

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 23, 2005

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

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

IN RE: SB126 by Lindsay (Relating to the discipline of public school students.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would authorize a principal or other school administrator to reduce the term of a disciplinary alternative education program (DAEP) placement or to suspend a student as an alternative to placement for certain conduct not punishable as a felony, including assault and drug and alcohol related offenses. The bill would also authorize a board of trustees or its designee to reduce the term of an expulsion or to place a student in a DAEP as an alternative. The determination made under either of these provisions would include consideration of the student's disciplinary history and the student's intent or lack of intent at the time the conduct occurred.

The bill would allow the school district's student code of conduct to include additional factors that would need to be considered by an administrator or the board in making such a determination. The code of conduct would not be required to specify a minimum term of a disciplinary removal or expulsion.

The bill would also authorize a superintendent to modify the length of any expulsion and/or provide services to an expelled student who is at least 10 years old in a DAEP.

Local Government Impact

It is assumed that the provisions in the bill could affect the number of students placed in disciplinary settings or expelled, as well as the potential length of these placements or expulsions. However, on a statewide basis, no significant fiscal implication to units of local government is anticipated.

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

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