



General Assembly

January Session, 2011

Raised Bill No. 1138

LCO No. 4185

04185_____ED_

Referred to Committee on Education

Introduced by:

(ED)

AN ACT CONCERNING THE STRENGTHENING OF SCHOOL BULLYING LAWS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-222d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 (a) As used in this section and sections 10-145a, as amended by this
4 act, 10-145o, as amended by this act, 10-220a, as amended by this act,
5 10-222g, as amended by this act, 10-222h, as amended by this act, and
6 10-263e and sections 5, 7 and 10 of this act:

7 (1) "Bullying" means the repeated use by one or more students of a
8 written, verbal or electronic communication or a physical act or
9 gesture directed at another student that: (A) Causes physical or
10 emotional harm to another student or damage to another student's
11 property, (B) places another student in reasonable fear of harm to
12 himself or herself, or of damage to his or her property, (C) creates a
13 hostile environment at school for another student, (D) infringes on the
14 rights of another student at school, or (E) substantially disrupts the
15 education process or the orderly operation of a school, and includes

16 cyberbullying;

17 (2) "Cyberbullying" means any act of bullying through the use of the
18 Internet, interactive and digital technologies, cellular mobile telephone
19 or other mobile electronic devices or any electronic communications;

20 (3) "Mobile electronic device" means any hand-held or other
21 portable electronic equipment capable of providing data
22 communication between two or more persons, including, but not
23 limited to, a text messaging device, a paging device, a personal digital
24 assistant, a laptop computer, equipment that is capable of playing a
25 video game or a digital video disk, or equipment on which digital
26 photographs are taken or transmitted;

27 (4) "Electronic communication" means any transfer of signs, signals,
28 writing, images, sounds, data or intelligence of any nature transmitted
29 in whole or in part by a wire, radio, electromagnetic, photoelectronic
30 or photo-optical system;

31 (5) "Outside of the school setting" means at a location, activity or
32 program that is not school related, or through the use of an electronic
33 device or a mobile electronic device; and

34 (6) "School employee" means (A) a teacher, substitute teacher,
35 school administrator, school superintendent, guidance counselor,
36 psychologist, social worker, nurse, physician, school paraprofessional
37 or coach employed by a local or regional board of education or a
38 private elementary, middle or high school or working in a public
39 elementary, middle or high school; or (B) any other person who, in the
40 performance of his or her duties, has regular contact with students and
41 who provides services to or on behalf of students enrolled in a public
42 elementary, middle or high school, pursuant to a contract with the
43 local or regional board of education.

44 (b) Each local and regional board of education shall develop and
45 implement a [policy] safe school environment plan to address the

46 existence of bullying in its schools. Such [policy] plan shall: (1) Enable
47 students to anonymously report acts of bullying to [teachers and
48 school administrators] school employees and require students and the
49 parents or guardians of students to be notified annually of the process
50 by which they may make such reports, (2) enable the parents or
51 guardians of students to file written reports of suspected bullying, (3)
52 require [teachers and other school staff] school employees who witness
53 acts of bullying or receive [student] reports of bullying to orally notify
54 school administrators [in writing] and the school safe school
55 environment specialist, described in section 9 of this act, on the same
56 day when such school employee witnesses or receives a report of
57 bullying, and to file a written report not later than two school days
58 after making such oral report, (4) require [school administrators to
59 investigate any] the school safe school environment specialist to
60 investigate all reports of bullying and complete such investigation not
61 later than ten school days after receipt of any written reports made
62 under this section, [and] (5) require the school safe school environment
63 specialist to review any anonymous reports, except that no disciplinary
64 action shall be taken solely on the basis of an anonymous report, [(5)]
65 (6) include a prevention and intervention strategy, as defined by
66 section 10-222g, as amended by this act, for school [staff] employees to
67 deal with bullying, [(6)] (7) provide for the inclusion of language in
68 student codes of conduct concerning bullying, [(7)] (8) require each
69 school to notify the parents or guardians of students who commit any
70 verified acts of bullying and the parents or guardians of students
71 against whom such acts were directed [, and invite them to attend at
72 least one meeting, (8) require each school] not later than forty-eight
73 hours after the completion of the investigation described in
74 subdivision (4) of this subsection, (9) require each school to invite the
75 parents or guardians of students who commit any verified acts of
76 bullying and the parents or guardians of students against whom such
77 acts were directed, not later than ten days after the completion of the
78 investigation described in subdivision (4) of this subsection, to
79 communicate to such parents or guardians the measures being taken

80 by the school to ensure the student's safety and to prevent further acts
81 of bullying, (10) establish a procedure for schools to document and
82 maintain records relating to reports and investigations of bullying in
83 such school and to maintain a list of the number of verified acts of
84 bullying in such school and make such list available for public
85 inspection, and [, within available appropriations,] annually report
86 such number to the Department of Education, [annually] and in such
87 manner as prescribed by the Commissioner of Education, [(9)] for
88 purposes of the state-wide safe school environment resource network,
89 described in section 4 of this act, (11) direct the development of case-
90 by-case interventions for addressing repeated incidents of bullying
91 against a single individual or recurrently perpetrated bullying
92 incidents by the same individual that may include both counseling and
93 discipline, [and (10) identify the appropriate school personnel, which
94 may include, but shall not be limited to, pupil services personnel,
95 responsible for taking a bullying report and investigating the
96 complaint] (12) prohibit discrimination and retaliation against an
97 individual who reports an act of bullying, (13) prohibit the
98 continuation and perpetuation of bullying of a student through the
99 dissemination of hurtful or demeaning material by any other student,
100 (14) require the principal of a school, or the principal's designee, to
101 notify the appropriate local law enforcement agency when such
102 principal, or the principal's designee, believes that any acts of bullying
103 constitute criminal conduct, (15) prohibit bullying on school grounds
104 at a school-sponsored or school-related activity, function or program
105 whether on or off school grounds, at a school bus stop, on a school bus
106 or other vehicle owned, leased or used by a local or regional board of
107 education, or through the use of an electronic device or an electronic
108 mobile device, (16) include provisions addressing bullying outside of
109 the school setting if such bullying (A) creates a hostile environment at
110 school for the victim, (B) infringes on the rights of the victim at school,
111 or (C) substantially disrupts the education process or the orderly
112 operation of a school, (17) require, at the beginning of each school year,
113 each school to provide the parents or guardians of students with a

114 written copy of the school district's safe school environment plan and
115 any other relevant information relating to school bullying, including,
116 but not limited to, applicable state laws regarding bullying, and (18)
117 require that all school employees annually complete the training
118 described in section 6 of this act. The notification required pursuant to
119 [subdivision (7)] subdivision (8) of this subsection and the invitation
120 required pursuant to subdivision (9) of this [section] subsection shall
121 include a description of the response of school staff to such acts and
122 any consequences that may result from the commission of further acts
123 of bullying. [For purposes of this section, "bullying" means any overt
124 acts by a student or a group of students directed against another
125 student with the intent to ridicule, harass, humiliate or intimidate the
126 other student while on school grounds, at a school-sponsored activity
127 or on a school bus, which acts are committed more than once against
128 any student during the school year. Such policies may include
129 provisions addressing bullying outside of the school setting if it has a
130 direct and negative impact on a student's academic performance or
131 safety in school.]

132 (c) Prior to making any amendments to the district's safe school
133 environment plan, each local and regional board of education shall
134 consult with school employees, parents and guardians of students,
135 students, community leaders in the school district and representatives
136 from local law enforcement agencies, and allow for a public comment
137 period of at least thirty days following the publication of notice of any
138 proposed changes.

139 (d) Not later than [February 1, 2009] January 1, 2012, each local and
140 regional board of education shall [submit the policy] approve the safe
141 school environment plan developed pursuant to this section and
142 submit such plan to the Department of Education. Not later than [July
143 1, 2009, each] thirty calendar days after approval of such plan by the
144 local or regional board of education, the board shall make such plan
145 available on the board's and each individual school in the school
146 district's Internet web site and ensure that the policy is included in the

147 school district's publication of the rules, procedures and standards of
148 conduct for schools and in all student handbooks.

149 Sec. 2. Section 10-222g of the general statutes is repealed and the
150 following is substituted in lieu thereof (*Effective July 1, 2011*):

151 For the purposes of section 10-222d, as amended by this act, the
152 term "prevention and intervention strategy" may include, but is not
153 limited to, (1) implementation of a positive behavioral interventions
154 and supports process or another evidence-based model approach for
155 safe school climate or for the prevention of bullying identified by the
156 Department of Education, (2) a school survey to determine the
157 prevalence of bullying, (3) establishment of a [bullying prevention
158 coordinating committee with broad representation] safe school
159 environment team to review the survey results and implement the
160 strategy, (4) school rules prohibiting bullying, harassment and
161 intimidation and establishing appropriate consequences for those who
162 engage in such acts, (5) adequate adult supervision of outdoor areas,
163 hallways, the lunchroom and other specific areas where bullying is
164 likely to occur, (6) inclusion of grade-appropriate bullying education
165 and prevention curricula in kindergarten through high school, (7)
166 individual interventions with the bully, parents and school staff, and
167 interventions with the bullied child, parents and school staff, (8)
168 school-wide training related to safe school climate, (9) student peer
169 training, education and support, and [(9)] (10) promotion of parent
170 involvement in bullying prevention through individual or team
171 participation in meetings, trainings and individual interventions.

172 Sec. 3. Section 10-222h of the general statutes is repealed and the
173 following is substituted in lieu thereof (*Effective July 1, 2011*):

174 (a) The Department of Education shall, within available
175 appropriations, (1) review and analyze the [policies] plans submitted
176 to the department pursuant to section 10-222d, as amended by this act,
177 (2) examine the relationship between bullying, school climate and
178 student outcomes, (3) document school districts' articulated needs for

179 technical assistance and training related to safe learning and bullying,
180 (4) collect information on the prevention and intervention strategies
181 used by schools to reduce the incidence of bullying, improve school
182 climate and improve reporting outcomes, [and] (5) develop or
183 recommend a model [policies] safe school environment plan for grades
184 kindergarten to twelve, inclusive, [for the prevention of bullying] and
185 (6) develop a survey to be used by school districts for the purposes of
186 collecting information described in subdivision (4) of this subsection so
187 that the department can monitor bullying prevention efforts over time
188 and compare each district's progress to state trends and provide such
189 information to the state-wide safe school environment resource
190 network described in section 4 of this act. On or before February 1,
191 2010, and biennially thereafter, the department shall, in accordance
192 with the provisions of section 11-4a, submit a report on the status of its
193 efforts pursuant to this section the number of verified acts of bullying
194 in the state, an analysis of the responsive action taken by school
195 districts and any recommendations it may have regarding additional
196 activities or funding to prevent bullying in schools and improve school
197 climate to the joint standing committee of the General Assembly
198 having cognizance of matters relating to education and to the select
199 committee of the General Assembly having cognizance of matters
200 relating to children.

201 (b) The department shall designate, within available appropriations,
202 the fourth Wednesday in January in each year to be Safe School
203 Awareness Day, which day shall be suitably observed in all the public
204 schools of the state as a day to increase public awareness of the effects
205 of bullying, to encourage students to not use hurtful names and to
206 promote tolerance and respect for differences among students across
207 the state.

208 ~~[(b)]~~ (c) The department may accept private donations for the
209 purposes of this section.

210 Sec. 4. (NEW) (*Effective July 1, 2011*) (a) The Department of

211 Education, in consultation with nonprofit and community
212 organizations, shall establish, within available appropriations, a state-
213 wide safe school environment resource network for the identification,
214 prevention and education of school bullying in the state. Such state-
215 wide safe school environment resource network shall collect and
216 analyze bullying data collected pursuant to subsection (b) of section
217 10-222d of the general statutes, as amended by this act, and subsection
218 (a) of section 10-222h of the general statutes, as amended by this act,
219 provide training to school employees, as defined in section 10-222d of
220 the general statutes, as amended by this act, and provide safe school
221 environment resource materials to local and regional boards of
222 education.

223 (b) The department may seek federal, state and municipal funding
224 and may accept private donations for the administration of the state-
225 wide safe school environment resource network.

226 Sec. 5. Subsection (a) of section 10-220a of the general statutes is
227 repealed and the following is substituted in lieu thereof (*Effective July*
228 *1, 2011*):

229 (a) Each local or regional board of education shall provide an in-
230 service training program for its teachers, administrators and pupil
231 personnel who hold the initial educator, provisional educator or
232 professional educator certificate. Such program shall provide such
233 teachers, administrators and pupil personnel with information on (1)
234 the nature and the relationship of drugs, as defined in subdivision (17)
235 of section 21a-240, and alcohol to health and personality development,
236 and procedures for discouraging their abuse, (2) health and mental
237 health risk reduction education which includes, but need not be
238 limited to, the prevention of risk-taking behavior by children and the
239 relationship of such behavior to substance abuse, pregnancy, sexually
240 transmitted diseases, including HIV-infection and AIDS, as defined in
241 section 19a-581, violence, teen dating violence, domestic violence, child
242 abuse and youth suicide, (3) the growth and development of

243 exceptional children, including handicapped and gifted and talented
244 children and children who may require special education, including,
245 but not limited to, children with attention-deficit hyperactivity
246 disorder or learning disabilities, and methods for identifying, planning
247 for and working effectively with special needs children in a regular
248 classroom, (4) school violence prevention, conflict resolution and the
249 identification and prevention of and response to bullying, as defined in
250 subsection (a) of section 10-222d, as amended by this act, except that
251 those boards of education that implement [an] any evidence-based
252 model approach [,] approved by the Department of Education and that
253 is consistent with subsection (d) of section 10-145a, subsection (a) of
254 section 10-220a, sections 10-222d, 10-222g and 10-222h, subsection (g)
255 of section 10-233c and sections 1 and 3 of public act 08-160, shall not be
256 required to provide in-service training on prevention of bullying, (5)
257 cardiopulmonary resuscitation and other emergency life saving
258 procedures, (6) computer and other information technology as applied
259 to student learning and classroom instruction, communications and
260 data management, (7) the teaching of the language arts, reading and
261 reading readiness for teachers in grades kindergarten to three,
262 inclusive, and (8) second language acquisition in districts required to
263 provide a program of bilingual education pursuant to section 10-17f.
264 Each local and regional board of education may allow any
265 paraprofessional or noncertified employee to participate, on a
266 voluntary basis, in any in-service training program provided pursuant
267 to this section. The State Board of Education, within available
268 appropriations and utilizing available materials, shall assist and
269 encourage local and regional boards of education to include: (A)
270 Holocaust education and awareness; (B) the historical events
271 surrounding the Great Famine in Ireland; (C) African-American
272 history; (D) Puerto Rican history; (E) Native American history; (F)
273 personal financial management; (G) domestic violence and teen dating
274 violence; and (H) topics approved by the state board upon the request
275 of local or regional boards of education as part of in-service training
276 programs pursuant to this subsection.

277 Sec. 6. (NEW) (*Effective July 1, 2011*) (a) The Department of
278 Education shall provide annual training to school employees, as
279 defined in section 10-222d of the general statutes, as amended by this
280 act, on the prevention, identification and response to school bullying.
281 Such training may include, but not be limited to, (1) developmentally
282 appropriate strategies to prevent bullying among students in school
283 and outside of the school setting, (2) developmentally appropriate
284 strategies for immediate and effective interventions to stop bullying,
285 (3) information regarding the interaction and relationship between
286 students committing acts of bullying, students against whom such acts
287 of bullying are directed and witnesses of such acts of bullying, (4)
288 researching findings on bullying, such as information about the types
289 of students who have been shown to be at-risk for bullying in the
290 school setting, (5) information on the incidence and nature of
291 cyberbullying, as defined in section 10-222d of the general statutes, as
292 amended by this act, or (6) Internet safety issues as they relate to
293 cyberbullying. Such training may be presented in person by mentors,
294 offered in state-wide workshops, through on-line courses or through
295 the dissemination of reading materials.

296 (b) The training described in subsection (a) of this section shall be
297 provided as part of the in-service training required by section 10-220a
298 of the general statutes, as amended by this act, and shall count towards
299 the professional development requirements pursuant to section 10-
300 145b of the general statutes for any teacher, administrator or pupil
301 personnel who hold the initial educator, provisional educator or
302 professional educator certificate.

303 (c) (1) The training described in subsection (a) of this section shall be
304 included in the teacher education and mentoring program described in
305 section 10-145o of the general statutes, as amended by this act. The
306 State Board of Education shall not issue a provisional educator
307 certificate to any teacher, administrator or pupil personnel, who holds
308 an initial educator certificate, who fails to complete such training as
309 part of such teacher education and mentoring program.

310 (2) The State Board of Education shall not issue or renew a
311 provisional educator or professional educator certificate under section
312 10-145b of the general statutes to any teacher, administrator or pupil
313 personnel who fails to complete the training required pursuant to this
314 section.

315 Sec. 7. Subdivision (1) of subsection (e) of section 10-145o of the
316 general statutes is repealed and the following is substituted in lieu
317 thereof (*Effective July 1, 2011*):

318 (e) (1) Beginning teachers shall satisfactorily complete instructional
319 modules in the following areas: (A) Classroom management and
320 climate, which shall include training regarding the prevention,
321 identification and response to school bullying; (B) lesson planning and
322 unit design; (C) delivering instruction; (D) assessing student learning;
323 and (E) professional practice. Beginning teachers shall complete two
324 modules in their first year in the program and three modules in their
325 second year in the program, except as otherwise provided by the
326 Commissioner of Education, or as provided for in subsection (h) of this
327 section.

328 Sec. 8. Subsection (d) of section 10-145a of the general statutes is
329 repealed and the following is substituted in lieu thereof (*Effective July*
330 *1, 2011*):

331 (d) Any candidate in a program of teacher preparation leading to
332 professional certification shall [be encouraged to] complete a school
333 violence, bullying and suicide prevention and conflict resolution
334 component of such a program.

335 Sec. 9. (NEW) (*Effective July 1, 2011*) (a) For the school year
336 commencing July 1, 2012, and each school year thereafter, the
337 superintendent of each local or regional board of education shall
338 appoint, from among existing school district staff, a district safe school
339 environment coordinator. The district safe school environment
340 coordinator shall: (1) Be responsible for implementing the district's safe

341 school environment plan, developed pursuant to section 10-222d of the
342 general statutes, as amended by this act, (2) collaborate with the school
343 safe school environment specialists, described in subsection (b) of this
344 section, the board of education for the district and the superintendent
345 of schools of the school district to prevent, identify and respond to
346 bullying in the schools of the district, (3) provide data and information,
347 in collaboration with the superintendent of schools of the district, to
348 the Department of Education regarding bullying, in accordance with
349 the provisions of subsection (b) of section 10-222d of the general
350 statutes, as amended by this act, and subsection (a) of section 10-222h
351 of the general statutes, as amended by this act, (4) meet with the school
352 safe school environment specialists at least twice during the school
353 year to discuss issues relating to bullying in the school district and to
354 make recommendations concerning amendments to the district's safe
355 school environment plan, and (5) perform any other tasks related to
356 preventing, identifying and responding to bullying in the school
357 district.

358 (b) For the school year commencing July 1, 2012, and each school
359 year thereafter, the principal of each school shall appoint a school safe
360 school environment specialist from among existing school staff and
361 who is employed in the school as a school guidance counselor or a
362 school psychologist, or if no such position exists at the school, the
363 principal shall appoint any person from among the existing staff of the
364 school. The school safe school environment specialist shall: (1) Chair
365 the safe school environment team, as described in subsection (c) of this
366 section, (2) investigate reported acts of bullying in the school in
367 accordance with the district's safe school environment plan, (3) collect
368 and maintain records of reports and investigations of bullying in the
369 school, and (4) act as the primary school official responsible for
370 preventing, identifying and responding to reports of bullying in the
371 school.

372 (c) (1) For the school year commencing July 1, 2012, and each school
373 year thereafter, the principal of each school in the state shall establish a

374 safe school environment team that is responsible for developing and
375 fostering a safe school environment and addressing issues relating to
376 bullying in the school. The safe school environment team shall consist
377 of the school principal, or the principal's designee, the school safe
378 school environment specialist, a special education teacher employed at
379 the school, a school psychologist employed at the school, a school
380 social worker employed at the school, a parent or guardian of a
381 student enrolled in the school appointed by the school principal and
382 any other appropriate person appointed by the school principal. The
383 school safe school environment specialist shall serve as chairman of the
384 safe school environment team.

385 (2) The safe school environment team shall: (A) Receive any reports
386 of bullying among students, (B) receive copies of the completed report
387 following an investigation of bullying, (C) identify and address
388 patterns of bullying among students in the school, (D) review and
389 amend school policies relating to bullying, (E) review and make
390 recommendations to the district safe school environment coordinator
391 regarding the district's safe school environment plan based on issues
392 and experiences specific to the school, (F) educate students, school
393 employees and parents and guardians of students on issues relating to
394 bullying, (G) participate in the training on the prevention,
395 identification and response to school bullying required by section 5 of
396 this act, (H) collaborate with the district safe school environment
397 coordinator in the collection of data regarding bullying, in accordance
398 with the provisions of subsection (b) of section 10-222d of the general
399 statutes, as amended by this act, and subsection (a) of section 10-222h
400 of the general statutes, as amended by this act, and (I) perform any
401 other duties related to the prevention, identification and response to
402 school bullying for the school.

403 (3) The parent or guardian serving as a member of the safe school
404 environment team shall not participate in the activities described in
405 subparagraphs (A) to (C), inclusive, of subdivision (2) of this
406 subsection or any other activity that may compromise the

407 confidentiality of a student.

408 Sec. 10. (NEW) (*Effective July 1, 2011*) (a) No school employee, as
 409 defined in section 10-222d of the general statutes, as amended by this
 410 act, shall be personally liable for damage or injury, not wanton,
 411 reckless or malicious, caused in the discharge of his or her duties or
 412 within the scope of his or her employment as it relates to the reporting,
 413 investigating and response to bullying, as defined in said section 10-
 414 222d, among students, and the implementation of the school bullying
 415 plan, described in said section 10-222d.

416 (b) No claim for damages shall be made against a student, parent or
 417 guardian of a student or any other person who reports an act of
 418 bullying, as defined in section 10-222d of the general statutes, as
 419 amended by this act, to a school employee, as defined in said section
 420 10-222d, in accordance with the provisions of the school district
 421 bullying plan described in said section 10-222d, if such person was
 422 acting in good faith. The immunity provided in this subsection does
 423 not apply to acts or omissions constituting gross, reckless, wilful or
 424 wanton misconduct.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	10-222d
Sec. 2	<i>July 1, 2011</i>	10-222g
Sec. 3	<i>July 1, 2011</i>	10-222h
Sec. 4	<i>July 1, 2011</i>	New section
Sec. 5	<i>July 1, 2011</i>	10-220a(a)
Sec. 6	<i>July 1, 2011</i>	New section
Sec. 7	<i>July 1, 2011</i>	10-145o(e)(1)
Sec. 8	<i>July 1, 2011</i>	10-145a(d)
Sec. 9	<i>July 1, 2011</i>	New section
Sec. 10	<i>July 1, 2011</i>	New section

Statement of Purpose:

To help foster safe school climates by strengthening and expanding Connecticut's school bullying laws.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]