



House of Representatives

File No. 865

General Assembly

January Session, 2013

(Reprint of File No. 734)

Substitute House Bill No. 6682
As Amended by House Amendment
Schedules "A" and "B"

Approved by the Legislative Commissioner
May 24, 2013

**AN ACT CONCERNING COLLABORATION BETWEEN BOARDS OF
EDUCATION AND LAW ENFORCEMENT PERSONNEL.**

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

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 Section 10-220 of the general statutes is repealed and the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

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

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

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

79 (b) The board of education of each local or regional school district
80 shall, with the participation of parents, students, school administrators,
81 teachers, citizens, local elected officials and any other individuals or
82 groups such board shall deem appropriate, prepare a statement of
83 educational goals for such local or regional school district. The

84 statement of goals shall be consistent with state-wide goals pursuant to
85 subsection (c) of section 10-4. Each local or regional board of education
86 shall annually establish student objectives for the school year which
87 relate directly to the statement of educational goals prepared pursuant
88 to this subsection and which identify specific expectations for students
89 in terms of skills, knowledge and competence.

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

118 improve special education programs, as indicated by analyses of the
119 local data provided in subparagraphs (A) to (H), inclusive, of this
120 subdivision. The superintendent shall include in the narrative portion
121 of the report information about parental involvement and if the district
122 has taken measures to improve parental involvement, including, but
123 not limited to, employment of methods to engage parents in the
124 planning and improvement of school programs and methods to
125 increase support to parents working at home with their children on
126 learning activities. For purposes of this subsection, measures of
127 truancy include the type of data that is required to be collected by the
128 Department of Education regarding attendance and unexcused
129 absences in order for the department to comply with federal reporting
130 requirements and the actions taken by the local or regional board of
131 education to reduce truancy in the school district. Such truancy data
132 shall be considered a public record for purposes of chapter 14. For
133 purposes of this subsection, "school-based arrest" means an arrest of a
134 student, who is enrolled in a school under the jurisdiction of the local
135 or regional board of education preparing the strategic school profile
136 report, on school property during the school day, or an arrest of such
137 student at a school-sponsored activity conducted on or off school
138 property. For purposes of this subsection, measures of school-based
139 arrests shall include the number of arrests made annually at each
140 school within the school district. The Department of Education shall
141 include the number of arrests in the school's strategic school profile
142 report. The Department of Education shall disaggregate measures of
143 school-based arrests by school, race, ethnicity, gender, age, students
144 with disabilities and type of offense for which the school-based arrests
145 were made. The Department of Education shall make the
146 disaggregated measures of school-based arrests available through the
147 public school information system implemented pursuant to section 10-
148 10a.

149 (d) Prior to January 1, 2008, and every five years thereafter, for
150 every school building that is or has been constructed, extended,
151 renovated or replaced on or after January 1, 2003, a local or regional

152 board of education shall provide for a uniform inspection and
153 evaluation program of the indoor air quality within such buildings,
154 such as the Environmental Protection Agency's Indoor Air Quality
155 Tools for Schools Program. The inspection and evaluation program
156 shall include, but not be limited to, a review, inspection or evaluation
157 of the following: (1) The heating, ventilation and air conditioning
158 systems; (2) radon levels in the air; (3) potential for exposure to
159 microbiological airborne particles, including, but not limited to, fungi,
160 mold and bacteria; (4) chemical compounds of concern to indoor air
161 quality including, but not limited to, volatile organic compounds; (5)
162 the degree of pest infestation, including, but not limited to, insects and
163 rodents; (6) the degree of pesticide usage; (7) the presence of and the
164 plans for removal of any hazardous substances that are contained on
165 the list prepared pursuant to Section 302 of the federal Emergency
166 Planning and Community Right-to-Know Act, 42 USC 9601 et seq.; (8)
167 ventilation systems; (9) plumbing, including water distribution
168 systems, drainage systems and fixtures; (10) moisture incursion; (11)
169 the overall cleanliness of the facilities; (12) building structural
170 elements, including, but not limited to, roofing, basements or slabs;
171 (13) the use of space, particularly areas that were designed to be
172 unoccupied; and (14) the provision of indoor air quality maintenance
173 training for building staff. Local and regional boards of education
174 conducting evaluations pursuant to this subsection shall make
175 available for public inspection the results of the inspection and
176 evaluation at a regularly scheduled board of education meeting and on
177 the board's or each individual school's web site.

178 (e) Each local and regional board of education shall establish a
179 school district curriculum committee. The committee shall
180 recommend, develop, review and approve all curriculum for the local
181 or regional school district.

182 (f) Each local and regional board of education shall maintain in a
183 central location all records of allegations, investigations and reports
184 that a child has been abused or neglected by a school employee, as
185 defined in section 53a-65, employed by the local or regional board of

186 education, conducted pursuant to sections 17a-101a to 17a-101d,
187 inclusive, and section 17a-103. Such records shall include any reports
188 made to the Department of Children and Families. The Department of
189 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

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which requires (1) local or regional boards of education to adopt a policy or enter into a memorandum of understanding with the police agency responsible for placing a sworn police officer within their school, (2) each board's strategic school profile to report on various school-arrest related measures, and (3) the State Department of Education (SDE) to make public various characteristics of school based arrests, is not anticipated to result in a fiscal impact.

House "A" and "B" make clarifying changes regarding certain reporting requirements and have no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6682 (as amended by House “A” and “B”)******AN ACT CONCERNING COLLABORATION BETWEEN BOARDS OF EDUCATION AND LAW ENFORCEMENT PERSONNEL.*****SUMMARY:**

This bill requires a local or regional school board to adopt and implement a policy or enter into a memorandum of understanding (MOU) with a local law enforcement agency or the Division of State Police defining the role and responsibility of any sworn police officer placed in a school under an agreement with the police agency. These policies and MOUs must address daily interactions between students, school personnel, and police officers, as well as the use of a graduated response model for student discipline (see BACKGROUND).

By law, each local and regional school board must submit to the education commissioner annual strategic school profile (SSP) data (e.g., student performance). The bill requires the data to also include measures of (1) in-school and out-of-school suspensions and expulsions and (2) school-based arrests. The bill requires the State Department of Education (SDE) to include the arrest numbers in the SSP report it prepares for each school. It must also (1) disaggregate arrest information by school, race, ethnicity, gender, age, disability status, and type of offense and (2) make it available through the public school information system. The system is a student-tracking database that protects individual confidentiality, yet makes information available for limited purposes.

*House Amendment “A” requires SDE to include arrest numbers in each school’s SSP and removes English language learner status from the list of measures by which SDE disaggregate arrests.

*House Amendment "B" requires school board SSP data to contain measures of in-school suspensions and out-of-school suspensions and expulsions, instead of measures of discipline.

EFFECTIVE DATE: July 1, 2013

SCHOOL-BASED ARRESTS

The bill defines a "school-based arrest" as an arrest, on school property during the school day or at a school-sponsored activity on or off school property, of a student enrolled in a school under the jurisdiction of a local or regional board of education responsible for submitting the SSP. "Measures of school-based arrests" means the number of arrests made that year at each school in the reporting district.

BACKGROUND

Graduated Response Model

The Juvenile Justice Advisory Committee, which advises the governor and the Office of Policy and Management on juvenile justice and delinquency prevention, developed a model MOU for use between districts and police departments. The graduated response model in its MOU contains guidelines on classroom intervention; school administrative intervention, assessment, and service provision; and law enforcement intervention.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 40 Nay 4 (04/19/2013)

Education Committee

Joint Favorable

Yea 26 Nay 2 (05/16/2013)