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and public education

Connecticut Education Association

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Capitol Place, Suite 500
21 Oak Street
Hartford, CT 06106-8001
860-525-5641, 800-842-4316
Fax: 860-725-6362
vinniel@cea.org

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EDUCATION COMMITTEE TESTIMONY

March 11, 2011

Re: **Senate Bill 1139**

Presented by:

Dr. Joan Hughes

Connecticut Education Association
101 Merritt 7, Norwalk, CT 06851

My name is Dr. Joan Hughes and I have worked as a field representative for the Connecticut Education Association for the past twenty-five years. I have two Masters Degrees in Education and a doctorate from Teachers College, Columbia University. In my previous life, I taught English for twelve years to regular students, co-taught and mainstreamed Special Education students. I am here to speak in favor of Senate Bill 1139, as amended, which makes it mandatory for a principal to report a teacher's or other employee's assault by a student to the police with a financial penalty for failure to report. The amendments also allow other employees to make the report.

With me is Cathy Delehanty, President of the nine hundred member Greenwich Education Association. This local has been dealing with the issue of principals failing to report for the past three years.

Currently, the number of reported assaults does not accurately reflect the number of times teachers are being pushed, shoved, hit, spat upon, punched, threatened, or subjected to any other form of violent and/or insubordinate act. All one has to do is compare the Workers' Compensation cases for assault with the number of reported, and it is clear the assaults are not being reported.

Once a teacher is hurt, he or she must fill out a Workers' Compensation form and/or building accident form. The principal is supposed to file a written report with the police. The individual teacher is not told he has an individual right to file. Even teachers aware of the law assume the principal is filing as the law states. Doesn't happen. This is why the penalty is critical.

Assaulted teachers are blamed for the assault. They are the victims. Non-tenured teachers are given the message that they must be having classroom management issues which led to the assault. They could be terminated – the unspoken or spoken message is "suck it up or be fired." The same is true with non-certified staff. It is inappropriate to blame the victim.

The second area where the current law fails us is in Special Education. I have worked with specific cases of mainstreamed Special Education students who physically and sexually assaulted teachers on the elementary, middle, and secondary levels with no reports – even after I have helped take the teacher to the police station to file. There were no "mandatory" principal reports – just the Association supporting a teacher victim. Even when the reports are filed, they are often "lost" because they are Special Education.

As we bring more severely mentally and physically challenged students into regular education programs and buildings, we must ensure that other students, teachers, and staff are safe. Special Education students must follow regular student behavior codes with consequences for violations. It is not ok for a Special Education student to stab his paraprofessional in the eye with a pen. And the Special Ed student's best interest is not being served if violent behavior is allowed to persist.

Currently, Special Education students who are exempted from school behavior codes have "BIPS" or Behavior Improvement Plans in place. These plans are often outlines for the student to reduce tantrums, violent assaultive behaviors at the expense of the certified and non-certified staff. These are behaviors which should be eliminated before placement. The best example I can give is of December 1, 2010, or "assault day" at Greenwich High School. We had four assaults by two Special Education students on that day. Four staff members went to the hospital by ambulance. One teacher went to report to the police. The principal "told" the school resource officer about the assaults. The Association insisted that did not constitute filing a police report. We feel there needs to be a record of these instances to ultimately remove students who are inappropriately placed and to protect staff. And there must be consequences for a principal who fails to abide by the law.

I called the police detective and was told that telling the school resource officer did not constitute reporting. I shared this with the principal who has still has not shared copies of the reports. The teacher asked the police for a copy of the report she filed and was told the chief was "reviewing it." No copy. There is no proof that assault reports were filed for this day, although both students were suspended.

Teachers have a right to expect a reasonably safe work environment with consequences for students who violate behavior codes and the law, regardless of the students' disabilities. Teachers and staff need to be protected from being victimized twice – once from the assault, and a second time from a system that really doesn't want to know.

I urge you to support this bill as amended.