

1-1 By: Uresti S.B. No. 1494
1-2 (In the Senate - Filed March 12, 2015; March 19, 2015, read
1-3 first time and referred to Committee on Education; April 16, 2015,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 11, Nays 0; April 16, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	<u>Taylor of Galveston</u>	X		
1-9	<u>Lucio</u>	X		
1-10	<u>Bettencourt</u>	X		
1-11	<u>Campbell</u>	X		
1-12	<u>Garcia</u>	X		
1-13	<u>Huffines</u>	X		
1-14	<u>Kolkhorst</u>	X		
1-15	<u>Rodríguez</u>	X		
1-16	<u>Seliger</u>	X		
1-17	<u>Taylor of Collin</u>	X		
1-18	<u>West</u>	X		

1-19 COMMITTEE SUBSTITUTE FOR S.B. No. 1494 By: Lucio

1-20 A BILL TO BE ENTITLED
1-21 AN ACT

1-22 relating to the educational needs of homeless students.
1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-24 SECTION 1. The heading to Section 25.007, Education Code,
1-25 is amended to read as follows:
1-26 Sec. 25.007. TRANSITION ASSISTANCE FOR STUDENTS WHO ARE
1-27 HOMELESS OR IN SUBSTITUTE CARE.
1-28 SECTION 2. Section 25.007, Education Code, is amended by
1-29 amending Subsection (a) and adding Subsection (a-1) to read as
1-30 follows:
1-31 (a) The legislature finds that:
1-32 (1) students who are homeless or in substitute care
1-33 are faced with numerous transitions during their formative years;
1-34 and
1-35 (2) students who are homeless or in substitute care
1-36 who move from one school to another are faced with special
1-37 challenges to learning and future achievement.
1-38 (a-1) In this section, "students who are homeless" has the
1-39 meaning assigned to the term "homeless children and youths" under
1-40 42 U.S.C. Section 11434a.
1-41 SECTION 3. Section 25.007(b), Education Code, as amended by
1-42 Chapters 688 (H.B. 2619) and 1354 (S.B. 1404), Acts of the 83rd
1-43 Legislature, Regular Session, 2013, is reenacted and amended to
1-44 read as follows:
1-45 (b) In recognition of the challenges faced by students who
1-46 are homeless or in substitute care, the agency shall assist the
1-47 transition of students who are homeless or in substitute care
1-48 [students] from one school to another by:
1-49 (1) ensuring that school records for a student who is
1-50 homeless or in substitute care are transferred to the student's new
1-51 school not later than the 10th working day after the date the
1-52 student begins enrollment at the school;
1-53 (2) developing systems to ease transition of a student
1-54 who is homeless or in substitute care during the first two weeks of
1-55 enrollment at a new school;
1-56 (3) developing procedures for awarding credit,
1-57 including partial credit if appropriate, for course work, including
1-58 electives, completed by a student who is homeless or in substitute
1-59 care while enrolled at another school;
1-60 (4) promoting practices that facilitate access by a

2-1 student who is homeless or in substitute care to extracurricular
2-2 programs, summer programs, credit transfer services, electronic
2-3 courses provided under Chapter 30A, and after-school tutoring
2-4 programs at nominal or no cost;
2-5 (5) establishing procedures to lessen the adverse
2-6 impact of the movement of a student who is homeless or in substitute
2-7 care to a new school;
2-8 (6) entering into a memorandum of understanding with
2-9 the Department of Family and Protective Services regarding the
2-10 exchange of information as appropriate to facilitate the transition
2-11 of students in substitute care from one school to another;
2-12 (7) encouraging school districts and open-enrollment
2-13 charter schools to provide services for a student who is homeless or
2-14 in substitute care in transition when applying for admission to
2-15 postsecondary study and when seeking sources of funding for
2-16 postsecondary study;
2-17 (8) requiring school districts, campuses, and
2-18 open-enrollment charter schools to accept a referral for special
2-19 education services made for a student who is homeless or in
2-20 substitute care by a school previously attended by the student;
2-21 (9) requiring school districts to provide notice to
2-22 the child's educational decision-maker and caseworker regarding
2-23 events that may significantly impact the education of a child,
2-24 including:
2-25 (A) requests or referrals for an evaluation under
2-26 Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), or
2-27 special education under Section 29.003;
2-28 (B) admission, review, and dismissal committee
2-29 meetings;
2-30 (C) manifestation determination reviews required
2-31 by Section 37.004(b);
2-32 (D) any disciplinary actions under Chapter 37 for
2-33 which parental notice is required;
2-34 (E) citations issued for Class C misdemeanor
2-35 offenses on school property or at school-sponsored activities;
2-36 (F) reports of restraint and seclusion required
2-37 by Section 37.0021; and
2-38 (G) use of corporal punishment as provided by
2-39 Section 37.0011; ~~and~~
2-40 (10) developing procedures for allowing a student who
2-41 is homeless or in substitute care who was previously enrolled in a
2-42 course required for graduation the opportunity, to the extent
2-43 practicable, to complete the course, at no cost to the student,
2-44 before the beginning of the next school year;
2-45 (11) ensuring that a student who is homeless or in
2-46 substitute care who is not likely to receive a high school diploma
2-47 before the fifth school year following the student's enrollment in
2-48 grade nine, as determined by the district, has the student's course
2-49 credit accrual and personal graduation plan reviewed; ~~and~~
2-50 (12) ensuring that a student in substitute care who is
2-51 in grade 11 or 12 be provided information regarding tuition and fee
2-52 exemptions under Section 54.366 for dual-credit or other courses
2-53 provided by a public institution of higher education for which a
2-54 high school student may earn joint high school and college credit;
2-55 and
2-56 (13) ~~(10)~~ providing other assistance as identified
2-57 by the agency.
2-58 SECTION 4. Section 28.025(i), Education Code, is amended to
2-59 read as follows:
2-60 (i) If an 11th or 12th grade student who is homeless or in
2-61 the conservatorship of the Department of Family and Protective
2-62 Services transfers to a different school district and the student
2-63 is ineligible to graduate from the district to which the student
2-64 transfers, the district from which the student transferred shall
2-65 award a diploma at the student's request, if the student meets the
2-66 graduation requirements of the district from which the student
2-67 transferred. In this subsection, "student who is homeless" has the
2-68 meaning assigned to the term "homeless children and youths" under
2-69 42 U.S.C. Section 11434a.

3-1 SECTION 5. This Act applies beginning with the 2015-2016
3-2 school year.

3-3 SECTION 6. This Act takes effect immediately if it receives
3-4 a vote of two-thirds of all the members elected to each house, as
3-5 provided by Section 39, Article III, Texas Constitution. If this
3-6 Act does not receive the vote necessary for immediate effect, this
3-7 Act takes effect September 1, 2015.

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