AN ACT PROHIBITING OUT-OF-SCHOOL SUSPENSIONS AND EXPULSIONS FOR STUDENTS IN PRESCHOOL AND GRADES KINDERGARTEN TO TWO.

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

Section 1. Subsection (g) of section 10-233c of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(g) On and after July 1, [2010,] 2015, all suspensions pursuant to this section shall be in-school suspensions, [unless] except a local or regional board of education may authorize the administration of schools under its direction to impose an out-of-school suspension on any pupil in grades three to twelve, inclusive, if, during the hearing held pursuant to subsection (a) of this section, (1) the administration determines that the pupil being suspended poses such a danger to persons or property or such a disruption of the educational process that the pupil shall be excluded from school during the period of suspension, or (2) the administration determines that an out-of-school suspension is appropriate for such pupil based on evidence of (A)
previous disciplinary problems that have led to suspensions or 
expulsion of such pupil, and (B) efforts by the administration to 
address such disciplinary problems through means other than out-of-
school suspension or expulsion, including positive behavioral support 
strategies. An in-school suspension may be served in the school that 
the pupil attends, or in any school building under the jurisdiction of 
the local or regional board of education, as determined by such board.

Sec. 2. Subsection (a) of section 10-233d of the general statutes is 
repealed and the following is substituted in lieu thereof (Effective July 
1, 2015):

(a) (1) Any local or regional board of education, at a meeting at 
which three or more members of such board are present, or the 
impartial hearing board established pursuant to subsection (b) of this 
section, may expel, subject to the provisions of this subsection, any 
pupil in grades three to twelve, inclusive, whose conduct on school 
grounds or at a school-sponsored activity is violative of a publicized 
policy of such board or is seriously disruptive of the educational 
process or endangers persons or property or whose conduct off school 
grounds is violative of such policy and is seriously disruptive of the 
educational process, provided a majority of the board members sitting 
in the expulsion hearing vote to expel and that at least three 
affirmative votes for expulsion are cast. In making a determination as 
to whether conduct is seriously disruptive of the educational process, 
the board of education or impartial hearing board may consider, but 
such consideration shall not be limited to: (A) Whether the incident 
ocurred within close proximity of a school; (B) whether other students 
from the school were involved or whether there was any gang 
involvement; (C) whether the conduct involved violence, threats of 
violence or the unlawful use of a weapon, as defined in section 29-38, 
and whether any injuries occurred; and (D) whether the conduct 
involved the use of alcohol.

(2) Expulsion proceedings pursuant to this section, except as
provided in subsection (i) of this section shall be required whenever there is reason to believe that any pupil (A) on school grounds or at a school-sponsored activity, was in possession of a firearm, as defined in 18 USC 921, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in section 53a-3, (B) off school grounds, did possess such a firearm in violation of section 29-35 or did possess and use such a firearm, instrument or weapon in the commission of a crime under chapter 952, or (C) on or off school grounds, offered for sale or distribution a controlled substance, as defined in subdivision (9) of section 21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering, or administering is subject to criminal penalties under sections 21a-277 and 21a-278. Such a pupil shall be expelled for one calendar year if the local or regional board of education or impartial hearing board finds that the pupil did so possess or so possess and use, as appropriate, such a firearm, instrument or weapon or did so offer for sale or distribution such a controlled substance, provided the board of education or the hearing board may modify the period of expulsion for a pupil on a case by case basis, and as provided for in subdivision (2) of subsection (c) of this section.

(3) Unless an emergency exists, no pupil shall be expelled without a formal hearing held pursuant to sections 4-176e to 4-180a, inclusive, and section 4-181a, provided whenever such pupil is a minor, the notice required by section 4-177 and section 4-180 shall also be given to the parents or guardian of the pupil. If an emergency exists, such hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services.

Sec. 3. (NEW) (Effective July 1, 2015) No child enrolled in a preschool program under the jurisdiction of a local or regional board of education or a state or local charter school shall be expelled or receive
This act shall take effect as follows and shall amend the following sections:

<table>
<thead>
<tr>
<th>Section</th>
<th>Date</th>
<th>Code</th>
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<tbody>
<tr>
<td>1</td>
<td>July 1, 2015</td>
<td>10-233c(g)</td>
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<tr>
<td>2</td>
<td>July 1, 2015</td>
<td>10-233d(a)</td>
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<tr>
<td>3</td>
<td>July 1, 2015</td>
<td>New section</td>
</tr>
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</table>

**Statement of Purpose:**
To prohibit out-of-school suspensions and expulsions for students enrolled in a preschool program or grades kindergarten to two, inclusive.

[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.]