

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 13, 2003

TO: Honorable Florence Shapiro, Chair, Senate Committee on Education

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB1314 by Pitts (Relating to placement of certain students in alternative education programs.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would authorize a school district board of trustees to place in a student in a disciplinary alternative education program if the student has been adjudicated or received deferred prosecution for conduct defined as a felony offense in Title 5, Penal Code. In order to make the placement, the board would have to determine that the student's presence in the classroom threatens the safety of other students or teachers, will be detrimental to the educational process, or is not in the best interests of the district's students. The authorization would apply regardless of the date or location of the offense, whether the conduct occurred while the student was enrolled in the district, or whether the student has successfully completed any court disposition requirements. The board would be authorized to place the student in an alternative education program for any period considered necessary. A student placed in an alternative education program under these provisions would be entitled to periodic review.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

To the extent that placements in a disciplinary alternative education program are more expensive than service provided in the regular classroom or on a regular campus, school districts choosing to exercise the authority afforded by this provision could incur additional costs. Costs incurred by a district would vary widely depending upon the type of disciplinary alternative education programs a district might have available to serve such students. It is assumed that all potential costs could be avoided, if a district chooses not to exercise the authority that would be provided by the bill.

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

LBB Staff: JK, CT, UP, PQ