

By: Miles

S.B. No. 1220

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

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

12           (6) [~~(5)~~] establishing procedures to lessen the  
13 adverse impact of the movement of a student who is homeless or in  
14 substitute care to a new school;

15           (7) [~~(6)~~] entering into a memorandum of understanding  
16 with the Department of Family and Protective Services regarding the  
17 exchange of information as appropriate to facilitate the transition  
18 of students in substitute care from one school to another;

19           (8) [~~(7)~~] encouraging school districts and  
20 open-enrollment charter schools to provide services for a student  
21 who is homeless or in substitute care in transition when applying  
22 for admission to postsecondary study and when seeking sources of  
23 funding for postsecondary study;

24           (9) [~~(8)~~] requiring school districts, campuses, and  
25 open-enrollment charter schools to accept a referral for special  
26 education services made for a student who is homeless or in  
27 substitute care by a school previously attended by the student, and

1 to provide comparable services to the student during the referral  
2 process or until the new school develops an individualized  
3 education program for the student;

4 (10) [~~(9)~~] requiring school districts, campuses, and  
5 open-enrollment charter schools to provide notice to the child's  
6 educational decision-maker and caseworker regarding events that  
7 may significantly impact the education of a child, including:

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

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

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

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

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

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

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

23 (11) [~~(10)~~] developing procedures for allowing a  
24 student who is homeless or in substitute care who was previously  
25 enrolled in a course required for graduation the opportunity, to  
26 the extent practicable, to complete the course, at no cost to the  
27 student, before the beginning of the next school year;

1           (12) [~~(11)~~] ensuring that a student who is homeless or  
2 in substitute care who is not likely to receive a high school  
3 diploma before the fifth school year following the student's  
4 enrollment in grade nine, as determined by the district, has the  
5 student's course credit accrual and personal graduation plan  
6 reviewed;

7           (13) [~~(12)~~] ensuring that a student in substitute care  
8 who is in grade 11 or 12 be provided information regarding tuition  
9 and fee exemptions under Section 54.366 for dual-credit or other  
10 courses provided by a public institution of higher education for  
11 which a high school student may earn joint high school and college  
12 credit; [~~and~~]

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

17           (15) [~~(14)~~] providing other assistance as identified  
18 by the agency.

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

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

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

26           Sec. 264.1211. CAREER DEVELOPMENT AND EDUCATION PROGRAM.

27           (a) The department shall collaborate with local workforce

1 development boards, foster care transition centers, community and  
2 technical colleges, schools, and any other appropriate workforce  
3 industry resources to create a program that:

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

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

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

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

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

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

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

27 SECTION 5. To the extent of any conflict, this Act prevails

1 over another Act of the 85th Legislature, Regular Session, 2017,  
2 relating to nonsubstantive additions to and corrections in enacted  
3 codes.

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, 2017.