



General Assembly

February Session, 2012

Raised Bill No. 5432

LCO No. 1958

01958_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING SCHOOL-BASED ARRESTS.

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

1 Section 1. Section 10-220 of the 2012 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective July 1, 2013*):

4 (a) Each local or regional board of education shall maintain good
5 public elementary and secondary schools, implement the educational
6 interests of the state as defined in section 10-4a and provide such other
7 educational activities as in its judgment will best serve the interests of
8 the school district; provided any board of education may secure such
9 opportunities in another school district in accordance with provisions
10 of the general statutes and shall give all the children of the school
11 district as nearly equal advantages as may be practicable; shall provide
12 an appropriate learning environment for its students which includes
13 (1) adequate instructional books, supplies, materials, equipment,
14 staffing, facilities and technology, (2) equitable allocation of resources
15 among its schools, (3) proper maintenance of facilities, and (4) a safe
16 school setting; shall, in accordance with the provisions of subsection (f)

17 of this section, maintain records of allegations, investigations and
18 reports that a child has been abused or neglected by a school
19 employee, as defined in section 53a-65, employed by the local or
20 regional board of education; shall have charge of the schools of its
21 respective school district; shall make a continuing study of the need for
22 school facilities and of a long-term school building program and from
23 time to time make recommendations based on such study to the town;
24 shall adopt and implement an indoor air quality program that
25 provides for ongoing maintenance and facility reviews necessary for
26 the maintenance and improvement of the indoor air quality of its
27 facilities; shall adopt and implement a green cleaning program,
28 pursuant to section 10-231g, that provides for the procurement and use
29 of environmentally preferable cleaning products in school buildings
30 and facilities; on and after July 1, 2011, and triennially thereafter, shall
31 report to the Commissioner of Education on the condition of its
32 facilities and the action taken to implement its long-term school
33 building program, indoor air quality program and green cleaning
34 program, which report the Commissioner of Education shall use to
35 prepare a triennial report that said commissioner shall submit in
36 accordance with section 11-4a to the joint standing committee of the
37 General Assembly having cognizance of matters relating to education;
38 shall advise the Commissioner of Education of the relationship
39 between any individual school building project pursuant to chapter
40 173 and such long-term school building program; shall have the care,
41 maintenance and operation of buildings, lands, apparatus and other
42 property used for school purposes and at all times shall insure all such
43 buildings and all capital equipment contained therein against loss in
44 an amount not less than eighty per cent of replacement cost; shall
45 determine the number, age and qualifications of the pupils to be
46 admitted into each school; shall develop and implement a written plan
47 for minority staff recruitment for purposes of subdivision (3) of section
48 10-4a; shall employ and dismiss the teachers of the schools of such
49 district subject to the provisions of sections 10-151 and 10-158a; shall
50 designate the schools which shall be attended by the various children

51 within the school district; shall make such provisions as will enable
52 each child of school age residing in the district to attend some public
53 day school for the period required by law and provide for the
54 transportation of children wherever transportation is reasonable and
55 desirable, and for such purpose may make contracts covering periods
56 of not more than five years; shall adopt and implement a policy
57 regarding the role and responsibility of any sworn police officer of a
58 local law enforcement agency or a sworn officer of the Division of State
59 Police within the Department of Emergency Services Public Protection
60 who has been assigned to any school pursuant to an agreement
61 between the local or regional board of education and the chief of police
62 of a local law enforcement agency or the commanding officer of the
63 Division of State Police; may place in an alternative school program or
64 other suitable educational program a pupil enrolling in school who is
65 nineteen years of age or older and cannot acquire a sufficient number
66 of credits for graduation by age twenty-one; may arrange with the
67 board of education of an adjacent town for the instruction therein of
68 such children as can attend school in such adjacent town more
69 conveniently; shall cause each child five years of age and over and
70 under eighteen years of age who is not a high school graduate and is
71 living in the school district to attend school in accordance with the
72 provisions of section 10-184, and shall perform all acts required of it by
73 the town or necessary to carry into effect the powers and duties
74 imposed by law.

75 (b) The board of education of each local or regional school district
76 shall, with the participation of parents, students, school administrators,
77 teachers, citizens, local elected officials and any other individuals or
78 groups such board shall deem appropriate, prepare a statement of
79 educational goals for such local or regional school district. The
80 statement of goals shall be consistent with state-wide goals pursuant to
81 subsection (c) of section 10-4. Each local or regional board of education
82 shall annually establish student objectives for the school year which
83 relate directly to the statement of educational goals prepared pursuant
84 to this subsection and which identify specific expectations for students

85 in terms of skills, knowledge and competence.

86 (c) Annually, each local and regional board of education shall
87 submit to the Commissioner of Education a strategic school profile
88 report for each school under its jurisdiction and for the school district
89 as a whole. The superintendent of each local and regional school
90 district shall present the profile report at the next regularly scheduled
91 public meeting of the board of education after each November first.
92 The profile report shall provide information on measures of (1) student
93 needs, (2) school resources, including technological resources and
94 utilization of such resources and infrastructure, (3) student and school
95 performance, including truancy and discipline, (4) the number of
96 students enrolled in an adult high school credit diploma program,
97 pursuant to section 10-69, operated by a local or regional board of
98 education or a regional educational service center, (5) equitable
99 allocation of resources among its schools, (6) reduction of racial, ethnic
100 and economic isolation, [and] (7) special education, and (8) for any
101 profile report prepared on or after July 1, 2014, school-based arrests.
102 For purposes of this subsection, measures of special education include
103 (A) special education identification rates by disability, (B) rates at
104 which special education students are exempted from mastery testing
105 pursuant to section 10-14q, (C) expenditures for special education,
106 including such expenditures as a percentage of total expenditures, (D)
107 achievement data for special education students, (E) rates at which
108 students identified as requiring special education are no longer
109 identified as requiring special education, (F) the availability of
110 supplemental educational services for students lacking basic
111 educational skills, (G) the amount of special education student
112 instructional time with nondisabled peers, (H) the number of students
113 placed out-of-district, and (I) the actions taken by the school district to
114 improve special education programs, as indicated by analyses of the
115 local data provided in subparagraphs (A) to (H), inclusive, of this
116 subdivision. The superintendent shall include in the narrative portion
117 of the report information about parental involvement and if the district
118 has taken measures to improve parental involvement, including, but

119 not limited to, employment of methods to engage parents in the
120 planning and improvement of school programs and methods to
121 increase support to parents working at home with their children on
122 learning activities. For purposes of this subsection, measures of
123 truancy include the type of data that is required to be collected by the
124 Department of Education regarding attendance and unexcused
125 absences in order for the department to comply with federal reporting
126 requirements and the actions taken by the local or regional board of
127 education to reduce truancy in the school district. Such truancy data
128 shall be considered a public record for purposes of chapter 14. For
129 purposes of this subsection, "school-based arrest" means an arrest of a
130 student, who is enrolled in a school under the jurisdiction of the local
131 or regional board of education preparing the strategic school profile
132 report, on school property during the school day, or an arrest of such
133 student at a school-sponsored activity conducted on or off school
134 property. For purposes of this subsection, measures of school-based
135 arrests shall include the number of arrests made annually at each
136 school within the school district. The measures of school-based arrests
137 shall be disaggregated by race, ethnicity, gender, age, whether the
138 student is a recipient of special education services, whether the student
139 is an English language learner, and the offenses for which the school-
140 based arrests were made, provided that any disaggregated measure
141 that relates to the arrest of one to five students shall be reported
142 through use of a symbol.

143 (d) Prior to January 1, 2008, and every five years thereafter, for
144 every school building that is or has been constructed, extended,
145 renovated or replaced on or after January 1, 2003, a local or regional
146 board of education shall provide for a uniform inspection and
147 evaluation program of the indoor air quality within such buildings,
148 such as the Environmental Protection Agency's Indoor Air Quality
149 Tools for Schools Program. The inspection and evaluation program
150 shall include, but not be limited to, a review, inspection or evaluation
151 of the following: (1) The heating, ventilation and air conditioning
152 systems; (2) radon levels in the air; (3) potential for exposure to

153 microbiological airborne particles, including, but not limited to, fungi,
154 mold and bacteria; (4) chemical compounds of concern to indoor air
155 quality including, but not limited to, volatile organic compounds; (5)
156 the degree of pest infestation, including, but not limited to, insects and
157 rodents; (6) the degree of pesticide usage; (7) the presence of and the
158 plans for removal of any hazardous substances that are contained on
159 the list prepared pursuant to Section 302 of the federal Emergency
160 Planning and Community Right-to-Know Act, 42 USC 9601 et seq.; (8)
161 ventilation systems; (9) plumbing, including water distribution
162 systems, drainage systems and fixtures; (10) moisture incursion; (11)
163 the overall cleanliness of the facilities; (12) building structural
164 elements, including, but not limited to, roofing, basements or slabs;
165 (13) the use of space, particularly areas that were designed to be
166 unoccupied; and (14) the provision of indoor air quality maintenance
167 training for building staff. Local and regional boards of education
168 conducting evaluations pursuant to this subsection shall make
169 available for public inspection the results of the inspection and
170 evaluation at a regularly scheduled board of education meeting and on
171 the board's or each individual school's web site.

172 (e) Each local and regional board of education shall establish a
173 school district curriculum committee. The committee shall
174 recommend, develop, review and approve all curriculum for the local
175 or regional school district.

176 (f) Each local and regional board of education shall maintain in a
177 central location all records of allegations, investigations and reports
178 that a child has been abused or neglected by a school employee, as
179 defined in section 53a-65, employed by the local or regional board of
180 education, conducted pursuant to sections 17a-101a to 17a-101d,
181 inclusive, and section 17a-103. Such records shall include any reports
182 made to the Department of Children and Families. The Department of
183 Education shall have access to such records.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	10-220

Statement of Purpose:

To reduce unnecessary school-based arrests by (1) requiring local and regional boards of education to adopt and implement policies concerning the role of law enforcement personnel assigned to schools and (2) improving the public access to data concerning school-based arrests.

[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.]