

1-1 By: Zaffirini S.B. No. 66
1-2 (In the Senate - Filed November 8, 2010; January 31, 2011,
1-3 read first time and referred to Committee on Education;
1-4 April 27, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; April 27, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 66 By: Seliger

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the transfer of a student from the school district of
1-11 the student's residence to another district.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 25.036, Education Code, is amended by
1-14 amending Subsection (a) and adding Subsections (c) and (d) to read
1-15 as follows:

1-16 (a) Any child, other than a high school graduate, who is
1-17 younger than 21 years of age and eligible for enrollment on
1-18 September 1 of any school year may transfer [~~annually~~] from the
1-19 child's school district of residence to another district in this
1-20 state if both the receiving district and the applicant parent or
1-21 guardian or person having lawful control of the child jointly
1-22 approve and timely agree in writing to the transfer.

1-23 (c) The transfer agreement may authorize the receiving
1-24 school district to revoke, at any time during the school year, the
1-25 approval of the child to transfer if the child:

1-26 (1) fails to comply with a condition specified in the
1-27 agreement that is:

1-28 (A) a circumstance specified in the student code
1-29 of conduct under Section 37.001(a)(1);

1-30 (B) a condition specified in the student code of
1-31 conduct under Section 37.001(a)(2);

1-32 (C) conduct for which a student is required or
1-33 permitted to be removed from class and placed in a disciplinary
1-34 alternative education program under Section 37.006; or

1-35 (D) conduct for which a student is required or
1-36 permitted to be expelled from school under Section 37.007; or

1-37 (2) fails to maintain a specified school attendance
1-38 rate.

1-39 (d) If a transfer approval is revoked under Subsection (c),
1-40 the receiving school district shall refund an amount of any tuition
1-41 fee paid under Section 25.038 proportionate to any portion of the
1-42 school year remaining after the revocation and for which the fee was
1-43 paid.

1-44 SECTION 2. This Act applies beginning with the 2011-2012
1-45 school year.

1-46 SECTION 3. This Act takes effect immediately if it receives
1-47 a vote of two-thirds of all the members elected to each house, as
1-48 provided by Section 39, Article III, Texas Constitution. If this
1-49 Act does not receive the vote necessary for immediate effect, this
1-50 Act takes effect September 1, 2011.

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