

BILL ANALYSIS

Senate Research Center
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S.B. 1494
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 83rd Legislature passed S.B. 1404 to assist high school students in substitute care with graduation requirements. Similarly, S.B. 1494 seeks to help children who meet the definition of homeless. Youth who are classified as homeless face hurdles in their personal life that can have detrimental effects on their ability to succeed in school. By amending the Education Code, Texas can ensure that records are promptly transferred to each high school that is attended by the student, that course credit is awarded when applicable, and that schools are encouraged to provide assistance with college and scholarship applications. These simple measures will help negate a few of the negative externalities of being homeless and work to raise the graduation rate among our homeless student population.

As proposed, S.B. 1494 amends current law relating to the educational needs of homeless students.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 25.007, Education Code, to read as follows:

Sec. 25.007. TRANSITION ASSISTANCE FOR STUDENTS WHO ARE HOMELESS OR IN SUBSTITUTE CARE.

SECTION 2. Amends Section 25.007, Education Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Sets forth legislative findings.

(a-1) Defines "homeless."

SECTION 3. Reenacts Section 25.007(b), Education Code, as amended by Chapters 688 (H.B. 2619) and 1354 (S.B. 1404), Acts of the 83rd Legislature, Regular Session, 2013, and amends it, as follows:

(b) Requires the Texas Education Agency (TEA), in recognition of the challenges faced by students who are homeless or in substitute care, to assist the transition of students who are homeless or in substitute care from one school to another by:

(1) ensuring that school records for a student who is homeless or in substitute care are transferred to the student's new school not later than the 10th working day after the date the student begins enrollment at the school;

(2) developing systems to ease transition of a student who is homeless or in substitute care during the first two weeks of enrollment at a new school;

(3) developing procedures for awarding credit, including partial credit if appropriate, for course work, including electives, completed by a student who is homeless or in substitute care while enrolled at another school;

(4) promoting practices that facilitate access by a student who is homeless or in substitute care to extracurricular programs, summer programs, credit transfer services, electronic courses provided under Chapter 30A (State Virtual School Network), and after-school tutoring programs at nominal or no cost;

(5) establishing procedures to lessen the adverse impact of the movement of a student who is homeless or in substitute care to a new school;

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

(7) encouraging school districts and open-enrollment charter schools to provide services for a student who is homeless or in substitute care in transition when applying for admission to postsecondary study and when seeking sources of funding for postsecondary study;

(8) requiring school districts, campuses, and open-enrollment charter schools to accept a referral for special education services made for a student who is homeless or in substitute care by a school previously attended by the student;

(9) Makes a nonsubstantive change to this subdivision;

(10) developing procedures for allowing a student who is homeless or 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;

(11) ensuring that a student who is homeless or 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 district, has the student's course credit accrual and personal graduation plan reviewed;

(12) Makes a nonsubstantive change to this subdivision; and

(13) Creates this subsection from existing text.

Redesignates existing Subdivision (10) as Subdivision (13) and makes no further change to this subdivision.

SECTION 4. Amends Section 28.025(i), Education Code, as follows:

(i) Requires the school district from which the student transferred, if an 11th or 12th grade student who is homeless, as defined by 42 U.S.C. Section 11302, or 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, to award a diploma at the student's request, if the student meets the graduation requirements of the district from which the student transferred.

SECTION 5. Provides that this Act applies beginning with the 2015-2016 school year.

SECTION 6. Effective date: upon passage or September 1, 2015.