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## TESTIMONY OF CONNECTICUT LEGAL SERVICES, INC. IN OPPOSITION TO BILL NO. 5526, AN ACT CONCERNING IN-SCHOOL SUSPENSIONS.

Good afternoon Senator Coleman, Representative Sharkey and members of the Planning and Development Committee. My name is Catherine Holahan and I am the managing attorney of the Children-at-Risk unit of Connecticut Legal Services, Inc. (CLS). CLS represents families of children and youth who are having difficulty accessing educational and/or behavioral health services.

I am here today to urge you to oppose **HB. 5526, An Act Concerning In-School Suspensions**, which would delay the implementation of important changes to the suspension law for 3 years.

The change to Section 10-233c of the general statutes that goes into effect on July 1, 2009, would prohibit school districts from imposing out-of-school suspensions on students unless "the pupil being suspended poses such a danger to persons or property or such a disruption of the educational process that the pupil shall be excluded from school during the period of suspension." **This language is crucial to curtailing the widespread use of out-of-school suspensions in response to relatively minor offenses that could be handled in much more effective and positive ways.** The change to 10-233c does **NOT** mandate in-school suspension, but rather qualifies when out-of-school suspension may be used. Even with that change, however, school districts retain enormous discretion on when to impose out-of-school suspension.

Data collected by the State Department of Education and analyzed in a report by CT Voices for Children has revealed certain facts about out-of-school suspension in Connecticut: (1) Out-of-school suspensions are surprisingly common; (2) the majority of out-of school suspensions in Connecticut have been for relatively minor offenses, such as attendance violations, disrespect and language; and (3) low-income students, minority students and students with disabilities are all disproportionately subjected to exclusion from school by suspension.<sup>1</sup>

**At CLS, we meet the children behind these statistics and unfortunately can provide many examples from our cases in which out-of-school suspension has been overused and used for minor school policy violations.**

<sup>1</sup>Ali, Taby and Dufresne, Alexandra, "Missing Out: Suspending Students from Connecticut Schools" CT Voices for Children (August 2008).



Some brief examples include:

- a 7<sup>th</sup> grader was suspended for 4 days for turning off the lightswitch in the classroom
- a 5<sup>th</sup> grader was suspended for 8 days (2 days each; 4 times) for cutting class
- a 9<sup>th</sup> grader was suspended for 3 days for having his hood up in class because he was cold

We also see many cases in which repeated suspensions push students toward failure and dropping out when alternative interventions would have been more productive. My client, whom I will call Kyle, was 16 years old and reading at a 2<sup>nd</sup> to 3<sup>rd</sup> grade level. He had a learning disability and a short attention span. He had difficulty staying focused and had a habit of leaving his classrooms and roaming the halls. Each time he was found in the hallway, he was suspended for 2-3 days. After serving his suspension, he would return to school and inevitably get suspended again. By the beginning of November, he had been suspended out-of-school for 21 days, which is essentially half of the days school had been in session. After CLS' involvement and advocacy on special education issues, the district agreed to stop suspending Kyle and developed a more effective intervention plan that included a mentor teacher, regular check-ins, and positive incentives.

Another client, whom I will call Darren, is in the 9<sup>th</sup> grade has been suspended over 30 days this school year for skipping class, being disrespectful, being in the hallway during class, and being in a different wing of the school building than where his classes were. Darren is in danger of failing all of his classes, which is not surprising considering that he has missed about a third of the days school has been in session. When Darren's family and I met recently with his school administrators and teachers, there was agreement that out-of-school suspensions are counter-productive and harmful to Darren. The district agreed to an interim plan that included designated mentors, weekly counseling, check-ins twice per day, positive incentives and recognition for achievement, and in-school alternatives to suspension when Darren does violate school policy.

Alternative disciplinary methods and methods to improve school climate, which prevent disciplinary incidents from occurring, are much more effective than excluding children from school. Although schools still retain discretion in determining what conduct warrants out-of-school suspension, the changes to the law effective in July will at least provide some guidance and hopefully reduce the unnecessary exclusion of students from school.

We therefore urge the Planning and Development Committee to **oppose HB 5526, An Act Concerning In-School Suspensions** and allow the change to Conn. Gen. Stat. 10-233c to go into effect as scheduled in July of 2009. I thank you for your consideration.