



LEGISLATIVE FISCAL OFFICE  
Fiscal Note

Fiscal Note On: **HB 1209** HLS 12RS 3559  
Bill Text Version: **ENGROSSED**  
Opp. Chamb. Action:  
  
Proposed Amd.:  
Sub. Bill For.: HB 312

<b>Date:</b> May 14, 2012	2:27 PM	<b>Author:</b> RICHARD
<b>Dept./Agy.:</b> Education		
<b>Subject:</b> Expelled students		<b>Analyst:</b> Mary Kathryn Drago

STUDENT/SCH ATTENDANCE EG INCREASE EX See Note Page 1 of 1  
Provides relative to alternative education programs for suspended or expelled students

The proposed legislation removes the exclusion for students expelled for weapon and controlled dangerous substances offenses from the requirement for supervision using alternative education programs. A superintendent instead of the school board will place the expelled student in an alternative school or in an alternative educational placement. The legislation provides for the Board of Elementary and Secondary Education to include the following in their rules and regulations: provisions for cases which a school governing authority enters into an agreement with an education service provider for the education of students who have been adjudicated delinquent by a court having juvenile jurisdiction as defined in Chapter 2, Article 302 of the Louisiana Children’s Code or as a member of a family in need of services by a court or are in the custody of the office of juvenile justice and are assigned to a community-based program or facility. The services shall be provided to the school governing authority at the actual costs incurred by the provider, incurred by the provider, not to exceed for each student the pro rata share of the combined state and local per pupil amount of the MFP for the governing authority.

EXPENDITURES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

REVENUES	2012-13	2013-14	2014-15	2015-16	2016-17	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation will increase expenditures by an indeterminable amount to provide academic, behavioral, and mental health interventions to students who have been expelled from regular education settings or alternative schools and were not previously receiving such services. State general fund and local expenditures will increase to provide additional Minimum Foundation Program funding for these students who were not being counted in the school system’s enrollment counts or counted in the Office of Juvenile Justice (OJJ) student enrollment counts. Federal expenditures will increase to the extent school systems and education service providers bill Medicaid for providing Medicaid eligible behavioral and mental health services. Other federal sources, such as Individuals with Disabilities Education Act and Title I may also be able to be used for such services.

The Department of Education does not have data on the total number of students who have been been adjudicated by the courts to OJJ (to their supervision, but not to secure care), the number of students suspended or expelled for drugs/weapons, or the number expelled from alternative schools. Therefore, the total increase in students counted in the MFP is not known and the increase in the state or local MFP expenditures is indeterminable. However, the average state and local MFP per pupil allocation for FY 12 is \$5,035 (state) and \$3,494 (local). For each additional student counted in the MFP, on average the expenditures will increase by these amounts. The increase in expenditures related to providing behavioral and mental health services is dependent upon the needs of the students. In the cases where educational service providers are working with school systems to provide these services, the services will be provided at the actual cost not to exceed the pro rata share of the combined state and local per pupil amount of the MFP of the school system.

REVENUE EXPLANATION

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

Senate	Dual Referral Rules	House	
<input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}	<input type="checkbox"/> 6.8(F)1 >= \$500,000 Annual Fiscal Cost {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}	H. Gordon Monk Legislative Fiscal Officer	