

By: Leach

H.B. No. 3365

A BILL TO BE ENTITLED

AN ACT

relating to criteria for admission of students into public schools.

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

SECTION 1. Section 25.001(b), Education Code, is amended to read as follows:

(b) The board of trustees of a school district or its designee shall admit into the public schools of the district free of tuition a person who is over five and younger than 21 years of age on the first day of September of the school year in which admission is sought, and may admit a person who is at least 21 years of age and under 26 years of age for the purpose of completing the requirements for a high school diploma, if:

(1) the person and either parent of the person reside in the school district;

(2) the person does not reside in the school district but a parent of the person resides in the school district and that parent is a joint managing conservator or the sole managing conservator or possessory conservator of the person;

(3) the person and the person's guardian or other person having lawful control of the person under a court order reside within the school district;

(4) the person has established a separate residence under Subsection (d);

(5) the person is homeless, as defined by 42 U.S.C.

1 Section 11302, regardless of the residence of the person, of either  
2 parent of the person, or of the person's guardian or other person  
3 having lawful control of the person;

4 (6) the person is a foreign exchange student placed  
5 with a host family that resides in the school district by a  
6 nationally recognized foreign exchange program, unless the school  
7 district has applied for and been granted a waiver by the  
8 commissioner under Subsection (e);

9 (7) the person resides at a residential facility  
10 located in the district;

11 (8) the person resides in the school district and is 18  
12 years of age or older or the person's disabilities of minority have  
13 been removed; ~~[or]~~

14 (9) the person does not reside in the school district  
15 but the grandparent of the person:

16 (A) resides in the school district; and

17 (B) provides a substantial amount of  
18 after-school care for the person as determined by the board; or

19 (10) the person and either parent of the person reside  
20 in a residence that is located on a parcel of property any part of  
21 which is located in the school district.

22 SECTION 2. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2017.