

Texas Acts of the 81st Leg. - Regular Session (2009)

SB 2248, Chapter 850

AN ACT

relating to public school students placed in substitute care.

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

SECTION 1. Subchapter A, Chapter 25, Education Code, is amended by adding Section 25.007 to read as follows:

Sec. 25.007. TRANSITION ASSISTANCE FOR STUDENTS IN SUBSTITUTE CARE. (a) The legislature finds that:

- (1) students in substitute care are faced with numerous transitions during their formative years; and
 - (2) students in substitute care who move from one school to another are faced with special challenges to learning and future achievement.
- (b) In recognition of the challenges faced by students in substitute care, the agency shall assist the transition of substitute care students from one school to another by:
- (1) ensuring that school records for a student in substitute care are transferred to the student's new school not later than the 14th day after the date the student begins enrollment at the school;
 - (2) developing systems to ease transition of a student in substitute care during the first two weeks of enrollment at a new school;
 - (3) developing procedures for awarding credit for course work, including electives, completed by a student in substitute care while enrolled at another school;
 - (4) promoting practices that facilitate access by a student in substitute care to extracurricular programs, summer programs, credit transfer services, electronic courses provided under Chapter 30A, and after-school tutoring programs at nominal or no cost;
 - (5) establishing procedures to lessen the adverse impact of the movement of a student in substitute care to a new school;
 - (6) entering into a memorandum of understanding with the Department of Family and Protective Services regarding the exchange of information as appropriate to facilitate the transition of students in substitute care from

one school to another;

(7) encouraging school districts and open-enrollment charter schools to provide services for a student in substitute care in transition when applying for admission to postsecondary study and when seeking sources of funding for postsecondary study;

(8) requiring school districts, campuses, and open-enrollment charter schools to accept a referral for special education services made for a student in substitute care by a school previously attended by the student; and

(9) providing other assistance as identified by the agency.

SECTION 2. Subsection (b), Section 30A.002, Education Code, is amended to read as follows:

(b) A student is eligible to enroll full-time in courses provided through the state virtual school network only if:

(1) the student was enrolled in a public school in this state in the preceding school year; [or]

(2) the student:

(A) is a dependent of a member of the United States military;

(B) was previously enrolled in high school in this state; and

(C) does not reside in this state due to a military deployment or transfer; or

(3) the student has been placed in substitute care in this state, regardless of whether the student was enrolled in a public school in this state in the preceding school year.

SECTION 3. This Act applies beginning with the 2009-2010 school year.

SECTION 4. 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, 2009.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 2248 passed the Senate on April 30, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 2248 passed the House on May 27, 2009, by the following vote: Yeas 148, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor