SCHOOL SAFETY CHOICE OPTION

TEA shall establish and implement a statewide policy requiring that a student be allowed to attend a safe public elementary or secondary school within the District, including a public charter school, if the student:

1. Attends a persistently dangerous public elementary or secondary school, as defined by TEA; or

2. Becomes a victim of a violent criminal offense, as determined by state law, while in or on the grounds of the public elementary or secondary school that the student attends.

No Child Left Behind Act of 2001, 20 U.S.C. 7912

SEXUAL ASSAULT TRANSFER

For the purposes of the following provisions:

1. "Assailant" means a student who has been adjudicated for continuous sexual abuse of a young child or children, sexual assault, or aggravated sexual assault if the assault was committed against another student who, at the time of the offense, was assigned to the same campus as the assailant, regardless of whether the conduct occurred on or off of school property.

2. "Victim" means the victim of the sexual assault.

TRANSFER OF VICTIM

On the request of a parent or other person with authority to act on behalf of the victim of the sexual assault, the Board shall transfer the victim to:

1. A District campus other than the campus to which:

   a. The victim was assigned at the time the conduct occurred;

   b. The assailant is assigned, if the assailant has been assigned to a different campus since the conduct occurred; or

2. A neighboring school district, if there is only one campus in the District serving the grade level in which the victim is enrolled.

The transfer must be to a campus or school district, as applicable, agreeable to the parent or other person with authority to act on the victim's behalf.

TRANSFER OF ASSAILANT

If the victim does not wish to transfer to another campus or district, the Board shall transfer the assailant to:

1. A District campus other than the campus to which the victim is assigned; or

2. The District's disciplinary alternative education program or juvenile justice alternative education program, if there is only one campus in the District serving the grade level in which the assailant is enrolled. [See FOC]

To the extent permitted under federal law [see FL], the District shall notify the parent or other person with authority to act on behalf of the victim of the campus or program to which the assailant is assigned.

Education Code 25.034 [see FDB] does not apply to a transfer under this provision.

The District is not required to provide transportation to a student who transfers to another campus or district under this provision.

Education Code 25.0341