

TESTIMONY OF THE CENTER FOR CHILDREN'S ADVOCACY IN SUPPORT OF RAISED BILL NO. 24 AN ACT CONCERNING EDUCATIONAL COMPETITIVENES, WITH PROPOSED AMENDMENTS TO SECTION 36 REGARDING ALTERNATIVE SCHOOLS AND PROGRAMS.

This testimony is submitted on behalf of the Center for Children's Advocacy, a private, non-profit legal organization affiliated with the University of Connecticut School of Law. The Center provides holistic legal services for poor children in Connecticut's communities through individual representation and systemic advocacy.

The Center for Children's Advocacy urges you to amend Section 36 of Raised Bill No. 24 to ensure students in alternative schools and programs have the right to a quality education, by establishing an affirmative obligation on the State Department of Education (SDE) and school districts to establish relevant processes and criteria in the creation, design, and placement of students in alternative schools. Our testimony is based on our experience as attorneys working with students who attend alternative schools in Hartford and Fairfield Counties.

For example, CCA represented 17-year-old Manuel¹, who was a high school student in one of Connecticut's lowest performing school districts. Although Manuel had attended high school for two-and-a-half years, he had accumulated zero credits and was reading on a third grade level. Ridden with feelings of failure and defeat, Manuel constantly thought about dropping out. Because of his poor attendance, his school's administration told him that he was not allowed in the school building during the day and was required to attend the alternative, at-night program, a program which only provided 4 hours of education to students and did not provide the full range of academic course offerings. Although his mother was furious that she had not been consulted before the school had refused entry to her son, she did not know how to get him back into a regular educational program or how to make sure that his educational needs were appropriately addressed.

Raised Bill No. 24 places an emphasis on providing students with innovative educational options and holding districts accountable for the success of their educational programming. However, Raised Bill No. 24 fails to address accountability for alternative schools and programs, leaving students at alternative schools without guaranteed access to an adequate education.

¹ This student's name has been changed to protect his privacy.

I. SECTION 36 NEEDS TO BE AMENDED TO INCLUDE ACCOUNTABILITY PROVISIONS FOR ALTERNATIVE SCHOOLS AND PROGRAMS.

- The State Department of Education **does not provide any oversight** to alternative schools or programs, **nor does it require any reporting of data**. Consequently, many of the schools and programs operate without the supervision and accountability required of traditional schools.
- Districts often move students into alternative schools or programs **without parental consent**, and then also refuse to allow students to exit the programs to transfer back to traditional schools.
- Many alternative schools do not offer their students the same number of class hours or course offerings that regular public schools require, **thus denying vulnerable students access** to the quantity and quality of education that they deserve.
- While some alternative schools help students succeed towards graduation, others become “**dumping grounds**” for vulnerable students, accelerating the flow of students dropping out of school.

II. SECTION 36 NEEDS TO BE AMENDED TO REDUCE THE “PUSH OUT” OF VULNERABLE STUDENTS AND IMPROVE THE QUALITY OF ALTERNATIVE EDUCATION.

- By requiring the SDE to consult with various stakeholders in developing a **definition** for alternative schools and programs and developing methods of **data collection**, Raised Bill No. 24 can ensure that light is shed on these often invisible schools and programs.
- Through establishing **standardized processes** for enrollment of students, to include **informed parental consent**, Raised Bill No. 24 can ensure that students are being placed in a thoughtful and equitable way.
- Through mandating **class hours and course offerings**, Raised Bill No. 24 can ensure that alternative students have access to the same depth and breadth of education as their peers in regular public schools.

We strongly urge you to consider the proposed amendments set forth in Exhibit A attached in order to ensure that all students, especially the most vulnerable, have access to a quality education.

Respectfully submitted,

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An Act Concerning Educational Competitiveness , S.B. 24

Proposed Amendment

Purpose: To ensure that students have access to high quality educational programming in alternative schools; to promote public knowledge about alternative schools and programs; and to ensure parental consent before a student is placed in an alternative school program.

Proposed amendment language:

Section 36 of Raised Bill No. 24 should be amended as follows:

Section 10-220d of the 2012 supplement to the general statutes is repealed and the following is substituted in lieu thereof
(Effective July 1, 2012):

Each local and regional board of education shall provide full access to [regional vocational-technical] **technical high schools**, regional agricultural science and technology education centers, interdistrict magnet schools, charter schools and interdistrict student attendance programs for the recruitment of students attending the schools under the board's jurisdiction, provided such recruitment is not for the purpose of interscholastic athletic competition. **Each local and regional board of education shall provide information relating to technical high schools, regional agricultural science and technology education centers, interdistrict magnet schools, charter schools, alternative schools and interdistrict student attendance programs on the board's web site.** Each local and regional board of education shall inform students and parents of students in middle and high schools within such board's jurisdiction of the availability of (1) vocational, technical and technological education and training at [regional vocational-technical] **technical high schools**, and (2) agricultural science and technology education at regional agricultural science, **alternative schools** and technology education centers.

Conn. Gen Stat. 10-186 shall be amended as follows:

(a) **(1)** Each local or regional board of education shall furnish, by transportation or otherwise, school accommodations so that each child five years of age and over and under twenty-one years of age who is not a graduate of a high school or vocational school may attend public school, except as provided in [section 10-233c](#), and subsection (d) of [section 10-233d](#). **Boards of education may choose to provide an alternative school or program as an educational option within the district.** Any board of education which denies school accommodations, including a denial based on an issue of residency, to any such child shall inform the parent or guardian of such child or the child, in the case of an emancipated minor or a pupil eighteen years of age or older, of his right to request a hearing by the board of education in accordance with the provisions of subdivision (1) of subsection (b) of this section. A board of education which has denied school accommodations shall advise the board of education under whose jurisdiction it claims such child should be attending school of the denial. For purposes of this section, (1) a "parent or guardian" shall include a surrogate parent appointed pursuant to [section 10-94g](#), and (2) a child residing in a dwelling located in more than one town in this state shall be considered a resident of each town in which the dwelling is located and may attend school in any one of such towns. For purposes of this subsection, "dwelling" means a single, two or three family house or a condominium unit.

(2) On or before July 1, 2013, the State Department of Education, in consultation with alternative school administrators and educators, parents, students, and advocates, shall (1) define "alternative school" and "alternative program" for use by local and regional boards of education, which shall

include schools where parents have elected to register their children, (2) establish the criteria by which local and regional boards of education are to measure, collect, and report on data concerning alternative schools and programs in the school district, including but not limited to the following: the reason for attendance in an alternative schools or programs, per pupil expenditure, average duration of attendance, placement of students post- alternative school or program placement, and total number of students served during the school year, (3) establish processes by which schools will refer or students will seek enrollment to alternative schools and programs, including procedures to obtain informed parental consent prior to referral, and discharge students back to traditional public schools, (4) establish procedures to obtain informed parental consent prior to referral.

(3) Every school district must publicly disclose, including but not limited to making available on its district website, the existence, purpose, location, contact information, staff directory, and enrollment for all district-operated alternative schools and programs.

Conn Gen. Stat. 10-220(c) shall be amended as follows:

Annually, each local and regional board of education shall submit to the commissioner of education a strategic school profile report for each school, **including each alternative school or program**, under its jurisdiction and for the school district as a whole. The superintendent of each local and regional school district shall present the profile report at the next regularly scheduled public meeting of the board of education after each November first....

Conn Gen. Stat. 10-16 shall be amended as follows:

Each school district shall provide in each school year no less than one hundred and eighty days of actual school sessions for grades kindergarten to twelve, inclusive, nine hundred hours of actual school work for full-day kindergarten and grades one to twelve, inclusive, and four hundred and fifty hours of half-day kindergarten, provided school districts shall not count more than seven hours of actual school work in any school day towards the total required for the school year. **Such requirements shall also apply to alternative schools and programs unless the Commissioner of the State Department of Education waives such requirements, pursuant to procedures established by the State Department of Education.** If weather conditions result in an early dismissal or a delayed opening of school, a school district which maintains separate morning and afternoon half-day kindergarten sessions may provide either a morning or afternoon half-day kindergarten session on such day.

Conn. Gen. Stat. 10-16b shall be amended as follows:

(a) In the public schools, the program of instruction offered shall include at least the following subject matter, as taught by legally qualified teachers, the arts; career education; consumer education; health and safety, including, but not limited to, human growth and development, nutrition, first aid, disease prevention, community and consumer health, physical, mental and emotional health, including youth suicide prevention, substance abuse prevention, safety, which may include the dangers of gang membership, and accident prevention; language arts, including reading, writing, grammar, speaking and spelling; mathematics; physical education; science; social studies, including, but not limited to, citizenship, economics, geography, government and history; and in addition, on at least the secondary

level, one or more world languages and vocational education. For purposes of this subsection, world languages shall include American Sign Language, provided such subject matter is taught by a qualified instructor under the supervision of a teacher who holds a certificate issued by the State Board of Education. For purposes of this subsection, the “arts” means any form of visual or performing arts, which may include, but not be limited to, dance, music, art and theatre. **Such program of instruction outlined above shall also be available to students enrolled in alternative schools and programs.**

Conn. Gen. Stat. 10-233f(b) shall be amended as follows:

A local or regional board of education may reassign a pupil to a regular classroom program in a different school in the school district and such reassignment shall not constitute a suspension pursuant to section 10-233c, or an expulsion pursuant to section 10-233d. **A student may also attend an alternative school or program, provided informed parental consent for the placement is obtained prior to referral.**

