By:  Wilson H.B. No. 5167

A BILL TO BE ENTITLED

AN ACT

Relating to the regulation of educational opportunity extended to military-connected students in Texas public schools

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

SECTION 1.  Section S, Article II, Chapter 162, Education Code, is amended to read as follows:

S.  "Veteran" means: a person who served in the uniformed services and who was discharged or released therefrom under conditions other than dishonorable, including retirement.

SECTION 2.  Section A, Article III, Chapter 162, Education Code, is amended to read as follows:

A. Except as otherwise provided in Section B, this compact shall apply to the children of:

1.  active duty members of the uniformed services as defined in this compact, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Sections 1209 and 1211;

2.  members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after a medical discharge or up to four (4) years after retirement if the veteran returns to home of record on military orders~~retirement~~; and

3.  members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of four (4)~~one (1)~~ year after death.

SECTION 3.  Article IV, Chapter 162, Education Code, is amended by adding Section E to read as follows:

ARTICLE IV. EDUCATIONAL RECORDS AND ENROLLMENT

A.  Unofficial or "hand-carried" education records--In the event that official education records cannot be released to the parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial education records containing uniform information as determined by the Interstate Commission. Upon receipt of the unofficial education records by a school in the receiving state, the school shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.

B.  Official education records/transcripts--Simultaneous with the enrollment and conditional placement of the student, the school in the receiving state shall request the student's official education record from the school in the sending state. Upon receipt of this request, the school in the sending state will process and furnish the official education records to the school in the receiving state within ten (10) days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.

C.  Immunizations--Compacting states shall give thirty (30) days from the date of enrollment or within such time that does not exceed thirty (30) days as is reasonably determined under the rules promulgated by the Interstate Commission, for students to obtain any immunization(s) required by the receiving state. For a series of immunizations, initial vaccinations must be obtained within thirty (30) days or within such time that does not exceed thirty (30) days as is reasonably determined under the rules promulgated by the Interstate Commission. The collection and exchange of information pertaining to immunizations shall be subject to confidentiality provisions prescribed by federal law.

D.  Kindergarten and first grade entrance age--Students shall be allowed to continue their enrollment at grade level in the receiving state commensurate with their grade level (including kindergarten) from a local education agency in the sending state at the time of transition, regardless of age. A student that has satisfactorily completed the prerequisite grade level in the local education agency in the sending state shall be eligible for enrollment in the next highest grade level in the receiving state, regardless of age. A student transferring after the start of the school year in the receiving state shall enter the school in the receiving state on their validated level from an accredited school in the sending state.

E.  For enrollment purposes an MIC3 tab is required to be placed on Texas Education Agency and each Local Education Agency websites to make the Compact easily accessible to military families and district personnel.

SECTION 4.  This Act applies beginning with the 2023-2024 school year.

SECTION 5.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.