



House of Representatives

General Assembly

File No. 403

February Session, 2014

Substitute House Bill No. 5355

House of Representatives, April 7, 2014

The Committee on Education reported through REP. FLEISCHMANN of the 18th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING COLLABORATION BETWEEN BOARDS OF EDUCATION AND SCHOOL RESOURCE OFFICERS.

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

1 Section 1. (NEW) (*Effective July 1, 2014*) Any local or regional board
2 of education that assigns a school resource officer to any school under
3 the jurisdiction of such board shall enter into a memorandum of
4 understanding with a law enforcement agency regarding the role and
5 responsibility of such school resource officer. Such memorandum of
6 understanding shall include provisions addressing daily interactions
7 between students and school personnel with school resource officers
8 and may include a graduated response model for student discipline.
9 For purposes of this section, "school resource officer" means any sworn
10 police officer of a local law enforcement agency or a sworn officer of
11 the Division of State Police within the Department of Emergency
12 Services and Public Protection who has been assigned to any school
13 pursuant to an agreement between the local or regional board of
14 education and the chief of police of a local law enforcement agency or

15 the commanding officer of the Division of State Police.

16 Sec. 2. (NEW) (*Effective July 1, 2014*) The Department of Education
17 shall disaggregate measures of school-based arrests by school, race,
18 ethnicity, gender, age, students with disabilities and type of offense for
19 which the school-based arrests were made. The department shall use
20 the school-based arrest data that has been submitted as part of the
21 strategic school profile report, pursuant to section 10-220 of the general
22 statutes, as amended by this act. For purposes of this section, "school-
23 based arrest" means an arrest of a student, who is enrolled in a school
24 under the jurisdiction of the local or regional board of education, on
25 any school property under the jurisdiction of such board of education
26 during the school day, or an arrest of such student at a school-
27 sponsored activity conducted on or off school property. For purposes
28 of this section, measures of school-based arrests shall include the
29 number of arrests made annually at each school within the school
30 district.

31 Sec. 3. Subsection (c) of section 10-220 of the general statutes is
32 repealed and the following is substituted in lieu thereof (*Effective July*
33 *1, 2014*):

34 (c) Annually, each local and regional board of education shall
35 submit to the Commissioner of Education a strategic school profile
36 report for each school under its jurisdiction and for the school district
37 as a whole. The superintendent of each local and regional school
38 district shall present the profile report at the next regularly scheduled
39 public meeting of the board of education after each November first.
40 The profile report shall provide information on measures of (1) student
41 needs, (2) school resources, including technological resources and
42 utilization of such resources and infrastructure, (3) student and school
43 performance, including truancy, in-school suspensions, out-of-school
44 suspensions and expulsions, (4) the number of students enrolled in an
45 adult high school credit diploma program, pursuant to section 10-69,
46 operated by a local or regional board of education or a regional
47 educational service center, (5) equitable allocation of resources among

48 its schools, (6) reduction of racial, ethnic and economic isolation, [and]
49 (7) special education, and (8) school-based arrests, as defined in section
50 2 of this act. For purposes of this subsection, measures of special
51 education include (A) special education identification rates by
52 disability, (B) rates at which special education students are exempted
53 from mastery testing pursuant to section 10-14q, (C) expenditures for
54 special education, including such expenditures as a percentage of total
55 expenditures, (D) achievement data for special education students, (E)
56 rates at which students identified as requiring special education are no
57 longer identified as requiring special education, (F) the availability of
58 supplemental educational services for students lacking basic
59 educational skills, (G) the amount of special education student
60 instructional time with nondisabled peers, (H) the number of students
61 placed out-of-district, and (I) the actions taken by the school district to
62 improve special education programs, as indicated by analyses of the
63 local data provided in subparagraphs (A) to (H), inclusive, of this
64 subdivision. The superintendent shall include in the narrative portion
65 of the report information about parental involvement and if the district
66 has taken measures to improve parental involvement, including, but
67 not limited to, employment of methods to engage parents in the
68 planning and improvement of school programs and methods to
69 increase support to parents working at home with their children on
70 learning activities. For purposes of this subsection, measures of
71 truancy include the type of data that is required to be collected by the
72 Department of Education regarding attendance and unexcused
73 absences in order for the department to comply with federal reporting
74 requirements and the actions taken by the local or regional board of
75 education to reduce truancy in the school district. Such truancy data
76 shall be considered a public record for purposes of chapter 14.

77 Sec. 4. Subsection (c) of section 10-10a of the general statutes is
78 repealed and the following is substituted in lieu thereof (*Effective July*
79 *1, 2014*):

80 (c) On or before July 1, 2013, the department shall expand the state-
81 wide public school information system as follows:

82 (1) Track and report data relating to student, teacher and school and
83 district performance growth and make such information available to
84 local and regional boards of education for use in evaluating
85 educational performance and growth of teachers and students enrolled
86 in public schools in the state. Such information shall be collected or
87 calculated based on information received from local and regional
88 boards of education and other relevant sources. Such information shall
89 include, but not be limited to:

90 (A) In addition to performance on state-wide mastery examinations
91 pursuant to subsection (b) of this section, data relating to students shall
92 include, but not be limited to, (i) the primary language spoken at the
93 home of a student, (ii) student transcripts, (iii) student attendance and
94 student mobility, and (iv) reliable, valid assessments of a student's
95 readiness to enter public school at the kindergarten level;

96 (B) Data relating to teachers shall include, but not be limited to, (i)
97 teacher credentials, such as master's degrees, teacher preparation
98 programs completed and certification levels and endorsement areas,
99 (ii) teacher assessments, such as whether a teacher is deemed highly
100 qualified pursuant to the No Child Left Behind Act, P.L. 107-110, or
101 deemed to meet such other designations as may be established by
102 federal law or regulations for the purposes of tracking the equitable
103 distribution of instructional staff, (iii) the presence of substitute
104 teachers in a teacher's classroom, (iv) class size, (v) numbers relating to
105 absenteeism in a teacher's classroom, and (vi) the presence of a
106 teacher's aide. The department shall assign a unique teacher identifier
107 to each teacher prior to collecting such data in the public school
108 information system;

109 (C) Data relating to schools and districts shall include, but not be
110 limited to, (i) school population, (ii) annual student graduation rates,
111 (iii) annual teacher retention rates, (iv) school disciplinary records,
112 such as data relating to suspensions, expulsions and other disciplinary
113 actions, (v) the percentage of students whose primary language is not
114 English, (vi) the number of and professional credentials of support

115 personnel, [and] (vii) information relating to instructional technology,
116 such as access to computers, and (viii) disaggregated measures of
117 school-based arrests, pursuant to section 2 of this act.

118 (2) Collect data relating to student enrollment in and graduation
119 from institutions of higher education for any student who had been
120 assigned a unique student identifier pursuant to subsection (b) of this
121 section, provided such data is available.

122 (3) Develop means for access to and data sharing with the data
123 systems of public institutions of higher education in the state.

124 Sec. 5. Subsection (a) of section 10-220 of the general statutes is
125 repealed and the following is substituted in lieu thereof (*Effective July*
126 *1, 2014*):

127 (a) Each local or regional board of education shall maintain good
128 public elementary and secondary schools, implement the educational
129 interests of the state, as defined in section 10-4a, and provide such
130 other educational activities as in its judgment will best serve the
131 interests of the school district; provided any board of education may
132 secure such opportunities in another school district in accordance with
133 provisions of the general statutes and shall give all the children of the
134 school district as nearly equal advantages as may be practicable; shall
135 provide an appropriate learning environment for its students [which]
136 that includes (1) adequate instructional books, supplies, materials,
137 equipment, staffing, facilities and technology, (2) equitable allocation
138 of resources among its schools, (3) proper maintenance of facilities,
139 and (4) a safe school setting; shall, in accordance with the provisions of
140 subsection (f) of this section, maintain records of allegations,
141 investigations and reports that a child has been abused or neglected by
142 a school employee, as defined in section 53a-65, employed by the local
143 or regional board of education; shall have charge of the schools of its
144 respective school district; shall make a continuing study of the need for
145 school facilities and of a long-term school building program and from
146 time to time make recommendations based on such study to the town;
147 shall adopt and implement an indoor air quality program that

148 provides for ongoing maintenance and facility reviews necessary for
149 the maintenance and improvement of the indoor air quality of its
150 facilities; shall adopt and implement a green cleaning program,
151 pursuant to section 10-231g, that provides for the procurement and use
152 of environmentally preferable cleaning products in school buildings
153 and facilities; on and after July 1, 2011, and triennially thereafter, shall
154 report to the Commissioner of Administrative Services on the
155 condition of its facilities and the action taken to implement its long-
156 term school building program, indoor air quality program and green
157 cleaning program, which report the Commissioner of Administrative
158 Services shall use to prepare a triennial report that said commissioner
159 shall submit in accordance with section 11-4a to the joint standing
160 committee of the General Assembly having cognizance of matters
161 relating to education; shall advise the Commissioner of Administrative
162 Services of the relationship between any individual school building
163 project pursuant to chapter 173 and such long-term school building
164 program; shall have the care, maintenance and operation of buildings,
165 lands, apparatus and other property used for school purposes and at
166 all times shall insure all such buildings and all capital equipment
167 contained therein against loss in an amount not less than eighty per
168 cent of replacement cost; shall determine the number, age and
169 qualifications of the pupils to be admitted into each school; shall
170 develop and implement a written plan for minority staff recruitment
171 for purposes of subdivision (3) of section 10-4a; shall employ and
172 dismiss the teachers of the schools of such district subject to the
173 provisions of sections 10-151 and 10-158a; shall designate the schools
174 which shall be attended by the various children within the school
175 district; shall make such provisions as will enable each child of school
176 age residing in the district to attend some public day school for the
177 period required by law and provide for the transportation of children
178 wherever transportation is reasonable and desirable, and for such
179 purpose may make contracts covering periods of not more than five
180 years; may enter into a memorandum of understanding with a law
181 enforcement agency regarding the role and responsibility of school
182 resource officers, in accordance with the provisions of section 1 of this

183 act; may place in an alternative school program or other suitable
 184 educational program a pupil enrolling in school who is nineteen years
 185 of age or older and cannot acquire a sufficient number of credits for
 186 graduation by age twenty-one; may arrange with the board of
 187 education of an adjacent town for the instruction therein of such
 188 children as can attend school in such adjacent town more conveniently;
 189 shall cause each child five years of age and over and under eighteen
 190 years of age who is not a high school graduate and is living in the
 191 school district to attend school in accordance with the provisions of
 192 section 10-184, and shall perform all acts required of it by the town or
 193 necessary to carry into effect the powers and duties imposed by law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2014	New section
Sec. 2	July 1, 2014	New section
Sec. 3	July 1, 2014	10-220(c)
Sec. 4	July 1, 2014	10-10a(c)
Sec. 5	July 1, 2014	10-220(a)

Statement of Legislative Commissioners:

In section 5, "shall" was changed to "may" for accuracy and consistency with the provisions of section 1.

ED *Joint Favorable Subst.*

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 makes changes that are procedural in nature and that conforms current practice to statute, none of which result in a fiscal impact.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sHB 5355*****AN ACT CONCERNING COLLABORATION BETWEEN BOARDS OF EDUCATION AND SCHOOL RESOURCE OFFICERS.*****SUMMARY:**

This bill requires a local or regional school board that assigns a sworn police officer to a school (i.e., school resource officer) to enter into a memorandum of understanding (MOU) with the local police department or the Division of State Police that defines the officer's role and responsibilities. The MOU must address daily interactions between students, school personnel, and police officers, and can include a graduated response model for student discipline (see BACKGROUND).

By law, each local and regional school board must submit to the education commissioner an annual strategic school profile (SSP) with certain required data (e.g., student performance) for each of its schools and the district as a whole. 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 (1) disaggregate school-based arrest information by school, race, ethnicity, gender, age, disability status, and offense type and (2) make it available through the public school information system. The system is a student-tracking database that protects individual confidentiality, yet makes aggregated information available for limited purposes.

EFFECTIVE DATE: July 1, 2014

SCHOOL-BASED ARRESTS***Definition***

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. Furthermore, it defines measures of school-based arrests as the number of arrests made that year at each school in the 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.

Related Bill

On March 28, the Judiciary Committee favorably reported sSB 54, An Act Concerning Collaboration Between Boards of Education and Law Enforcement Personnel, which contains the same provisions.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute
Yea 30 Nay 3 (03/19/2014)