

By: Zaffirini

S.B. No. 66

A BILL TO BE ENTITLED

AN ACT

relating to the transfer of a student from the school district of the student's residence to another district.

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

SECTION 1. Section 25.036, Education Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) Any child, other than a high school graduate, who is younger than 21 years of age and eligible for enrollment on September 1 of any school year may transfer [~~annually~~] from the child's school district of residence to another district in this state if both the receiving district and the applicant parent or guardian or person having lawful control of the child jointly approve and timely agree in writing to the transfer.

(c) The transfer agreement may authorize the receiving school district to revoke, at any time during the school year, the approval of the child to transfer if the child:

(1) fails to comply with a condition specified in the agreement that is:

(A) a circumstance specified in the student code of conduct under Section 37.001(a)(1);

(B) a condition specified in the student code of conduct under Section 37.001(a)(2);

(C) conduct for which a student is required or

1 permitted to be removed from class and placed in a disciplinary
2 alternative education program under Section 37.006; or

3 (D) conduct for which a student is required or
4 permitted to be expelled from school under Section 37.007; or

5 (2) fails to maintain a specified school attendance
6 rate.

7 (d) If a transfer approval is revoked under Subsection (c),
8 the receiving school district shall refund an amount of any tuition
9 fee paid under Section 25.038 proportionate to any portion of the
10 school year remaining after the revocation and for which the fee was
11 paid.

12 SECTION 2. This Act applies beginning with the 2011-2012
13 school year.

14 SECTION 3. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2011.