

By: Vo, Bernal

H.B. No. 1640

Substitute the following for H.B. No. 1640:

By: Minjarez

C.S.H.B. No. 1640

A BILL TO BE ENTITLED

AN ACT

1
2 relating to ensuring continuity of education for homeless children
3 and foster care youth and access to higher education, career
4 information, and skills certification for foster care youth and
5 former foster care youth.

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

7 SECTION 1. Section 25.007(b), Education Code, as amended by
8 Chapters 746 (H.B. 1804), 822 (H.B. 3748), and 1206 (S.B. 1494),
9 Acts of the 84th Legislature, Regular Session, 2015, is reenacted
10 and amended to read as follows:

11 (b) In recognition of the challenges faced by students who
12 are homeless or in substitute care, the agency shall assist the
13 transition of students who are homeless or in substitute care from
14 one school to another by:

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

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

22 (3) developing procedures for awarding credit,
23 including partial credit if appropriate, for course work, including
24 electives, completed by a student who is homeless or in substitute

1 care while enrolled at another school;

2 (4) developing procedures to ensure that a new school
3 relies on decisions made by the previous school regarding placement
4 in courses or educational programs of a student who is homeless or
5 in substitute care and places the student in comparable courses or
6 educational programs at the new school, if those courses or
7 programs are available;

8 (5) promoting practices that facilitate access by a
9 student who is homeless or in substitute care to extracurricular
10 programs, summer programs, credit transfer services, electronic
11 courses provided under Chapter 30A, and after-school tutoring
12 programs at nominal or no cost;

13 (6) [~~5~~] establishing procedures to lessen the
14 adverse impact of the movement of a student who is homeless or in
15 substitute care to a new school;

16 (7) [~~6~~] entering into a memorandum of understanding
17 with the Department of Family and Protective Services regarding the
18 exchange of information as appropriate to facilitate the transition
19 of students in substitute care from one school to another;

20 (8) [~~7~~] encouraging school districts and
21 open-enrollment charter schools to provide services for a student
22 who is homeless or in substitute care in transition when applying
23 for admission to postsecondary study and when seeking sources of
24 funding for postsecondary study;

25 (9) [~~8~~] requiring school districts, campuses, and
26 open-enrollment charter schools to accept a referral for special
27 education services made for a student who is homeless or in

1 substitute care by a school previously attended by the student, and
2 to provide comparable services to the student during the referral
3 process or until the new school develops an individualized
4 education program for the student;

5 (10) [~~9~~] requiring school districts, campuses, and
6 open-enrollment charter schools to provide notice to the child's
7 educational decision-maker and caseworker regarding events that
8 may significantly impact the education of a child, including:

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

12 (B) admission, review, and dismissal committee
13 meetings;

14 (C) manifestation determination reviews required
15 by Section 37.004(b);

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

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

20 (F) reports of restraint and seclusion required
21 by Section 37.0021; and

22 (G) use of corporal punishment as provided by
23 Section 37.0011;

24 (11) [~~10~~] developing procedures for allowing a
25 student who is homeless or in substitute care who was previously
26 enrolled in a course required for graduation the opportunity, to
27 the extent practicable, to complete the course, at no cost to the

1 student, before the beginning of the next school year;

2 (12) [~~(11)~~] ensuring that a student who is homeless or
3 in substitute care who is not likely to receive a high school
4 diploma before the fifth school year following the student's
5 enrollment in grade nine, as determined by the district, has the
6 student's course credit accrual and personal graduation plan
7 reviewed;

8 (13) [~~(12)~~] ensuring that a student in substitute care
9 who is in grade 11 or 12 be provided information regarding tuition
10 and fee exemptions under Section 54.366 for dual-credit or other
11 courses provided by a public institution of higher education for
12 which a high school student may earn joint high school and college
13 credit; [~~and~~]

14 (14) [~~(13)~~] designating at least one agency employee
15 to act as a liaison officer regarding educational issues related to
16 students in the conservatorship of the Department of Family and
17 Protective Services; and

18 (15) [~~(14)~~] providing other assistance as identified
19 by the agency.

20 SECTION 2. Section 25.007, Education Code, is amended by
21 adding Subsection (c) to read as follows:

22 (c) The commissioner may establish rules to implement this
23 section and to facilitate the transition between schools of
24 children who are homeless or in substitute care.

25 SECTION 3. Subchapter B, Chapter 264, Family Code, is
26 amended by adding Section 264.1211 to read as follows:

27 Sec. 264.1211. CAREER DEVELOPMENT AND EDUCATION PROGRAM.

1 (a) The department shall collaborate with local workforce
2 development boards, foster care transition centers, community and
3 technical colleges, schools, and any other appropriate workforce
4 industry resources to create a program that:

5 (1) assists foster care youth and former foster care
6 youth in obtaining:

7 (A) a high school diploma or a high school
8 equivalency certificate; and

9 (B) industry certifications that are necessary
10 for occupations that are in high demand;

11 (2) provides career guidance to foster care youth and
12 former foster care youth; and

13 (3) informs foster care youth and former foster care
14 youth about the tuition and fee waivers for institutions of higher
15 education that are available under Section 54.366, Education Code.

16 (b) Not later than September 1, 2018, the department, in
17 collaboration with the Texas Education Agency, shall produce a
18 report on the program created under Subsection (a). The report must
19 include recommendations for legislative or other action to further
20 develop the program. The department shall submit the report to the
21 governor, the lieutenant governor, the speaker of the house of
22 representatives, and the standing committees of the legislature
23 with jurisdiction over education. This subsection expires
24 September 1, 2019.

25 SECTION 4. Section 25.007(b), Education Code, as reenacted
26 and amended by this Act, applies beginning with the 2017-2018
27 school year.

1 SECTION 5. To the extent of any conflict, this Act prevails
2 over another Act of the 85th Legislature, Regular Session, 2017,
3 relating to nonsubstantive additions to and corrections in enacted
4 codes.

5 SECTION 6. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2017.