

## **BILL ANALYSIS**

Senate Research Center

S.B. 136  
By: Bivins  
Education  
2-23-97  
As Filed

### **DIGEST**

Currently, a student who is expelled from school for engaging in conduct under Section 37.007, Education Code, and who is found by a juvenile court to have engaged in delinquent conduct must be placed in a juvenile justice alternative education program (JJAEP). However, many students who are expelled from school have engaged in conduct that does not rise to the level of delinquent conduct as defined by the Family Code, and these students avoid placement in JJAEP. This bill requires all expelled students to be served by the JJAEP, regardless of whether the student is found to have engaged in delinquent conduct, in an effort to keep children off the streets.

### **PURPOSE**

As proposed, S.B. 136 requires a student who is expelled from school to be placed in a juvenile justice alternative education program.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 37.011(b), Education Code, to require a juvenile court to require the juvenile justice alternative education program (program) in the county in which the conduct occurred to provide educational services to a student and order the student to attend the program from the date of adjudication, if the student is expelled from school under Section 37.007. Deletes the provision which requires an affirmative finding by a juvenile court under Title 3, Family Code, before a student is required to be placed in the program.

SECTION 2. Amends Section 54.03(g), Family Code, to make a conforming change.

SECTION 3. Provides that the changes in law made by this Act apply beginning with the 1997-1998 school year.

SECTION 4. Emergency clause.  
Effective date: upon passage.