

BILL ANALYSIS

Senate Research Center
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S.B. 1220
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Education
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There is no current legislation that assists in easing academic transitions or ensuring continuity of education for substitute care students. A substitute care student is a student in grade school who is registered as homeless (has no residence), lives within a foster care or group home system. These students can often be enrolled into several different schools over short spans of time, and because of the transitions it is important that school records follow the student. This bill would aid in making it easier and faster to transfer school records and academic needs as well as offering after-graduation opportunities. This bill would also satisfy parts of the governor's tri-agency workforce initiatives, as it would boost access to higher education and has strong recommendations from the Texas Education Agency.

S.B. 1220 develops systems that ease and accelerate transitions for substitute care students (foster care or homeless) from one school to another within the first few weeks of enrollment, as well as assessing and meeting the needs of substitute care students with special needs. S.B. 1220 also ensures these students have access to information regarding higher education, career information, and skill certifications.

As proposed, S.B. 1220 amends current law 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.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 2 (Section 25.007, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Reenacts 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, and amends it as follows:

(b) Requires the Texas Education Agency (TEA) to assist in the transition of students who are homeless or in substitute care from one school to another by:

(1) to (3) makes no changes to these subdivisions;

(4) developing procedures to ensure that a new school relies on decisions made by the previous school regarding placement in courses or educational programs of a student who is homeless or in substitute care and places the student in comparable courses or educational programs at the new school, if those courses or programs are available;

(5) to (8) redesignates existing Subdivisions (4) to (7) as Subdivisions (5) to (8) and makes no further changes to these subdivisions;

(9) requiring school districts, campuses, and open-enrollment charter schools to accept a referral for special education services made for a student who is

homeless or in substitute care by the student, and to provide comparable services to the student during the referral process or until the new school develops an individualized education program for the student. Redesignates existing Subdivisions (8) as Subdivisions (9); and

(10) to (15) redesignates existing Subdivisions (9) through (14) as Subdivisions (10) through (15) and makes a nonsubstantive change.

SECTION 2. Amends Section 25.007, Education Code, by adding Subsection (c), to authorize the commissioner of education to establish rules to implement this section and to facilitate the transition between schools of children who are homeless or in substitute care.

SECTION 3. Amends Subchapter B, Chapter 264, Family Code, by adding Section 264.1211, as follows:

Sec. 264.1211. CAREER DEVELOPMENT AND EDUCATION PROGRAM. (a) Requires the Texas Department of Family and Protective Services (DFPS) to collaborate with local workforce development boards, foster care transition centers, community and technical colleges, schools, and any other appropriate workforce industry resources to create a program that assists foster care youth and former foster care youth in obtaining certain diplomas, certificates, or certifications; provides career guidance to foster care youth and former foster care youth; and informs foster care youth and former foster care youth about certain tuition and fee waivers for institutions of higher education.

(b) Requires DFPS, not later than September 1, 2018, in collaboration with TEA, to produce a report on the program created under Subsection (a). Requires the report to include recommendations for legislative or other action to further develop the program. Requires DFPS to submit the report to certain persons and committees. Provides that this subsection expires September 1, 2019.

SECTION 4. Provides that Section 25.007(b), Education Code, as reenacted and amended by this Act, applies beginning with the 2017-2018 school year.

SECTION 5. Provides that to the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 6. Effective date: upon passage or September 1, 2017.