

By: Wilson

H.B. No. 5167

A BILL TO BE ENTITLED

AN ACT

1
2 Relating to the regulation of educational opportunity extended to
3 military-connected students in Texas public schools

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

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

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

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

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

14 1. active duty members of the uniformed services as
15 defined in this compact, including members of the National Guard
16 and Reserve on active duty orders pursuant to 10 U.S.C. Sections
17 1209 and 1211;

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

23 3. members of the uniformed services who die on active
24 duty or as a result of injuries sustained on active duty for a

1 period of four (4)~~one (1)~~ year after death.

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

4 ARTICLE IV. EDUCATIONAL RECORDS AND ENROLLMENT

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

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

24 C. Immunizations--Compacting states shall give thirty (30)
25 days from the date of enrollment or within such time that does not
26 exceed thirty (30) days as is reasonably determined under the rules
27 promulgated by the Interstate Commission, for students to obtain

1 any immunization(s) required by the receiving state. For a series
2 of immunizations, initial vaccinations must be obtained within
3 thirty (30) days or within such time that does not exceed thirty
4 (30) days as is reasonably determined under the rules promulgated
5 by the Interstate Commission. The collection and exchange of
6 information pertaining to immunizations shall be subject to
7 confidentiality provisions prescribed by federal law.

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

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

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

26 SECTION 5. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2023.