

By: Uresti

S.B. No. 1494

A BILL TO BE ENTITLED

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, "homeless" has the meaning assigned by 42 U.S.C. Section 11302.

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:

(b) In recognition of the challenges faced by students who

1 are homeless or in substitute care, the agency shall assist the
2 transition of students who are homeless or in substitute care
3 [~~students~~] from one school to another by:

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

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

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

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

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

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

27 (7) encouraging school districts and open-enrollment

1 charter schools to provide services for a student who is homeless or
2 in substitute care in transition when applying for admission to
3 postsecondary study and when seeking sources of funding for
4 postsecondary study;

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

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

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

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

18 (C) manifestation determination reviews required
19 by Section 37.004(b);

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

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

24 (F) reports of restraint and seclusion required
25 by Section 37.0021; and

26 (G) use of corporal punishment as provided by
27 Section 37.0011; ~~and~~

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

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

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

17 (13) ~~(10)~~ providing other assistance as identified
18 by the agency.

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

21 (i) If an 11th or 12th grade student who is homeless, as
22 defined by 42 U.S.C. Section 11302, or in the conservatorship of the
23 Department of Family and Protective Services transfers to a
24 different school district and the student is ineligible to graduate
25 from the district to which the student transfers, the district from
26 which the student transferred shall award a diploma at the
27 student's request, if the student meets the graduation requirements

1 of the district from which the student transferred.

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

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