

AN ACT

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

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

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

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

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

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

(3) developing procedures for awarding credit, including partial credit if appropriate, for course work, including electives, completed by a student who is homeless or in substitute 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.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1220 passed the Senate on
May 4, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1220 passed the House on
May 20, 2017, by the following vote: Yeas 137, Nays 0, one
present not voting.

Chief Clerk of the House

Approved:

Date

Governor