

By: Alonzo

H.B. No. 1553

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, is 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 37.011;

(5) is at least 17 years of age and[+]

1 ~~[(A) is attending a course of instruction to~~
2 ~~prepare for the high school equivalency examination, and:~~

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

5 ~~[(ii) is required by court order to attend~~
6 ~~the course,~~

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

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

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

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

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

20 ~~[(B) the child is enrolled in a Job Corps~~
21 ~~training program under the Job Training Partnership Act (29 U.S.C.~~
22 ~~Section 1501 et seq.), and its subsequent amendments,~~

23 ~~[(7)]~~ is enrolled in the Texas Academy of Mathematics
24 and Science;

25 (7) ~~[(8)]~~ is enrolled in the Texas Academy of
26 Leadership in the Humanities; or

27 (8) ~~[(9)]~~ is specifically exempted under another law.

1 SECTION 2. Section 25.086, Education Code, as amended by
2 this Act, applies only to a child who is not exempt from the
3 requirements of compulsory school attendance as of August 31, 2005.
4 A child who is exempt from the requirements of compulsory school
5 attendance as of August 31, 2005, is governed by the law as it
6 existed on August 31, 2005, and the former law is continued in
7 effect for that purpose.

8 SECTION 3. This Act takes effect September 1, 2005.