



TESTIMONY OF THE CONNECTICUT JUVENILE JUSTICE ALLIANCE  
FOR THE JUDICIARY COMMITTEE

March 12, 2012

Regarding  
HB NO. 5432, AN ACT CONCERNING SCHOOL-BASED ARRESTS

Senator Coleman, Representative Fox and members of the Judiciary Committee: My name is Abby Anderson, and I am here today as the executive director of the Connecticut Juvenile Justice Alliance. The Alliance is a statewide, non-profit organization that works to reduce the number of children and youth entering the juvenile and criminal justice system and advocates a safe, effective and fair system for those involved. We are fully supporting of HB 5432: An Act Concerning School-Based Arrests.

School-based arrests are a real problem here in Connecticut. Usually, when we discuss this issue, people assume we are referring to students being arrested for weapons or drugs. In actuality, the vast majority of school-based arrests are for things like fighting and disorderly conduct. There are also many accounts of students being arrested for possession of tobacco. We don't condone fighting, disruptive behavior or teenage smoking, but we also don't condone introducing young people into the juvenile justice system who don't need to be there. It's a policy that lowers academic achievement while increasing spending.

This bill would require districts to have written, formal agreements regarding the roles and responsibilities of police in schools. OPM's Juvenile Justice Advisory Committee developed a model Memorandum of Agreement for school districts that codifies the role of police officers and school administrators when school resource officers are in the schools. Several districts have used these MOAs already. In Manchester, Stamford and Willimantic, teams consisting of the superintendent, police chief, juvenile court judge, youth service bureau and others got together to personalize that MOA, look at graduated sanctions and determine how to use diversion programs like juvenile review boards that already existed in their communities. Their new systems went into place this fall. When Manchester leaders examined the data, comparing the first four months of 2011 with the first four months of 2010, school arrests were down:

- September - 81%
- October - 86%
- November - 86%
- December - 95%.

It's important to note that suspensions also decreased 54% during that period (Sept-Dec). We are hearing anecdotally that with the new partnership, police are referring much more often to diversion programs as well as to service providers for things like substance use/abuse. This work was done with strong leadership, the will to keep youth out of courts and in the classroom and a very small influx of dollars, most for trainings for staff through programs like the Connecticut Health Development Institute's School Based Diversion Initiative.

These collaborative initiatives have not only reduced arrests, but created stronger partnerships between schools and the communities as they work together to jointly, instead of in separate silos, to meet the needs of the children and families they serve.

The second section of the bill would provide communities with better data about the number of school-based arrests in each school and demographics of the kids arrested. A recent report from the US Department of Education Civil Rights Data Collection office showed that, nationally, over 70 percent of the students involved in school-related arrests or referred to law enforcement were Hispanic or black. More accurate data collection in Connecticut, like that outlined in this bill, would allow us to know how race and ethnicity are affecting school-based arrests in our local schools.

As you well know, accurate data are critical to effective intervention and action. Currently, the data collection around school-based arrests is incomplete and scattered. The Judicial Branch has gone out of its way to provide the information it can, but arrests that are diverted from court are not counted, so its numbers only show one aspect of the issue. The State Department of Education collects some data, but not all school-based arrests need to be reported, so again the information is only marginally helpful. Yet the available numbers were disturbing enough to spur the Judicial Branch and many communities to action. Better and more complete data would inspire more widespread work and make all our efforts more effective.

We believe that we are beginning to turn the tide in Connecticut, but we are doing so in communities where the leaders have been committed and unified on this issue. That is not the case in every community. We need this legislation to provide information and incentive to level the educational playing field in every community and to give all students in Connecticut the chance to be in their classrooms to take advantage of the educational reforms that are underway.

Thank you for your time and attention.

Center for Children's Advocacy Proposal  
**An Act Concerning Alternative Schools**

**Purpose:** To ensure that students in alternative schools have access to an adequate education; 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 language:**

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.**

Please contact Hannah Benton at the Center for Children's Advocacy with any questions about this proposed legislation. She can be reached at (860) 570-5327 or [hbenton@kidscounsel.org](mailto:hbenton@kidscounsel.org)