

1-1 By: Zaffirini S.B. No. 2248
1-2 (In the Senate - Filed March 13, 2009; March 31, 2009, read
1-3 first time and referred to Committee on Education; April 20, 2009,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 7, Nays 0; April 20, 2009, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 2248 By: Patrick

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to public school students placed in substitute care.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter A, Chapter 25, Education Code, is
1-12 amended by adding Section 25.007 to read as follows:

1-13 Sec. 25.007. TRANSITION ASSISTANCE FOR STUDENTS IN
1-14 SUBSTITUTE CARE. (a) The legislature finds that:

1-15 (1) students in substitute care are faced with
1-16 numerous transitions during their formative years; and

1-17 (2) students in substitute care who move from one
1-18 school to another are faced with special challenges to learning and
1-19 future achievement.

1-20 (b) In recognition of the challenges faced by students in
1-21 substitute care, the agency shall assist the transition of
1-22 substitute care students from one school to another by:

1-23 (1) ensuring that school records for a student in
1-24 substitute care are transferred to the student's new school not
1-25 later than the 14th day after the date the student begins enrollment
1-26 at the school;

1-27 (2) developing systems to ease transition of a student
1-28 in substitute care during the first two weeks of enrollment at a new
1-29 school;

1-30 (3) developing procedures for awarding credit for
1-31 course work, including electives, completed by a student in
1-32 substitute care while enrolled at another school;

1-33 (4) promoting practices that facilitate access by a
1-34 student in substitute care to extracurricular programs, summer
1-35 programs, credit transfer services, electronic courses provided
1-36 under Chapter 30A, and after-school tutoring programs at nominal or
1-37 no cost;

1-38 (5) establishing procedures to lessen the adverse
1-39 impact of the movement of a student in substitute care to a new
1-40 school;

1-41 (6) entering into a memorandum of understanding with
1-42 the Department of Family and Protective Services regarding the
1-43 exchange of information as appropriate to facilitate the transition
1-44 of students in substitute care from one school to another;

1-45 (7) encouraging school districts and open-enrollment
1-46 charter schools to provide services for a student in substitute
1-47 care in transition when applying for admission to postsecondary
1-48 study and when seeking sources of funding for postsecondary study;

1-49 (8) requiring school districts, campuses, and
1-50 open-enrollment charter schools to accept a referral for special
1-51 education services made for a student in substitute care by a school
1-52 previously attended by the student; and

1-53 (9) providing other assistance as identified by the
1-54 agency.

1-55 SECTION 2. Subsection (b), Section 30A.002, Education Code,
1-56 is amended to read as follows:

1-57 (b) A student is eligible to enroll full-time in courses
1-58 provided through the state virtual school network only if:

1-59 (1) the student was enrolled in a public school in this
1-60 state in the preceding school year; ~~or~~

1-61 (2) the student:

1-62 (A) is a dependent of a member of the United
1-63 States military;

2-1 (B) was previously enrolled in high school in
2-2 this state; and
2-3 (C) does not reside in this state due to a
2-4 military deployment or transfer; or

2-5 (3) the student has been placed in substitute care in
2-6 this state, regardless of whether the student was enrolled in a
2-7 public school in this state in the preceding school year.

2-8 SECTION 3. This Act applies beginning with the 2009-2010
2-9 school year.

2-10 SECTION 4. This Act takes effect immediately if it receives
2-11 a vote of two-thirds of all the members elected to each house, as
2-12 provided by Section 39, Article III, Texas Constitution. If this
2-13 Act does not receive the vote necessary for immediate effect, this
2-14 Act takes effect September 1, 2009.

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