school districts to transfer student records within 10 days of a request being received from the new district (decreased from 30 days), directs districts to help ease student transition during the first two weeks at a new school, encourages districts help new students gain access to extracurricular activities, encourages districts to partner with local military bases on this issue, and instructs districts to assist military dependents in this situation in applying to post-secondary education and in applying for financial aid.

In addition, HB. 25 directs the TEA to take steps to assist students who must transfer into a Texas school during the second semester of their senior year in high school. If a student in this category is also coming from out of state for the first time, or has not attended a Texas school in four years, then the commissioner of education is directed to establish and use an alternate performance criteria for graduation from high school for those students. This will enable qualified military dependent students to graduate from high school on time.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 6 (Section 39.025, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 25, Education Code, by adding Section 25.006, as follows:

Sec. 25.006. TRANSITION ASSISTANCE FOR MILITARY DEPENDENTS. (a) Provides that the legislature finds that certain military dependants are faced with numerous transitions during their formative years and military dependents who move from one school to another during the high school years are faced with special challenges to learning and future achievement.

(b) Requires the Texas Education Agency (agency), in recognition of the challenges faced by military dependents and the importance of military families to our community and economy, to assist the transition of military students from one school to another by certain methods.

SECTION 2. Amends Section 25.001(b), Education Code, to require the board of trustees of a school district (board) or its designee to admit into the public schools of the district free of tuition a person who is over five and younger than 21 years of age on the first of September of the school year in which admission is sought if the person does not reside in the school district but the grandparent of the person resides in the school district; and provides a substantial amount of after-school care for the person as determined by the board.

SECTION 3. Amends Section 25.002, Education Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires a parent or other person or the school district in which the child most recently attended school, if a parent with legal control of a child under a court order enrolls the child in a public school, rather than not later than the 30th day after the date, to furnish to the school district the child's birth certificate and certain records and documents.

(a-1) Requires information a school furnishes under Subsection (a) to be furnished by the district not later than the 10th day after the date a request for information is received by the school district. Requires information a parent or other person with legal control of a child under a court order furnishes under Subsection (a) to be furnished by the parent or other person not later than the 30th day after the date a child is enrolled in a public school. Requires the district to which the request is made, if a parent or other person with legal control of a child under a court order requests that a transfer a child's student records, to notify the parent or other person as soon as practicable that the parent or other person may request and receive an unofficial copy of the records for delivery in person to a school in another district.

SECTION 4. Amends Sections 28.025(c) and (d), Education Code, as follows:

(c) Authorizes a student, in certain cases, to graduate and receive a diploma if the student successfully completes the curriculum requirements identified by the State Board of Education under Subsection (a) and complies with Section 39.025 (Exit-Level Performance Required), rather than 39.025(a).

(d) Makes a conforming change.

SECTION 5. Amends Sections 30.104(b) and (c), Education Code, to make conforming changes.

SECTION 6. Amends Section 39.025, Education Code, by adding Subsections (d) and (e), as follows:

(d) Requires the commissioner of education (commissioner) by rule to adopt one or more alternative nationally recognized norm referenced assessment instruments under this section to administer to a student to qualify for a high school diploma if the student enrolls after January 1 of the school year in which the student is otherwise eligible to graduate under certain conditions, notwithstanding Subsection (a).

(e) Requires the commissioner to establish a required performance level for an assessment instrument adopted under Subsection (d) that is at least as rigorous as the performance level for the secondary exit-level assessment instrument for the same subject.

SECTION 7. Requires the Texas Education Agency, not later than January 1, 2006, to report the results of its efforts to implement Section 25.006, Education Code, as added by this Act, to the presiding officers of the Senate Committee on Veterans affairs and Military Installations and the House of Representatives Committee on Defense Affairs and State-Federal Relations.

SECTION 8. Effective date upon passage or September 1, 2005.

## **AMENDMENTS**

Committee Amendment No. 1

(1) Amends SECTION 3 of the bill, in added Section 25.002(a-1), Education Code (Engrossed Version, page 4, line 15 and lines 18-19), strike "Subsection (a)" each place it appears and substitute "Subsections (a)(1) and (2)".

- (2) Amends SECTION 3 of the bill, in added Section 25.002(a-1), Education Code (Engrossed version, page 4, line 16), between "10th" and "day", insert "working".
- (3) Amends SECTION 3 of the bill, in added Section 25.002(a-1), Education Code (Engrossed version, page 4, line 16), between "for" and "information", insert "the".
- (4) Amends SECTION 3 of the bill, in added Section 25.002(a-1), Education Code (Engrossed version, page 4, line 17), strike "school".