

August 20, 2008

To the Administrator Addressed:

This letter is to inform you of the implementation by the Office of Attorney General of the Address Confidentiality Program (ACP) and its implications for public schools. The ACP is mandated by Subchapter C, Chapter 56, Code of Criminal Procedure, as enacted by S.B. 74, Acts of the 80th Legislature (2007). The Attorney General adopted rules implementing the program that took effect on May 25, 2008.

The ACP program is available to a person who is a victim of domestic violence, sexual assault, or stalking. The goal of the program is keep the victim's location confidential through the use of a substitute address and mail-forwarding service. To enroll, the person must meet with a Victim Services Counselor. A substitute legal address (P.O. Box) is established for the participant and is displayed on a participation card issued by the Office of Attorney General. On presentation of a participant's card, the statute and the rules require that state and local agencies accept the substitute post office address in lieu of the person's actual address. The substitute address has no relation to the participant's actual location within the state. Additional information regarding the program is available at <http://www.oag.state.tx.us/victims/acp.shtml>.

Public schools may encounter participants or their dependents who are students, parents, or school personnel. To be eligible for the program, the participant must be residing in a location that is unknown to the abuser or stalker. Although the number of ACP participants in any district or charter may be few, their security needs may be significant. You should be prepared to respond appropriately to address those needs in the school environment.

With regard to students, we understand that the program may present some significant challenges for verifying whether a student is entitled to enroll in your district or charter, determining appropriate campus assignment, and determining transportation eligibility. Please work through these issues with the participants. The Victim Services Counselor who enrolls a participant in the program may be able to provide some assistance in making these determinations while safeguarding the participant's location. Attached is a model affidavit that may be used in the process of enrolling a student who resides in the household of an ACP participant as well as a guidance document for ACP participants.

All school correspondence to the student or the student's parent or guardian that is mailed must be sent to the substitute address. Please consider that the amount of time required for mail delivery to persons in the program will be increased since the mail is forwarded to them from the substitute address.

Also, please discuss your local policy regarding the designation of directory information with the ACP participant so that he or she may make an informed choice regarding whether to object to the designation of directory information related to the affected student. In addition, bear in mind that school records that have a student address, including the classroom records of individual teachers, should use the substitute address.

To obtain more information regarding the ACP, consult the contact information provided on the Attorney General web page referenced above. For additional information regarding the attached affidavit, you may contact the TEA Office of General Inquiry at 512 923-9290 or the TEA Office of Legal Services at 512 463-9720.

Your attention to this program and the security needs of its participants is appreciated.

Sincerely,

David A. Anderson
General Counsel

Attachments: [School Admission Affidavit](#)
[School Admission Guidance](#)