

SUBJECT: Required attendance at juvenile justice alternative education programs

COMMITTEE: Public Education — favorable, without amendment

VOTE: 9 ayes — Sadler, Dutton, Dunnam, Grusendorf, Hardcastle, Hochberg, Oliveira, Olivo, Smith

0 nays

WITNESSES: For — None

Against — None

On — Joe Wisnoski, Texas Education Agency

BACKGROUND: Under Education Code, sec. 37.011(b), if a student is expelled from school for a serious offense, including possession of a firearm, aggravated assault, or arson, and is placed on probation or deferred adjudication, the juvenile court will require the student to attend a juvenile justice alternative education program, unless the student is placed in a post-adjudication treatment center. In determining the conditions of a student's deferred prosecution or court-ordered probation, the court must take into account the length of the school district's expulsion order.

DIGEST: HB 2205 would require a student who had been expelled from school for a serious offense and placed under the jurisdiction of a juvenile court to attend a juvenile justice alternative education program in the student's county until the end of the expulsion period or until the student was no longer required to attend school at age 18.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2001. The conditions of HB 2205 would apply beginning with the 2001-02 school year.