

## **BILL ANALYSIS**

S.B. 2248  
By: Zaffirini  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, school districts are given little to no direction and authority from the Texas Education Agency (TEA) regarding the educational experiences of children in substitute care. Although previous legislation has been enacted relating to the school transitions of children of active duty military personnel, there is no legislation guiding TEA on how to ease the many burdens confronting children in substitute care during their multiple transitions between schools and school districts.

S.B. 2248 requires TEA to assist the transition of public school students placed in substitute care from one school to another and enumerates the forms in which the agency must provide this assistance.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 2248 amends the Education Code to state the legislature's findings that students in substitute care are faced with numerous transitions during their formative years and that such students who move from one school to another are faced with special challenges to learning and future achievement. The bill requires the Texas Education Agency, in recognition of the challenges faced by students in substitute care, to assist the transition of substitute care students from one school to another by:

- ensuring that school records for a student in substitute care are transferred to the student's new school not later than the 14th day after the date the student begins enrollment at the school;
- developing systems to ease transition of a student in substitute care during the first two weeks of enrollment at a new school;
- developing procedures for awarding credit for course work, including electives, completed by a student in substitute care while enrolled at another school;
- promoting practices that facilitate access by a student in substitute care to extracurricular programs, summer programs, credit transfer services, electronic courses provided through the state virtual school network, and after-school tutoring programs at nominal or no cost;
- establishing procedures to lessen the adverse impact of the movement of a student in substitute care to a new school;
- entering into a memorandum of understanding with the Department of Family and Protective Services regarding the exchange of information as appropriate to facilitate the transition of students in substitute care from one school to another;
- encouraging school districts and open-enrollment charter schools to provide services for

a student in substitute care in transition when applying for admission to postsecondary study and when seeking sources of funding for postsecondary study;

- requiring school districts, campuses, and open-enrollment charter schools to accept a referral for special education services made for a student in substitute care by a school previously attended by the student; and
- providing other assistance as identified by the agency.

S.B. 2248 makes a student eligible to enroll full-time in courses provided through the state virtual school network if the student has been placed in substitute care in Texas, regardless of whether the student was enrolled in a public school in Texas in the preceding school year.

S.B. 2248 makes its provisions applicable beginning with the 2009-2010 school year.

**EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.