

## **BILL ANALYSIS**

Senate Research Center  
83R9625 JSL-F

S.B. 1404  
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Education  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Foster students face a myriad of issues which may preclude them from graduating on time. S.B. 1404 allows students to receive partial credit if appropriate, allows students to complete necessary courses for graduation at no cost before the next school year, and ensures that foster students at risk of not graduating have their graduation plans reviewed to ensure a timely graduation.

Additionally, S.B. 1404 ensures students in grade 11 or 12 be provided information regarding dual-credit or other credit courses available at institutions of higher learning. S.B. 1404 excuses foster students from class if they were required to attend status hearings or other meetings regarding their foster student status. The bill also addresses issues concerning foster students who transfer between districts.

Foster students who transfer between districts will be allowed to graduate from their new district if they meet all graduation requirements in their new district. S.B. 1404 requires schools to offer an intensive instruction program to foster students at risk of not graduating on time.

As proposed, S.B. 1404 amends current law relating to attendance at and completion of high school by students who are in the conservatorship of the Department of Family and Protective Services.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 25.007(b), Education Code, to require the Texas Education Agency, in recognition of the challenges faced by students in substitute care, to assist the transition of substitute care students from one school to another by, in addition to other methods, developing procedures for awarding credit, including partial credit if appropriate, for course work, including electives, completed by a student in substitute care while enrolled at another school; developing procedures for allowing a student in substitute care who was previously enrolled in a course required for graduation the opportunity, to the extent practicable, to complete the course, at no cost to the student, before the beginning of the next school year; ensuring that a student in substitute care who is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade nine, as determined by the district, has the student's course credit accrual and personal graduation plan reviewed; and ensuring that a student in substitute care who is in grade 11 or 12 be provided information regarding tuition and fee exemptions under Section 54.366 (Exemptions for Students Under Conservatorship of Department of Family and Protective Services) for dual-credit or other courses provided by a public institution of higher education for which a high school student may earn joint high school and college credit.

SECTION 2. Amends Section 25.087(b), Education Code, to require that a school district excuse a student from attending school for certain purposes, including travel for those purposes, if the student is in the conservatorship of the Department of Family and Protective Services

(DFPS), participating in an activity ordered by a court under Chapter 262 (Procedures in Suit by Governmental Entity to Protect Health and Safety of Child) or 263 (Review of Placement of Children Under Care of Department of Protective and Regulatory Services), Family Code, provided that it is not practicable to schedule the participation outside of school hours, or a temporary absence under certain circumstances.

SECTION 3. Amends Section 28.0213(a), Education Code, to require that a school district offer an intensive program of instruction to a student who does not perform satisfactorily on an assessment instrument administered under Subchapter B (Assessment of Academic Skills), Chapter 39 (Public School System Accountability) or is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade nine, as determined by the district.

SECTION 4. Amends Section 28.025, Education Code, by adding Subsection (i), to require the district from which a student transferred, if the student meets the graduation requirements of that district, to award a diploma at the student's request if an 11th or 12th grade student in the conservatorship of DFPS transfers to a different school district and the student is ineligible to graduate from the district to which the student transfers.

SECTION 5. Provides that this Act applies beginning with the 2013-2014 school year.

SECTION 6. Effective date: upon passage or September 1, 2013.