

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 7, 2003

TO: Honorable Kent Grusendorf, Chair, House Committee on Public Education

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB16 by Corte (Relating to the expulsion of students for assault of school employees.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill amends Section 37.006(a) and 37.007(a) of the Texas Education Code. Section 37.006(a) currently states that a student must be removed from the classroom and placed in an alternative education program (AEP), if the student engages in certain types of misconduct while on school property or attending a school-sponsored or school related activity on or off school property. The new language requires AEP placement for misconduct that contains elements of the offense of assault as defined by Section 22.01(a)(1) of the Penal Code, if the victim is not a public school employee and placement in a Juvenile Justice Alternative Education Program if the victim is a school employee. That section of the penal code defines assault as causing bodily injury to another person

The provisions of the bill could result in an increase in placements to the Juvenile Justice Alternative Education Program (JJAEP). The Texas Juvenile Probation Commission (TJPC) estimates that they would require an additional \$5.7 million per year to support the additional expulsions. Mandatory placements in JJAEP's are funded as a set-aside from the Foundation School Program at the Texas Education Agency. The use of this funding mechanism is neutral to the state, although it has implications to local school districts and to the impacted state agencies.

For the purposes of this estimate, it is assumed that the current means of funding the JJAEP's would continue and if necessary would increase. Thus, these provisions do not have a significant fiscal impact.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 665 Juvenile Probation Commission, 701 Central Education Agency

LBB Staff: JK, CT, UP, PQ