

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 372** HLS 16RS 1008
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 17, 2016	8:06 AM	Author: BOUIE
Dept./Agy.: Education		Analyst: Jodi Mauroner
Subject: Student Discipline		

STUDENT/DISCIPLINE OR SEE FISC NOTE LF EX Page 1 of 2
 Provides relative to student discipline

Present law provides for the discipline of students for disorderly conduct in school or on the playgrounds of the school, on the street or road while going to or returning from school, or during intermission or recess. Proposed law changes the application of present law for students in kindergarten through grade five and students in grades six through twelve, but otherwise retains present law. Current law provides that prior to taking such actions for all other offenses the principal to implement one of six enumerated actions; proposed law adds the following to that list: (1) Restorative justice practices using a school-wide approach of informal and formal techniques to build a sense of school community and manage conflict by repairing harm and restoring positive relationships; (2) Loss of privileges; (3) Peer mediation; (4) Referral to school counselor social worker; (5) Referral to response to intervention. Current law requires a hearing be conducted by the superintendent or his designee prior to expulsion of a student upon recommendation of the principal. **Continued on Page Two**

EXPENDITURES	2016-17	2017-18	2018-19	2019-20	2020-21	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

REVENUES	2016-17	2017-18	2018-19	2019-20	2020-21	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There may be increased expenditures for local school districts as a result of the change in student discipline policies and the publication requirements of such policies. The extent of any such increases will depend upon the existing programs and resources within the school district, the extent to which they choose to use proposed alternative measures, and the nature and magnitude of disciplinary issues in the district and cannot be determined at this time.

Proposed law removes the mandate that students be suspended in certain instances and instead makes the suspension permissive. To the extent the school chooses to apply alternative discipline methods for those students there may be increased costs incurred. For instance, the proposed law expands the type of disciplinary measure to include restorative justice practices. To the extent schools do not currently engage in this practice and choose to implement it, there could be cost increases associated with staffing, training and stipends for teacher, community, and/or parent advisors engaged in restorative justice programming. Costs could also be incurred for schools to increase the number of school counselors or social workers to deal with student behavior issues.

Proposed law requires that a student receive an expulsion hearing within ten days of notification. If the hearing is not conducted within ten days, the student shall return to the school or begin receiving educational services at an alternative setting until the hearing takes place. Some district's policies currently adhere to the 10 day timeline, others may not have the resources to do so. Further, districts may choose to operate an alternative school or program subject to BESE approval, or may enter into an agreement with an educational service provider to provide alternative placements. These options are not available at all schools and may require additional resources to provide these services as needed.

Finally, the bill requires each district to provide specific information on their website and further requires separate links to state laws, school policies and timelines, and other rules, regulations, and policies. All districts operate a website, and many contain links to the Student Handbook which may contain the district policies on student discipline, suspension and expulsions, as well as due process rights. Most districts will likely have to modify their website to comply with the provisions of the bill. The LFO does not have information as to how many of the districts have their own IT staff and how many may contract with a third party for website maintenance and whether there may be one time costs associated with the website modifications.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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|---|--|
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

Evan Brasseaux
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Staff Director

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CONTINUED EXPLANATION from page one:

Proposed law retains the requirement that a conference take place between the parent and teacher or other school employee, but removes the requirement that the conference take place prior to the student being readmitted and requires such hearing take place within ten days of receipt of notification of the recommendation. Current law mandates in-school suspensions for certain actions. Proposed law makes suspensions permissive. Prohibits suspension or removal from school for school uniform related violations and habitual tardiness or absenteeism for students in kindergarten through grade five. Proposed law requires each local school district to publish certain information relative to student discipline on its website; further provides that the website provide separate links for each of the following: 1) state suspension and expulsion laws applicable to students; 2) disciplinary action timeline; 3) explanation of due process rights for both formal and informal hearings with full explanation of the process, student's rights, hearing agenda and appeals process; 4) rules and regulations on the use of corporal punishment. Policies and Procedures shall also include summaries with separate links to 1) student code of conduct; 2) controlled substances or contraband; 3) dress code; 4) grade change process; 5) harassment or bullying prohibition and prevention; 6) students rights and responsibilities.

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13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

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