

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 21, 2007**

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

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

**IN RE: SB1067** by Shapiro (Relating to the enrollment in public school of students who are registered sex offenders and the notification requirements concerning certain offenses committed by students.), **As Introduced**

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

The bill would prohibit a student who is required to register as a sex offender under Chapter 62, Code of Criminal Procedure from enrolling at a public school campus. If the student is not exempt from compulsory attendance requirements, the bill would require the student to enroll in a disciplinary alternative education program (DAEP) or a juvenile justice alternative education program (JJAEP).

**Local Government Impact**

Under the provisions of the bill, the Texas Juvenile Probation Commission (TJPC) estimates that on a statewide basis, approximately 406 students would be required to enroll in either a DAEP or a JJAEP beginning in FY2008. The Commission estimates that an additional 484 students would be required to enroll in a DAEP or JJAEP in FY2009.

The bill would appear to provide local discretion with regard to the determination of whether to place an affected student in a DAEP or a JJAEP. Under current law, JJAEP placements that do not meet specific mandatory expulsion criteria are the financial responsibility of the placing school district. Students who are enrolled in public school DAEP programs and those who are enrolled in JJAEP programs who do not meet specific mandatory expulsion criteria continue to generate funding through average daily attendance under the state's Foundation School Program. It is assumed for the purpose of this fiscal note, that any placements in JJAEPs would be made at local discretion and thus would be the financial responsibility of the placing school district.

Costs experienced by school districts would be expected to vary from district to district depending upon the number of affected students and the proportion of affected students placed in DAEPs and JJAEPs. If all affected students were placed in JJAEPs, TJPC estimates that school districts would incur JJAEP placement costs of approximately \$2.5 million in FY2008 increasing to about \$7.6 million in FY2009. However, based on the assumptions noted above, school districts' JJAEP placement costs would be offset to some degree with Foundation School Program aid generated by the attendance of affected students.

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

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