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**TESTIMONY OF CONNECTICUT LEGAL SERVICES, INC.
FOR THE EDUCATION COMMITTEE
MARCH 11, 2015
IN SUPPORT OF RAISED S.B. NO 1053
AN ACT PROHIBITING OUT-OF-SCHOOL SUSPENSIONS AND
EXPULSIONS FOR STUDENTS IN PRESCHOOL AND GRADES
KINDERGARTEN TO TWO.**

This testimony is submitted to the Education Committee by the Children at Risk Unit at Connecticut Legal Services (CLS). For over 30 years, the attorneys in the Children at Risk Unit at CLS have represented low-income families to access education and behavioral health services for their children.

CLS fully supports Raised S.B. 1053, which prohibits schools from using out-of-school exclusionary discipline for our youngest children. CLS attorneys see first hand the negative trajectory that out of school suspension and expulsion puts children on, particularly for students in 3rd grade and under. Even more troubling is the evidence we see in our cases of disproportionate exclusionary discipline among students of color and disabled students. When we look through school records of struggling older students, we see patterns of exclusionary discipline that start at a very young age, often for minor school policy violations such as disrespect or insubordination, rather than for violent or aggressive behaviors. Many schools remove a student from class and call the parents to come pick the student up and bring him or her home. These removals are often not recorded as suspensions, even though under state statute they are.

One particularly common issue CLS sees is the use of exclusionary discipline in situations where the student should have been identified and evaluated under the state and federal Child Find requirement. We have numerous cases in which students are repeatedly suspended or under threat of expulsion, even though those students are suspected of having a disability. The Individuals with Disabilities Education Act requires those students to be tested to see if they need special education services and an Individualized Education Program (IEP) to address their needs and be able to make progress in school. Our student clients with mental and behavioral health diagnoses, or with behavioral issues rooted in trauma, often have behavioral plans integrated in their IEP's. A good IEP can dramatically improve those students' abilities to succeed by allowing their teachers to plan appropriate, non-exclusionary interventions to address behavioral health needs.

Despite legislative reforms in Connecticut to limit out-of-school suspensions, we see it used too often when other interventions and discipline *within* the school community would better support students. There are alternative interventions and community programs that schools can utilize to better address the needs of children. Schools have a wealth of alternatives, including partnering with community providers, utilizing restorative justice models, or promoting diversionary

protocols, rather than keeping students out of school. Schools can also choose to use in-school suspension where appropriate, or call Emergency Mobile Psychiatric Services (EMPS) for behavioral health situations where the school may not be equipped to respond safely or adequately.

Keeping children in school and limiting the use of exclusionary discipline practices to those situations where it is appropriate and there is no better alternative is a priority for CLS. With appropriate educational programming and services, these young children can get the help they need to stay in school and learn to become productive members of society.

CLS urges you **support Raised S.B. 1053**. Please feel free to contact Attorney Agata Raszczyk-Lawska, Managing Attorney of the Children at Risk Unit at CLS, at (860) 357-9316 with any questions.

Submitted by:
Connecticut Legal Services, Inc.