

AN ACT

relating to the educational needs of homeless students.

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

SECTION 1. The heading to Section 25.007, Education Code, is amended to read as follows:

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

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

(a) The legislature finds that:

(1) students who are homeless or in substitute care are faced with numerous transitions during their formative years; and

(2) students who are homeless or in substitute care who move from one school to another are faced with special challenges to learning and future achievement.

(a-1) In this section, "students who are homeless" has the meaning assigned to the term "homeless children and youths" under 42 U.S.C. Section 11434a.

SECTION 3. 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, is reenacted and amended to read as follows:

1 (b) In recognition of the challenges faced by students who
2 are homeless or in substitute care, the agency shall assist the
3 transition of students who are homeless or in substitute care
4 [~~students~~] from one school to another by:

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

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

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

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

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

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

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

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

10 (9) requiring school districts to provide notice to
11 the child's educational decision-maker and caseworker regarding
12 events that may significantly impact the education of a child,
13 including:

14 (A) requests or referrals for an evaluation under
15 Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), or
16 special education under Section [29.003](#);

17 (B) admission, review, and dismissal committee
18 meetings;

19 (C) manifestation determination reviews required
20 by Section [37.004](#)(b);

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

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

25 (F) reports of restraint and seclusion required
26 by Section [37.0021](#); and

27 (G) use of corporal punishment as provided by

1 Section 37.0011; ~~and~~

2 (10) developing procedures for allowing a student who
3 is homeless or in substitute care who was previously enrolled in a
4 course required for graduation the opportunity, to the extent
5 practicable, to complete the course, at no cost to the student,
6 before the beginning of the next school year;

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

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

18 (13) ~~(10)~~ providing other assistance as identified
19 by the agency.

20 SECTION 4. Section 28.025(i), Education Code, is amended to
21 read as follows:

22 (i) If an 11th or 12th grade student who is homeless or in
23 the conservatorship of the Department of Family and Protective
24 Services transfers to a different school district and the student
25 is ineligible to graduate from the district to which the student
26 transfers, the district from which the student transferred shall
27 award a diploma at the student's request, if the student meets the

1 graduation requirements of the district from which the student
2 transferred. In this subsection, "student who is homeless" has the
3 meaning assigned to the term "homeless children and youths" under
4 42 U.S.C. Section 11434a.

5 SECTION 5. This Act applies beginning with the 2015-2016
6 school year.

7 SECTION 6. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1494 passed the Senate on April 30, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1494 passed the House on May 27, 2015, by the following vote: Yeas 143, Nays 1, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor