

By: Buckley

H.B. No. 4415

A BILL TO BE ENTITLED

AN ACT

1
2 relating to establishing residency for purposes of admission into
3 public schools.

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

5 SECTION 1. Section 25.001, Education Code, is amended by
6 adding Subsections (c-1) and (c-2) to read as follows:

7 (c-1) A person whose parent or guardian is an active-duty
8 member of the armed forces of the United States, including the state
9 military forces or a reserve component of the armed forces, may
10 establish residency for purposes of Subsection (b) by providing to
11 the school district a copy of a military order requiring the
12 parent's or guardian's transfer to a military installation in or
13 adjacent to the district's attendance zone.

14 (c-2) A person who establishes residency as provided by
15 Subsection (c-1) shall provide to the school district proof of
16 residence in the district's attendance zone not later than the 10th
17 day after the arrival date specified in the order described by that
18 subsection. For purposes of this subsection, "residence" includes
19 residence in a military temporary lodging facility.

20 SECTION 2. Section 12.104(b), Education Code, as amended by
21 Chapters 324 (S.B. 1488), 522 (S.B. 179), and 735 (S.B. 1153), Acts
22 of the 85th Legislature, Regular Session, 2017, is reenacted and
23 amended to read as follows:

24 (b) An open-enrollment charter school is subject to:

1 (1) a provision of this title establishing a criminal
2 offense; and

3 (2) a prohibition, restriction, or requirement, as
4 applicable, imposed by this title or a rule adopted under this
5 title, relating to:

6 (A) the Public Education Information Management
7 System (PEIMS) to the extent necessary to monitor compliance with
8 this subchapter as determined by the commissioner;

9 (B) criminal history records under Subchapter C,
10 Chapter 22;

11 (C) reading instruments and accelerated reading
12 instruction programs under Section 28.006;

13 (D) accelerated instruction under Section
14 28.0211;

15 (E) high school graduation requirements under
16 Section 28.025;

17 (F) special education programs under Subchapter
18 A, Chapter 29;

19 (G) bilingual education under Subchapter B,
20 Chapter 29;

21 (H) prekindergarten programs under Subchapter E
22 or E-1, Chapter 29;

23 (I) extracurricular activities under Section
24 33.081;

25 (J) discipline management practices or behavior
26 management techniques under Section 37.0021;

27 (K) health and safety under Chapter 38;

1 (L) public school accountability under
2 Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;

3 (M) the requirement under Section 21.006 to
4 report an educator's misconduct;

5 (N) intensive programs of instruction under
6 Section 28.0213;

7 (O) the right of a school employee to report a
8 crime, as provided by Section 37.148; ~~and~~

9 (P) bullying prevention policies and procedures
10 under Section 37.0832;

11 (Q) the right of a school under Section 37.0052
12 to place a student who has engaged in certain bullying behavior in a
13 disciplinary alternative education program or to expel the student;
14 ~~and~~

15 (R) the right under Section 37.0151 to report to
16 local law enforcement certain conduct constituting assault or
17 harassment;

18 (S) ~~(P)~~ a parent's right to information
19 regarding the provision of assistance for learning difficulties to
20 the parent's child as provided by Sections 26.004(b)(11) and
21 26.0081(c) and (d); and

22 (T) establishment of residency under Section
23 25.001.

24 SECTION 3. This Act applies beginning with the 2019-2020
25 school year.

26 SECTION 4. To the extent of any conflict, this Act prevails
27 over another Act of the 86th Legislature, Regular Session, 2019,

1 relating to nonsubstantive additions to and corrections in enacted
2 codes.

3 SECTION 5. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2019.