By: Miles S.B. No. 471

A BILL TO BE ENTITLED

AN ACT

relating to measures to assist students enrolled at public institutions of higher education who are homeless or who are or were in foster care.

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

SECTION 1. The heading to Section 51.9356, Education Code, is amended to read as follows:

Sec. 51.9356. DESIGNATION OF LIAISON OFFICER TO ASSIST STUDENTS WHO ARE OR WERE IN FOSTER CARE OR WHO ARE HOMELESS.

SECTION 2. Section 51.9356, Education Code, is amended by amending Subsections (a), (b), and (d) and adding Subsections (b-1) and (g) to read as follows:

(a) In this section:

(1) "Institution[~~, "institution~~] of higher education" has the meaning assigned by Section 61.003.

(2) "Students who are homeless" has the meaning assigned to the term "homeless children and youths" under 42 U.S.C. Section 11434a and includes students who reside in a student housing facility maintained by an institution of higher education during an academic term but who are homeless between academic terms.

(b) Each institution of higher education shall designate at least one employee of the institution to act as a liaison officer for current and incoming:

(1) students [~~at the institution~~] who are or were [~~formerly~~] in the conservatorship of the Department of Family and Protective Services; and

(2) students who are homeless.

(b-1) To the extent allowed by state or federal law, each [~~the~~] institution of higher education shall identify [~~those~~] students described by Subsection (b) from information provided to the institution in admission or financial aid applications or other available resources.

(d) The liaison officer shall:

(1) contact a person designated under 42 U.S.C. Section 11432(g)(1)(J)(ii) as necessary to facilitate the transition of students described by Subsection (b) from secondary to postsecondary education; and

(2) provide to those [~~the~~] students [~~described by Subsection (b)~~] information regarding support services and other resources available to the students at the institution of higher education, including information about financial aid, on-campus and off-campus housing, food and meal programs, and counseling services, and any other relevant information to assist the students.

(g) The Texas Higher Education Coordinating Board shall adopt rules and establish policies and procedures to ensure that a liaison officer designated under this section to serve students who are homeless participates in a professional development program under 42 U.S.C. Section 11432(d)(5).

SECTION 3. The heading to Section 51.978, Education Code,

is amended to read as follows:

Sec. 51.978. TEMPORARY HOUSING BETWEEN ACADEMIC TERMS FOR CERTAIN STUDENTS WHO WERE [~~FORMERLY~~] UNDER CONSERVATORSHIP OF DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES OR WHO ARE HOMELESS.

SECTION 4. Section 51.978(a), Education Code, is amended by adding Subdivision (3) to read as follows:

(3) "Students who are homeless" has the meaning assigned to the term "homeless children and youths" under 42 U.S.C. Section 11434a and includes students who reside in a student housing facility maintained by an institution of higher education during an academic term but who are homeless between academic terms.

SECTION 5. Section 51.978(b), Education Code, is amended to read as follows:

(b) To be eligible to receive housing assistance from an institution of higher education under Subsection (c), a student must:

(1) be:

(A) a student who has [~~have~~] been under the conservatorship of the Department of Family and Protective Services or its predecessor in function on the day preceding:

(i) [~~(A)~~] the student's 18th birthday; or

(ii) [~~(B)~~] the date the student's disabilities of minority are removed by a court under Chapter 31, Family Code; or

(B) a student who is homeless;

(2) be enrolled full-time at the institution during

the academic term:

(A) for which the student requests the housing assistance; or

(B) immediately preceding the period for which the student requests the housing assistance;

(3) be registered or otherwise have taken the actions required by the institution to permit the student to enroll full-time at the institution during the academic term immediately following the period for which the student requests the housing assistance; and

(4) lack other reasonable temporary housing alternatives between the academic terms described by Subdivisions (2) and (3), as determined by the institution.

SECTION 6. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.9781 to read as follows:

Sec. 51.9781. PRIORITY ACCESS TO STUDENT HOUSING FOR STUDENTS WHO ARE HOMELESS. (a) In this section:

(1) "Institution of higher education" has the meaning assigned by Section 61.003.

(2) "Students who are homeless" has the meaning assigned to the term "homeless children and youths" under 42 U.S.C. Section 11434a and includes students who reside in a student housing facility maintained by an institution of higher education during an academic term but who are homeless between academic terms.

(b) An institution of higher education that maintains student housing facilities shall give priority in the assignment of

housing in those facilities to students who are homeless.

SECTION 7. Section 61.0908, Education Code, is amended to read as follows:

Sec. 61.0908. DESIGNATION OF LIAISON OFFICER TO ASSIST STUDENTS WHO WERE [~~FORMERLY~~] IN FOSTER CARE OR WHO ARE HOMELESS. (a) In this section, "students who are homeless" has the meaning assigned to the term "homeless children and youths" under 42 U.S.C. Section 11434a and includes students who reside in a student housing facility maintained by an institution of higher education during an academic term but who are homeless between academic terms.

(b) The board shall designate at least one employee of the board to act as a liaison officer for the following current and incoming students at institutions of higher education:

(1) students who were [~~formerly~~] in the conservatorship of the Department of Family and Protective Services; and

(2) students who are homeless.

(c) The liaison officer shall assist in coordinating college readiness and student success efforts relating to [~~those~~] students described by Subsection (b).

(d) The board shall establish policies and procedures to ensure that a liaison officer designated under this section to serve students who are homeless participates in a professional development program under 42 U.S.C. Section 11432(d)(5).

SECTION 8. Section 61.0909, Education Code, is amended to read as follows:

Sec. 61.0909. MEMORANDUM OF UNDERSTANDING REGARDING EXCHANGE OF INFORMATION FOR STUDENTS WHO WERE [~~FORMERLY~~] IN FOSTER CARE OR WHO ARE HOMELESS. (a) In this section:

(1) "Agency" means the Texas Education Agency.

(2) "Department"[~~, "department"~~] means the Department of Family and Protective Services.

(3) "Students who are homeless" has the meaning assigned to the term "homeless children and youths" under 42 U.S.C. Section 11434a and includes students who reside in a student housing facility maintained by an institution of higher education during an academic term but who are homeless between academic terms.

(b) The board, the agency, and the department shall enter into a memorandum of understanding regarding the exchange of information as appropriate to facilitate:

(1) the department's evaluation of educational outcomes of students at institutions of higher education who were [~~formerly~~] in the conservatorship of the department; and

(2) the agency's evaluation of educational outcomes at institutions of higher education of students who are homeless.

(b-1) The memorandum of understanding must require:

(1) the department to provide the board each year with demographic information regarding individual students enrolled at institutions of higher education who were [~~formerly~~] in the conservatorship of the department following an adversarial hearing under Section 262.201, Family Code;

(2) the agency to provide the board each year with

demographic information regarding individual students who are homeless and who are enrolled at an institution of higher education; and

(3) [~~(2)~~] the board, in a manner consistent with federal law, to provide:

(A) the department with aggregate information regarding educational outcomes of students for whom the board received demographic information under Subdivision (1); and

(B) the agency with aggregate information regarding educational outcomes of students for whom the board received demographic information under Subdivision (2).

(c) For purposes of Subsection (b-1)(3) [~~(b)(2)~~], information regarding educational outcomes includes information relating to student academic achievement, graduation rates, attendance, and other educational outcomes as determined by the board, the agency, and the department.

(d) The department or the agency may authorize the board to provide education research centers established under Section 1.005 with demographic information regarding individual students received by the board in accordance with Subsections (b-1)(1) and (2) [~~Subsection (b)(1)~~], as appropriate to allow the centers to perform additional analysis regarding educational outcomes of students who were in the conservatorship of the department and of students who are homeless [~~foster care~~]. Any use of information regarding individual students provided to a center under this subsection must be approved by the department or the agency, as applicable.

(e) This [~~Nothing in this~~] section may not be construed to:

(1) require the board, the agency, or the department to collect or maintain additional information regarding students who were [~~formerly~~] in the conservatorship of the department or students who are homeless; or

(2) allow the release of information regarding an individual student in a manner not permitted under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) or another state or federal law.

SECTION 9. (a) As soon as practicable after the effective date of this Act, the Texas Higher Education Coordinating Board shall adopt rules and establish policies and procedures as required by Section 51.9356, Education Code, as amended by this Act.

(b) As soon as practicable after the effective date of this Act, the Texas Higher Education Coordinating Board shall establish policies and procedures as required by Section 61.0908, Education Code, as amended by this Act.

(c) Not later than January 1, 2028, the Texas Higher Education Coordinating Board shall designate a liaison officer as required by Section 61.0908, Education Code, as amended by this Act.

(d) Not later than March 1, 2028, the Texas Higher Education Coordinating Board, the Department of Family and Protective Services, and the Texas Education Agency shall enter into the memorandum of understanding as required by Section 61.0909, Education Code, as amended by this Act.

SECTION 10. 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, 2027.