

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 07/03/2012
POSITION: Oppose
SPONSOR: Public Counsel Law Center; Youth Law Center

BILL NUMBER: SB 1088
AUTHOR: Price, Curren

BILL SUMMARY: Pupils: readmission.

This bill would require the governing board of a school district, upon request by a student's parent or guardian, to reevaluate an expelled student who has been denied readmission using the same process as the initial readmission procedure. The bill would also expand the required content of the letter that a board must send a student who has been denied readmission to include the date on which the student will be reevaluated for readmission and the requirement that the student document how he or she has addressed the reasons given for the initial denial of readmission. The bill also would specify that a student shall not be denied enrollment or readmission to a public school solely on the basis that he or she has had contact with the juvenile justice system.

FISCAL SUMMARY

This bill would create reimbursable state-mandated costs of approximately one million dollars annually in Proposition 98 General Fund for schools to conduct reevaluations and comply with the additional notification requirements. This estimate assumes that the cost to reevaluate expelled students who are denied readmission to school is a fraction of the \$6 million annual estimated cost for the existing Pupil Suspensions, Expulsions and Expulsion Appeals mandate.

The author's office indicates it intends to amend the bill to eliminate the mandated activities. The bill would maintain the requirement that a student not be denied enrollment or readmission to a public school solely on the basis that he or she has had contact with the juvenile justice system.

COMMENTS

The Department of Finance is opposed to this bill for the following reasons:

- It is unnecessary because nothing in current law prohibits a school district from establishing a procedure for reevaluating expelled students who are denied readmission to school.
- It would create reimbursable state-mandated General Fund Proposition 98 costs at a time when state resources are significantly limited.

Current law prescribes a process for considering readmission of an expelled student and requires that the student be readmitted to school unless he or she has not met conditions of rehabilitation or continues to pose a danger to campus safety. Students denied readmission may be ordered to continue in an alternative educational program or may be placed in another program such as a county community school. The author's office states that these programs are used as "dumping grounds" for expelled students, making it harder for them to return to a comprehensive school setting and more likely that they will drop out of school altogether.

This bill is one of several that would amend statute relating to suspension and expulsion requirements. Related bills include:

Analyst/Principal (0352) L.Del Castillo	Date	Program Budget Manager Nicolas Schweizer	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

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COMMENTS (continued)

AB 1729 (Ammiano) would encourage the use of alternatives to suspension and expulsion. Status: Senate third reading.

AB 2145 (Alejo) would require data on pupil expulsions and suspensions produced by California Longitudinal Pupil Achievement Data System be disaggregated by subgroups and made available annually on the State Department of Education's Internet site. Status: Senate Appropriations Committee.

AB 2242 (Dickinson) would remove the discretion of schools to impose an extended suspension or recommend expulsion of a student who has been found to have disrupted school activities or otherwise willfully defied the authority of school officials. Status: Senate third reading.

AB 2537 (V. Perez) would encourage alternative means of correction instead of suspension or expulsion. Status: Senate second reading.

SB 1235 (Steinberg) would require specified schools to implement alternative behavioral interventions for at least three years in an effort to reduce off-campus suspension rates. Status: Assembly Appropriations Committee.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)					Fund Code	
	LA	(Dollars in Thousands)						
	CO	PROP						
	RV	98	FC	2012-2013	FC	2013-2014	FC	2014-2015
6110/Dept of Educ	LA	Yes		-----	See Fiscal Summary	-----		0001