1   AN ACT

2 relating to public school students placed in substitute care.

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

4   SECTION 1. Subchapter A, Chapter 25, Education Code, is

5 amended by adding Section 25.007 to read as follows:

6   Sec. 25.007. TRANSITION ASSISTANCE FOR STUDENTS IN

7 SUBSTITUTE CARE. (a)   The legislature finds that:

8   (1) students in substitute care are faced with

9 numerous transitions during their formative years; and

10   (2) students in substitute care who move from one

11 school to another are faced with special challenges to learning and

12 future achievement.

13   (b) In recognition of the challenges faced by students in

14 substitute care, the agency shall assist the transition of

15 substitute care students from one school to another by:

16   (1) ensuring that school records for a student in

17 substitute care are transferred to the student's new school not

18 later than the 14th day after the date the student begins enrollment

19 at the school;

20   (2) developing systems to ease transition of a student

21 in substitute care during the first two weeks of enrollment at a new

22 school;

23   (3) developing procedures for awarding credit for

24 course work, including electives, completed by a student in

1 substitute care while enrolled at another school;

2   (4) promoting practices that facilitate access by a

3 student in substitute care to extracurricular programs, summer

4 programs, credit transfer services, electronic courses provided

5 under Chapter 30A, and after-school tutoring programs at nominal or

6 no cost;

7   (5) establishing procedures to lessen the adverse

8 impact of the movement of a student in substitute care to a new

9 school;

10   (6) entering into a memorandum of understanding with

11 the Department of Family and Protective Services regarding the

12 exchange of information as appropriate to facilitate the transition

13 of students in substitute care from one school to another;

14   (7) encouraging school districts and open-enrollment

15 charter schools to provide services for a student in substitute

16 care in transition when applying for admission to postsecondary

17 study and when seeking sources of funding for postsecondary study;

18   (8) requiring school districts, campuses, and

19 open-enrollment charter schools to accept a referral for special

20 education services made for a student in substitute care by a school

21 previously attended by the student; and

22   (9) providing other assistance as identified by the

23 agency.

24   SECTION 2. Subsection (b), Section 30A.002, Education Code,

25 is amended to read as follows:

26   (b) A student is eligible to enroll full-time in courses

27 provided through the state virtual school network only if:

1   (1) the student was enrolled in a public school in this

2 state in the preceding school year; [or]

3   (2) the student:

4   (A) is a dependent of a member of the United

5 States military;

6   (B) was previously enrolled in high school in

7 this state; and

8   (C) does not reside in this state due to a

9 military deployment or transfer; or

10   (3) the student has been placed in substitute care in

11 this state, regardless of whether the student was enrolled in a

12 public school in this state in the preceding school year.

13   SECTION 3. This Act applies beginning with the 2009-2010

14 school year.

15   SECTION 4. This Act takes effect immediately if it receives

16 a vote of two-thirds of all the members elected to each house, as

17 provided by Section 39, Article III, Texas Constitution. If this

18 Act does not receive the vote necessary for immediate effect, this

19 Act takes effect September 1, 2009.

_____   _____
President of the Senate   Speaker of the House

I hereby certify that S.B. No. 2248 passed the Senate on April 30, 2009, by the following vote: Yeas 31, Nays 0.

_____
Secretary of the Senate

I hereby certify that S.B. No. 2248 passed the House on May 27, 2009, by the following vote: Yeas 148, Nays 0, one present not voting.

_____
Chief Clerk of the House

Approved:

_____
Date

_____
Governor