

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**March 28, 2005**

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

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: HB243** by Goolsby (Relating to bullying as a ground for removing a public school student from class and placing the student in a disciplinary alternative education program.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would define bullying and require local school districts to place a student in a disciplinary alternative education program (DAEP) who engages in bullying on school grounds, within 300 feet of school grounds, or at a school related function.

The bill would take effect September 1, 2005 or immediately upon enactment by the necessary voting majorities and would apply beginning with the 2005-06 school year.

**Local Government Impact**

Under current law, school districts can take disciplinary action against students who bully, if bullying constitutes a violation of the local student code of conduct. There is no specific data by which to determine the incidence of bullying as a separate violation of student codes of conduct or the number of disciplinary actions specifically taken each year in response to bullying incidents. According to the Texas Education Agency (TEA), anecdotal evidence suggests that districts tend to respond to first-time or isolated incidents with detention or in-school suspension, with more serious or persistent behavior resulting in placement in a DAEP.

To the extent that districts would place more students in DAEPs, and that such arrangements have a higher cost per student than regular classrooms or other disciplinary settings, additional local costs would be incurred under the bill. In 2003-04, school districts spent \$152.0 million in operating expenses on DAEPs on a statewide basis. As a point of comparison, if there were a 5 percent increase in DAEP placement due to the bill, it would result in an annual statewide increase of \$7.6 million.

**Source Agencies:** 665 Juvenile Probation Commission, 694 Youth Commission, 701 Central Education Agency

**LBB Staff:** JOB, CT, UP, KC, LG