

By: Naishtat

H.B. No. 1804

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to notice by campuses and open-enrollment charter schools  
3 about events that may significantly impact the education of certain  
4 foster children.

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

6 SECTION 1. Section 25.007(b), Education Code, as amended by  
7 Chapters 688 (H.B. 2619) and 1354 (S.B. 1404), Acts of the 83rd  
8 Legislature, Regular Session, 2013, is reenacted and amended to  
9 read as follows:

10 (b) In recognition of the challenges faced by students in  
11 substitute care, the agency shall assist the transition of  
12 substitute care students from one school to another by:

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

17 (2) developing systems to ease transition of a student  
18 in substitute care during the first two weeks of enrollment at a new  
19 school;

20 (3) developing procedures for awarding credit,  
21 including partial credit if appropriate, for course work, including  
22 electives, completed by a student in substitute care while enrolled  
23 at another school;

24 (4) promoting practices that facilitate access by a

1 student in substitute care to extracurricular programs, summer  
2 programs, credit transfer services, electronic courses provided  
3 under Chapter 30A, and after-school tutoring programs at nominal or  
4 no cost;

5 (5) establishing procedures to lessen the adverse  
6 impact of the movement of a student in substitute care to a new  
7 school;

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

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

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

20 (9) requiring school districts, campuses, and  
21 open-enrollment charter schools to provide notice to the child's  
22 educational decision-maker and caseworker regarding events that  
23 may significantly impact the education of a child, including:

24 (A) requests or referrals for an evaluation under  
25 Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), or  
26 special education under Section 29.003;

27 (B) admission, review, and dismissal committee

1 meetings;

2 (C) manifestation determination reviews required  
3 by Section 37.004(b);

4 (D) any disciplinary actions under Chapter 37 for  
5 which parental notice is required;

6 (E) citations issued for Class C misdemeanor  
7 offenses on school property or at school-sponsored activities;

8 (F) reports of restraint and seclusion required  
9 by Section 37.0021; and

10 (G) use of corporal punishment as provided by  
11 Section 37.0011; ~~and~~

12 (10) developing procedures for allowing a student in  
13 substitute care who was previously enrolled in a course required  
14 for graduation the opportunity, to the extent practicable, to  
15 complete the course, at no cost to the student, before the beginning  
16 of the next school year;

17 (11) ensuring that a student in substitute care who is  
18 not likely to receive a high school diploma before the fifth school  
19 year following the student's enrollment in grade nine, as  
20 determined by the district, has the student's course credit accrual  
21 and personal graduation plan reviewed; ~~and~~

22 (12) ensuring that a student in substitute care who is  
23 in grade 11 or 12 be provided information regarding tuition and fee  
24 exemptions under Section 54.366 for dual-credit or other courses  
25 provided by a public institution of higher education for which a  
26 high school student may earn joint high school and college credit;

27 and

1            (13) [~~(10)~~] providing other assistance as identified  
2 by the agency.

3            SECTION 2. Section 25.007(b), Education Code, as amended by  
4 this Act, applies beginning with the 2015-2016 school year.

5            SECTION 3. To the extent of any conflict, this Act prevails  
6 over another Act of the 84th Legislature, Regular Session, 2015,  
7 relating to nonsubstantive additions to and corrections in enacted  
8 codes.

9            SECTION 4. This Act takes effect September 1, 2015.