

- SUBJECT:** Establishing residency for school admission of military dependents
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 12 ayes — Huberty, Bernal, Allen, Allison, Ashby, K. Bell, Dutton, M. González, K. King, Meyer, Talarico, VanDeaver
- 0 nays
- 1 absent — Sanford
- WITNESSES:** For — (*Registered, but did not testify:* R Clint Smith, Abilene Chamber of Commerce; Chris Masey, Coalition of Texans with Disabilities; Barry Haenisch, Texas Association of Community Schools; Kyle Ward, Texas PTA; Lisa Dawn-Fisher, Texas State Teachers Association)
- Against — None
- On — (*Registered, but did not testify:* Von Byer, Leonardo Lopez, and Eric Marin, Texas Education Agency)
- BACKGROUND:** Education Code sec. 25.001(b) establishes residency requirements for persons seeking admission into public schools. Sec. (c) allows a school district board of trustees to require evidence that a person is eligible to attend the district's public schools. A board or its designee is required to establish minimum proof of residency acceptable to the district.
- DIGEST:** HB 1597 would allow the children of active-duty members of the U.S. armed forces, including the state military forces or a reserve component of the armed forces, to establish residency for admission into Texas public schools by providing the school district a copy of a military order requiring the parent's or guardian's transfer to a military installation in or adjacent to the district's attendance zone.
- A person who used a military transfer order to establish residency would be required to provide to the school district proof of residence, including

in a military temporary lodging facility, in the district's attendance zone not later than the 10th day after the arrival date specified in the order.

The bill would apply residency provisions in Education Code Sec. 25.001 to open-enrollment charter schools.

The bill would apply beginning with the 2019-2020 school year.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS
SAY:**

HB 1597 would allow the advance school enrollment of children from military families who were being relocated to a duty location in Texas. Current residency requirements may limit these children from enrolling until they physically arrive in Texas, limiting their chances to enroll in competitive charter or magnet school programs with limited space. The bill would allow families to use valid military transfer orders as proof of residency for a school attendance zone. The family would have to follow up with traditional evidence of their residence within 10 days of arriving in the district or charter school attendance zone.

The Governor's Committee to Support the Military identified the residency issue in its 2018 report. The report said that certain school districts allow early enrollment but the state lacks a uniform policy. Such a policy could help military children who move during the summer enroll in summer programs or be placed on waitlists for competitive public school programs, the report said.

**OPPONENTS
SAY:**

No concerns identified.