

BILL ANALYSIS

S.B. 1404
By: Patrick
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that public school students who are in foster care face a myriad of issues that can impede them from graduating on time. S.B. 1404 seeks to address certain of those issues as they relate to attendance at and completion of high school by students who are in the conservatorship of the Department of Family and Protective Services.

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. 1404 amends the Education Code to expand the duties of the Texas Education Agency in assisting the transition of substitute care students from one school to another to include the following:

- developing procedures for awarding partial credit, if appropriate, for course work completed by a student in substitute care while enrolled at another school;
- developing procedures for allowing a student in substitute care who was previously enrolled in a course required for graduation the opportunity, to the extent practicable, to complete the course, at no cost to the student, before the beginning of the next school year;
- ensuring that a student in substitute care who is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade nine, as determined by the school district, has the student's course credit accrual and personal graduation plan reviewed; and
- ensuring that a student in substitute care who is in grade 11 or 12 be provided information regarding tuition and fee exemptions for students under the conservatorship of the Department of Family and Protective Services (DFPS) for dual-credit or other courses provided by a public institution of higher education for which a high school student may earn joint high school and college credit.

S.B. 1404 requires a school district to excuse a student from attending school, if the student is in the conservatorship of DFPS, for participating in an activity ordered by a court in a suit affecting the parent-child relationship filed by a governmental entity to protect the health and safety of a child or in a review of the placement of a child in the conservatorship of DFPS or an authorized agency, provided that it is not practicable to schedule the participation outside of school hours. The bill requires a school district to offer an intensive program of instruction to a student who is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade nine, as determined by the district. The bill, if an 11th or 12th grade student in the conservatorship of DFPS transfers to a different school district and the student is ineligible to graduate from the district to which the student transfers, requires the school district from

which the student transferred to award a diploma at the student's request if the student meets the graduation requirements of the district from which the student transferred. The bill's provisions apply beginning with the 2013-2014 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.