



General Assembly

February Session, 2016

Raised Bill No. 5642

LCO No. 3331



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING THE RECOMMENDATIONS OF THE
JUVENILE JUSTICE POLICY OVERSIGHT COMMITTEE.***

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

1 Section 1. Section 46b-133 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2017*):

3 (a) Nothing in this part shall be construed as preventing the arrest of
4 a child, with or without a warrant, as may be provided by law, or as
5 preventing the issuance of warrants by judges in the manner provided
6 by section 54-2a, except that no child shall be taken into custody on
7 such process except on apprehension in the act, or on speedy
8 information, or in other cases when the use of such process appears
9 imperative. Whenever a child is arrested and charged with a crime,
10 such child may be required to submit to the taking of his photograph,
11 physical description and fingerprints. Notwithstanding the provisions
12 of section 46b-124, the name, photograph and custody status of any
13 child arrested for the commission of a capital felony under the
14 provisions of section 53a-54b in effect prior to April 25, 2012, or class A
15 felony may be disclosed to the public.

16 (b) Whenever a child is brought before a judge of the Superior
17 Court, such court shall be the court for juvenile matters in the
18 geographical area in which the child resides, provided the residence of
19 such child can be determined, and the judge shall immediately have
20 the case proceeded upon as a juvenile matter. Such judge may admit
21 the child to bail or release the child in the custody of the child's parent
22 or parents, the child's guardian or some other suitable person to
23 appear before the Superior Court when ordered. If detention becomes
24 necessary, such detention shall be in the manner prescribed by this
25 chapter, provided the child shall be placed in the least restrictive
26 environment possible in a manner consistent with public safety.

27 (c) Upon the arrest of any child by an officer, such officer may (1)
28 release the child to the custody of the child's parent or parents,
29 guardian or some other suitable person or agency, (2) at the discretion
30 of the officer, release the child to the child's own custody, or (3) seek a
31 court order to detain the child in a juvenile detention center. No child
32 shall be placed in detention unless [it appears] the court determines
33 from the available facts that there is probable cause to believe that the
34 child has committed the acts alleged, there is no less restrictive
35 alternative available and, through the use of the detention risk
36 screening instrument developed pursuant to section 2 of this act, there
37 is (A) [a strong probability that the child will run away prior to the
38 court hearing or disposition, (B)] a strong probability that the child will
39 commit or attempt to commit other offenses injurious [to the child or]
40 to the community prior to the court disposition, [(C) probable cause to
41 believe that the child's continued residence in the child's home
42 pending disposition poses a risk to the child or the community because
43 of the serious and dangerous nature of the act or acts the child is
44 alleged to have committed, (D)] (B) a need to hold the child for another
45 jurisdiction, [(E)] or (C) a need to hold the child to assure the child's
46 appearance before the court, in view of the child's previous failure to
47 respond to the court process. [, or (F) a finding by the court that the
48 child has violated one or more of the conditions of a suspended

49 detention order.] No child shall be held in any detention center unless
50 an order to detain is issued by a judge of the Superior Court.

51 (d) (1) When a child is arrested for the commission of a delinquent
52 act and the child is not placed in detention or referred to a
53 diversionary program, an officer shall serve a written complaint and
54 summons on the child and the child's parent, guardian or some other
55 suitable person or agency. If such child is released to the child's own
56 custody, the officer shall make reasonable efforts to notify, and to
57 provide a copy of a written complaint and summons to, the parent or
58 guardian or some other suitable person or agency prior to the court
59 date on the summons. If any person so summoned wilfully fails to
60 appear in court at the time and place so specified, the court may issue a
61 warrant for the child's arrest or a *capias* to assure the appearance in
62 court of such parent, guardian or other person. If a child wilfully fails
63 to appear in response to such a summons, the court may order such
64 child taken into custody and such child may be charged with the
65 delinquent act of wilful failure to appear under section 46b-120. The
66 court may punish for contempt, as provided in section 46b-121, as
67 amended by this act, any parent, guardian or other person so
68 summoned who wilfully fails to appear in court at the time and place
69 so specified.

70 (2) Upon the arrest of any youth by an officer for a violation of
71 section 53a-82, such officer shall report suspected abuse or neglect to
72 the Department of Children and Families in accordance with the
73 provisions of sections 17a-101b to 17a-101d, inclusive.

74 (e) The court or detention supervisor may turn such child over to a
75 youth service program created for such purpose, if such course is
76 practicable, or such child may be detained pending a hearing which
77 shall be held on the business day next following the child's arrest. No
78 child shall be detained after such hearing or held in detention pursuant
79 to a court order unless it appears from the available facts there is
80 probable cause to believe that the child has committed the acts alleged,

81 there is no less restrictive alternative available and that there is (1) [a
82 strong probability that the child will run away prior to the court
83 hearing or disposition, (2)] a strong probability that the child will
84 commit or attempt to commit other offenses injurious [to the child or]
85 to the community prior to the court disposition, [(3) probable cause to
86 believe that the child's continued residence in the child's home
87 pending disposition poses a risk to the child or the community because
88 of the serious and dangerous nature of the act or acts the child is
89 alleged to have committed, (4)] (2) a need to hold the child for another
90 jurisdiction, [(5) or (3) a need to hold the child to assure the child's
91 appearance before the court, in view of the child's previous failure to
92 respond to the court process. [, or (6) a finding by the court that the
93 child has violated one or more of the conditions of a suspended
94 detention order.] Such probable cause may be shown by sworn
95 affidavit in lieu of testimony. No child shall be released from detention
96 who is alleged to have committed a serious juvenile offense except by
97 order of a judge of the Superior Court. Any child confined in a
98 community correctional center or lockup shall be held in an area
99 separate and apart from any adult detainee, except in the case of a
100 nursing infant, and no child shall at any time be held in solitary
101 confinement. When a female child is held in custody, she shall, as far
102 as possible, be in the charge of a woman attendant.

103 (f) The police officer who brings a child into detention shall have
104 first notified, or made a reasonable effort to notify, the parents or
105 guardian of the child in question of the intended action and shall file at
106 the detention center a signed statement setting forth the alleged
107 delinquent conduct of the child [. Unless the arrest was] and the order
108 to detain such child. Upon admission, the child shall be administered
109 the detention risk assessment instrument developed pursuant to
110 section 2 of this act, and unless the child was arrested for a serious
111 juvenile offense or unless an order not to release is noted on the take
112 into custody order, arrest warrant or order to detain, the child may be
113 released [by a detention supervisor] to the custody of the child's parent

114 or parents, guardian or some other suitable person or agency in
115 accordance with policies adopted by the Court Support Services
116 Division of the Judicial Department pursuant to section 3 of this act.

117 (g) In conjunction with any order of release from detention, the
118 court may, when it has reason to believe a child is alcohol-dependent
119 or drug-dependent as defined in section 46b-120, and where necessary,
120 reasonable and appropriate, order the child to participate in a program
121 of periodic alcohol or drug testing and treatment as a condition of such
122 release. The results of any such alcohol or drug test shall be admissible
123 only for the purposes of enforcing the conditions of release from
124 detention.

125 (h) The detention supervisor of a juvenile detention center in charge
126 of intake shall admit only a child who: (1) Is the subject of an order to
127 detain or an outstanding court order to take such child into custody,
128 (2) is ordered by a court to be held in detention, or (3) is being
129 transferred to such center to await a court appearance.

130 (i) Whenever a child is subject to a court order to take such child
131 into custody, or other process issued pursuant to this section or section
132 46b-140a, the Judicial Branch may cause the order or process to be
133 entered into a central computer system in accordance with policies and
134 procedures established by the Chief Court Administrator. The
135 existence of the order or process in the computer system shall
136 constitute prima facie evidence of the issuance of the order or process.
137 Any child named in the order or process may be arrested or taken into
138 custody based on the existence of the order or process in the computer
139 system and, if the order or process directs that such child be detained,
140 the child shall be held in a juvenile detention center.

141 (j) In the case of any child held in detention, the order to detain such
142 child shall not be for a period that exceeds seven days, or until the
143 dispositional hearing is held, whichever is shorter, unless following a
144 detention review hearing, such order is renewed for a period that does

145 not exceed seven days, or until the dispositional hearing is held,
146 whichever is shorter.

147 Sec. 2. (NEW) (*Effective from passage*) (a) Not later than January 1,
148 2017, the Court Support Services Division of the Judicial Department
149 shall develop and implement a detention risk assessment instrument
150 to be used to determine whether there is: (1) Probable cause to believe
151 that the child will pose a risk to public safety if released to the
152 community prior to the court hearing or disposition, or (2) a need to
153 hold the child in order to assure the child's appearance before the
154 court, as demonstrated by the child's previous failure to respond to the
155 court. Such instrument shall be used when assessing whether a child
156 should be detained pursuant to section 46b-133 of the general statutes,
157 as amended by this act.

158 (b) When a child adjudicated as delinquent is presented before the
159 court and it appears from the available facts there is probable cause to
160 believe the child has violated a valid court order, the court, after
161 administering the detention risk assessment instrument, may order the
162 child to participate in nonresidential programs for intensive
163 wraparound services, community-based residential services for short-
164 term respite or other services and interventions the court deems
165 appropriate.

166 Sec. 3. (NEW) (*Effective from passage*) Not later than January 1, 2017,
167 the Court Support Services Division of the Judicial Department shall
168 adopt policies and procedures setting out the parameters under which
169 Court Support Services Division staff may release a child from
170 detention pursuant to subsection (f) of section 46b-133 of the general
171 statutes, as amended by this act. The division may update such
172 parameters at such times as the division deems necessary.

173 Sec. 4. Section 46b-148 of the general statutes is repealed and the
174 following is substituted in lieu thereof (*Effective January 1, 2017*):

175 (a) Notwithstanding any provision of this chapter: (1) No child who

176 has been adjudicated as a child from a family with service needs in
177 accordance with section 46b-149 may be processed or held in a juvenile
178 detention center as a delinquent child, or be convicted as delinquent,
179 [solely] for the violation of a valid order which regulates future
180 conduct of the child that was issued by the court following such an
181 adjudication, unless the child is also accused of a crime; and (2) no
182 such child who is found to be in violation of any such order may be
183 [punished] detained for such violation by placement in any juvenile
184 detention center.

185 (b) In entering any order that directs or authorizes placement or
186 commitment of a child who has been adjudicated as a child from a
187 family with service needs in accordance with section 46b-149, the court
188 shall make a determination that there is no less restrictive alternative
189 appropriate to the needs of such child and the community.

190 Sec. 5. (NEW) (*Effective January 1, 2017*) The Court Support Services
191 Division of the Judicial Department shall establish a case review team
192 in a manner determined by the division. The probation officer of a
193 child who has been adjudicated as delinquent pursuant to section 46b-
194 140 of the general statutes, shall consult with such team prior to
195 determining whether a child may have violated any valid order that
196 regulates future conduct of the child made by the court following such
197 an adjudication, and whether such potential violation should cause the
198 probation officer to file a petition with the court alleging that the child
199 has violated such court order.

200 Sec. 6. (*Effective from passage*) (a) Not later than October 1, 2016, the
201 executive director of the Court Support Services Division of the
202 Judicial Department and the Commissioner of Children and Families
203 shall jointly develop and implement a plan to ensure that community-
204 based services provided to children who are diverted, under the
205 provisions of chapter 815t of the general statutes, from detention. Such
206 plan shall address needs of the child, concerning (1) behavioral health,
207 (2) intervention in the case of family violence, as defined in section

208 46b-38a of the general statutes, and (3) identification and resolution of
209 precipitating behavioral factors that may be exhibited by a child who
210 may run away. Such services shall include assessment centers,
211 intensive care coordination and respite beds.

212 (b) Not later than January 1, 2017, the executive director and the
213 commissioner shall jointly report, in accordance with the provisions of
214 section 11-4a of the general statutes, on the implementation of the plan
215 pursuant to subsection (a) of this section, to the Juvenile Justice Policy
216 and Oversight Committee established pursuant to section 46b-121n of
217 the general statutes, as amended by this act.

218 Sec. 7. Subdivision (1) of subsection (b) of section 46b-121 of the
219 general statutes is repealed and the following is substituted in lieu
220 thereof (*Effective October 1, 2016*):

221 (b) (1) In juvenile matters, the Superior Court shall have authority to
222 make and enforce such orders directed to parents, including any
223 person who acknowledges before the court paternity of a child born
224 out of wedlock, guardians, custodians or other adult persons owing
225 some legal duty to a child or youth therein, as the court deems
226 necessary or appropriate to secure the welfare, protection, proper care
227 and suitable support of a child or youth subject to the court's
228 jurisdiction or otherwise committed to or in the custody of the
229 Commissioner of Children and Families. The Superior Court may
230 order a local or regional board of education to provide to the court
231 educational records of a child or youth for the purpose of determining
232 the need for services or placement of the child or youth. In proceedings
233 concerning a child charged with a delinquent act or with being from a
234 family with service needs, records produced subject to such an order
235 shall be maintained under seal by the court and shall be released only
236 after a hearing or with the consent of the child. Educational records
237 obtained pursuant to this section shall be used only for dispositional
238 purposes. In addition, with respect to proceedings concerning
239 delinquent children, the Superior Court shall have authority to make

240 and enforce such orders as the court deems necessary or appropriate to
241 [punish the child] provide individualized supervision, care,
242 accountability and treatment in a manner consistent with public safety
243 to such child, deter the child from the commission of further
244 delinquent acts, assure that the safety of any other person will not be
245 endangered and provide restitution to any victim. The Superior Court
246 shall also have authority to grant and enforce temporary and
247 permanent injunctive relief in all proceedings concerning juvenile
248 matters.

249 Sec. 8. (NEW) (*Effective from passage*) (a) The Commissioner of
250 Children and Families and the Juvenile Justice Policy Oversight
251 Committee, established pursuant to section 46b-121n of the general
252 statutes, as amended by this act, shall jointly develop a preliminary
253 and a final plan for the closures of the Connecticut Juvenile Training
254 School and the Pueblo Unit for girls, which closures shall not be later
255 than July 1, 2018. Such plans shall (1) incorporate comments from
256 national experts and local stakeholders, (2) include community-based
257 secure and nonsecure congregate care settings, supervision and
258 programming based on nationally accepted best practices, (3) promote
259 public safety, youth rehabilitation and the elimination of racial and
260 ethnic disparity, and (4) ensure the optimal use of public resources.

261 (b) Not later than January 1, 2016, the commissioner and committee
262 shall report a preliminary plan and not later than January 1, 2017, the
263 commissioner and committee shall report a final plan, in accordance
264 with the provisions of section 11-4a of the general statutes, developed
265 pursuant to subsection (a) of this section and recommendations for
266 legislation necessary to carry out said plans, if any, to the joint
267 standing committees of the General Assembly having cognizance of
268 matters relating to appropriations, judiciary and children.

269 Sec. 9. (*Effective from passage*) Not later than April 1, 2017, the
270 Judicial Department shall, in accordance with the provisions of section
271 11-4a of the general statutes, report to the Juvenile Justice Policy and

272 Oversight Committee, established pursuant to section 46b-121a, of the
273 general statutes, on (1) the implementation of changes made by this act
274 to section 46b-133 of the general statutes, as amended by this act,
275 section 46b-149f of the general statutes, as amended by this act, and
276 section 46b-148 of the general statutes, as amended by this act, (2) the
277 development and implementation of a detention risk screening
278 instrument pursuant to section 2 of this act, (3) the development of
279 parameters by which a child may be released from detention pursuant
280 to section 3 of this act, and (4) the establishment of a case review team
281 pursuant to section 6 of this act.

282 Sec. 10. Subdivision (5) of section 46b-120 of the general statutes is
283 repealed and the following is substituted in lieu thereof (*Effective*
284 *January 1, 2017*):

285 (5) "Family with service needs" means a family that includes a child
286 who is at least seven years of age and is under eighteen years of age
287 who (A) has without just cause run away from the parental home or
288 other properly authorized and lawful place of abode, (B) is beyond the
289 control of the child's or youth's parent, parents, guardian or other
290 custodian, (C) has engaged in indecent or immoral conduct, or (D) [is a
291 truant or habitual truant or who, while in school, has been
292 continuously and overtly defiant of school rules and regulations, or
293 (E)] is thirteen years of age or older and has engaged in sexual
294 intercourse with another person and such other person is thirteen
295 years of age or older and not more than two years older or younger
296 than such child or youth;

297 Sec. 11. Section 10-198a of the 2016 supplement to the general
298 statutes is repealed and the following is substituted in lieu thereof
299 (*Effective January 1, 2017*):

300 (a) For purposes of this section and sections 10-198c and 10-220,
301 "truant" means a child age five to eighteen, inclusive, who is enrolled
302 in a public or private school and has four unexcused absences from

303 school in any one month or ten unexcused absences from school in any
304 school year.

305 (b) Each local and regional board of education shall adopt and
306 implement policies and procedures concerning truants who are
307 enrolled in schools under the jurisdiction of such board of education.
308 Such policies and procedures shall include, but need not be limited to,
309 the following: (1) The holding of a meeting with the parent of each
310 child who is a truant, or other person having control of such child, and
311 appropriate school personnel to review and evaluate the reasons for
312 the child being a truant, provided such meeting shall be held not later
313 than ten school days after the child's fourth unexcused absence in a
314 month or tenth unexcused absence in a school year, (2) coordinating
315 services with and referrals of children to community agencies
316 providing child and family services, (3) annually at the beginning of
317 the school year and upon any enrollment during the school year,
318 notifying the parent or other person having control of each child
319 enrolled in a grade from kindergarten to eight, inclusive, in the public
320 schools in writing of the obligations of the parent or such other person
321 pursuant to section 10-184, (4) annually at the beginning of the school
322 year and upon any enrollment during the school year, obtaining from
323 the parent or other person having control of each child in a grade from
324 kindergarten to eight, inclusive, a telephone number or other means of
325 contacting such parent or such other person during the school day, (5)
326 the implementation of a truancy intervention model approved by the
327 State Board of Education pursuant to section 12 of this act, by any local
328 or regional board of education with a school under its jurisdiction that
329 has a disproportionately high rate of truancy, as determined by the
330 Commissioner of Education, in any such school, with the assistance of
331 and oversight by the Department of Education, and [(5)] (6) a system
332 of monitoring individual unexcused absences of children in grades
333 kindergarten to eight, inclusive, which shall provide that whenever a
334 child enrolled in school in any such grade fails to report to school on a
335 regularly scheduled school day and no indication has been received by

336 school personnel that the child's parent or other person having control
337 of the child is aware of the pupil's absence, a reasonable effort to
338 notify, by telephone and by mail, the parent or such other person shall
339 be made by school personnel or volunteers under the direction of
340 school personnel. [Such mailed notice shall include a warning that two
341 unexcused absences from school in a month or five unexcused
342 absences in a school year may result in a complaint filed with the
343 Superior Court pursuant to section 46b-149 alleging the belief that the
344 acts or omissions of the child are such that the child's family is a family
345 with service needs.] Any person who, in good faith, gives or fails to
346 give notice pursuant to subdivision [(5)] (6) of this subsection shall be
347 immune from any liability, civil or criminal, which might otherwise be
348 incurred or imposed and shall have the same immunity with respect to
349 any judicial proceeding which results from such notice or failure to
350 give such notice.

351 [(c) If the parent or other person having control of a child who is a
352 truant fails to attend the meeting held pursuant to subdivision (1) of
353 subsection (b) of this section or if such parent or other person
354 otherwise fails to cooperate with the school in attempting to solve the
355 truancy problem, such policies and procedures shall require the
356 superintendent of schools to file, not later than fifteen calendar days
357 after such failure to attend such meeting or such failure to cooperate
358 with the school attempting to solve the truancy problem, for each such
359 truant enrolled in the schools under his jurisdiction a written
360 complaint with the Superior Court pursuant to section 46b-149 alleging
361 the belief that the acts or omissions of the child are such that the child's
362 family is a family with service needs.]

363 [(d)] (c) Nothing in subsections (a) [to (c), inclusive,] and (b) of this
364 section shall preclude a local or regional board of education from
365 adopting policies and procedures pursuant to this section which
366 exceed the requirements of said subsections.

367 [(e)] (d) The provisions of this section shall not apply to any child

368 receiving equivalent instruction pursuant to section 10-184.

369 [(f)] (e) A child, age five to eighteen, inclusive, who is enrolled in a
370 public or private school and whose parent or legal guardian is an
371 active duty member of the armed forces, as defined in section 27-103,
372 and has been called to duty for, is on leave from or has immediately
373 returned from deployment to a combat zone or combat support
374 posting, shall be granted ten days of excused absences in any school
375 year and, at the discretion of the local or regional board of education,
376 additional excused absences to visit such child's parent or legal
377 guardian with respect to such leave or deployment of the parent or
378 legal guardian. In the case of excused absences pursuant to this
379 subsection, such child and parent or legal guardian shall be
380 responsible for obtaining assignments from the student's teacher prior
381 to any period of excused absence, and for ensuring that such
382 assignments are completed by such child prior to his or her return to
383 school from such period of excused absence.

384 Sec. 12. (NEW) (*Effective from passage*) (a) The State Board of
385 Education shall evaluate truancy intervention models for
386 implementation by local and regional boards of education pursuant to
387 subsection (b) of section 10-198a of the general statutes, as amended by
388 this act. Not later than January 1, 2017, a listing of such approved
389 models shall be available for implementation by local and regional
390 boards of education pursuant to said subsection (b).

391 (b) Not later than April 1, 2017, the Commissioner of Education, in
392 accordance with the provisions of section 11-4a of the general statutes,
393 shall report on the implementation of subsection (a) of this section to
394 the Juvenile Justice Policy Oversight Committee established pursuant
395 to section 46b-121n of the general statutes, as amended by this act.

396 Sec. 13. Section 7-294h of the general statutes is repealed and the
397 following is substituted in lieu thereof (*Effective January 1, 2017*):

398 On and after [July 1, 1990] January 1, 2017: (1) Each police basic

399 training program conducted or administered by the Division of State
400 Police within the Department of Emergency Services and Public
401 Protection shall provide a minimum of twenty-seven hours of training
402 relative to the handling of juvenile matters which includes, but is not
403 limited to, the following: (A) Techniques for handling incidents
404 involving juveniles; (B) information relative to the processing and
405 disposition of juvenile matters; (C) applicable procedures in the
406 prosecution of cases involving juveniles; [and] (D) information
407 regarding resources of the juvenile justice system in the state; (E) the
408 use of graduated sanctions; (F) techniques for handling trauma; (G)
409 restorative justice practices; (H) adolescent development; and (I) risk-
410 assessment and screening tools; (2) each police basic training program
411 conducted or administered by the Police Officer Standards and
412 Training Council established under section 7-294b or by a municipal
413 police department in the state shall provide a minimum of fourteen
414 hours of training relative to the handling of juvenile matters as
415 provided in subdivision (1) of this section; and (3) each police review
416 training program conducted or administered by the Division of State
417 Police within the Department of Emergency Services and Public
418 Protection, by the Police Officer Standards and Training Council
419 established under section 7-294b or by a municipal police department
420 in the state shall provide a minimum of one hour of training relative to
421 the handling of juvenile matters as provided in subdivision (1) of this
422 section.

423 Sec. 14. (NEW) (*Effective from passage*) (a) Not later than January 1,
424 2017, the Department of Education shall develop and implement a
425 plan for school-based diversion initiatives to reduce juvenile justice
426 involvement among children with mental health needs to be
427 introduced into schools and school districts with high rates of school-
428 based arrests, disproportionate minority contact, as defined in section
429 4-68y of the general statutes and a high number of juvenile justice
430 referrals, as determined by the Commissioner of Education.

431 (b) Not later than January 1, 2018, and annually thereafter, the

432 commissioner shall track and report the outcomes of the initiatives
433 employed under subsection (a) of this section to the Juvenile Justice
434 Policy Oversight Committee established pursuant to section 46b-121n
435 of the general statutes, as amended by this act, in accordance with the
436 provisions of section 11-4a of the general statutes.

437 Sec. 15. (*Effective from passage*) Not later than January 1, 2018, the
438 Commissioner of Education shall report to the Juvenile Justice Policy
439 Oversight Committee established pursuant to section 46b-121n of the
440 general statutes, as amended by this act, in accordance with the
441 provisions of section 11-4a of the general statutes, concerning the
442 implementation of sections 10-198c and 10-198d of the general statutes
443 and the changes made by public act 15-225 to sections 10-198a, as
444 amended by this act, 10-198b, 10-220 and 45a-8c of the general statutes.

445 Sec. 16. Section 10-233d of the 2016 supplement to the general
446 statutes is repealed and the following is substituted in lieu thereof
447 (*Effective January 1, 2017*):

448 (a) (1) Any local or regional board of education, at a meeting at
449 which three or more members of such board are present, or the
450 impartial hearing board established pursuant to subsection (b) of this
451 section, may expel, subject to the provisions of this subsection, any
452 pupil in grades three to twelve, inclusive, whose conduct on school
453 grounds or at a school-sponsored activity is violative of a publicized
454 policy of such board or is seriously disruptive of the educational
455 process or endangers persons or property or whose conduct off school
456 grounds is violative of such policy and is seriously disruptive of the
457 educational process, provided a majority of the board members sitting
458 in the expulsion hearing vote to expel and that at least three
459 affirmative votes for expulsion are cast. In making a determination as
460 to whether conduct is seriously disruptive of the educational process,
461 the board of education or impartial hearing board may consider, but
462 such consideration shall not be limited to: (A) Whether the incident
463 occurred within close proximity of a school; (B) whether other students

464 from the school were involved or whether there was any gang
465 involvement; (C) whether the conduct involved violence, threats of
466 violence or the unlawful use of a weapon, as defined in section 29-38,
467 and whether any injuries occurred; and (D) whether the conduct
468 involved the use of alcohol.

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

492 (3) Unless an emergency exists, no pupil shall be expelled without a
493 formal hearing held pursuant to sections 4-176e to 4-180a, inclusive,
494 and section 4-181a, provided whenever such pupil is a minor, the
495 notice required by section 4-177 and section 4-180 shall also be given to
496 the parents or guardian of the pupil at least five days before such

497 hearing. If an emergency exists, such hearing shall be held as soon
498 after the expulsion as possible. The notice shall include information
499 concerning legal services provided free of charge or at a reduced rate
500 that are available locally and how to access such services.

501 (4) An attorney or other advocate may represent any pupil subject to
502 expulsion proceedings. The local or regional board of education shall
503 ensure that an attorney or other advocate is appointed to represent any
504 pupil whose parent or guardian cannot afford an attorney or advocate.

505 (b) For purposes of conducting expulsion hearings as required by
506 subsection (a) of this section, any local or regional board of education
507 or any two or more of such boards in cooperation may establish an
508 impartial hearing board of one or more persons. No member of any
509 such board or boards shall be a member of the hearing board. The
510 hearing board shall have the authority to conduct the expulsion
511 hearing and render a final decision in accordance with the provisions
512 of sections 4-176e to 4-180a, inclusive, and section 4-181a.

513 (c) (1) In determining the length of an expulsion and the nature of
514 the alternative educational opportunity to be offered under subsection
515 (d) of this section, the local or regional board of education, or the
516 impartial hearing board established pursuant to subsection (b) of this
517 section, may receive and consider evidence of past disciplinary
518 problems that have led to removal from a classroom, suspension or
519 expulsion of such pupil.

520 (2) For any pupil expelled for the first time pursuant to this section
521 and who has never been suspended pursuant to section 10-233c, except
522 for a pupil who has been expelled based on possession of a firearm or
523 deadly weapon as described in subsection (a) of this section, the local
524 or regional board of education may shorten the length of or waive the
525 expulsion period if the pupil successfully completes a board-specified
526 program and meets any other conditions required by the board. Such
527 board-specified program shall not require the pupil or the parent or

528 guardian of the pupil to pay for participation in the program.

529 (d) [Notwithstanding the provisions of subsection (a) of section 10-
530 220, local and regional boards of education shall only be required to
531 offer an alternative educational opportunity in accordance with this
532 section.] Any pupil under sixteen years of age who is expelled shall be
533 offered an alternative educational opportunity, which shall be
534 equivalent to alternative education, as defined by section 10-74j, with
535 an individualized learning plan, during the period of expulsion,
536 provided any parent or guardian of such pupil who does not choose to
537 have his or her child enrolled in an alternative educational program
538 shall not be subject to the provisions of section 10-184. Any pupil
539 expelled for the first time who is between the ages of sixteen and
540 eighteen and who wishes to continue his or her education shall be
541 offered such an alternative educational opportunity if he or she
542 complies with conditions established by his or her local or regional
543 board of education. Such alternative educational opportunity may
544 include, but shall not be limited to, the placement of a pupil who is at
545 least seventeen years of age in an adult education program pursuant to
546 section 10-69. Any pupil participating in an adult education program
547 during a period of expulsion shall not be required to withdraw from
548 school under section 10-184. A local or regional board of education
549 shall count the expulsion of a pupil when he was under sixteen years
550 of age for purposes of determining whether an alternative educational
551 opportunity is required for such pupil when he is between the ages of
552 sixteen and eighteen. A local or regional board of education may offer
553 an alternative educational opportunity to a pupil for whom such
554 alternative educational opportunity is not required pursuant to this
555 section.

556 [(e) Notwithstanding the provisions of subsection (d) of this section
557 concerning the provision of an alternative educational opportunity for
558 pupils between the ages of sixteen and eighteen, local and regional
559 boards of education shall not be required to offer such alternative to
560 any pupil between the ages of sixteen and eighteen who is expelled

561 because of conduct which endangers persons if it is determined at the
562 expulsion hearing that the conduct for which the pupil is expelled
563 involved (1) possession of a firearm, as defined in 18 USC 921, as
564 amended from time to time, or deadly weapon, dangerous instrument
565 or martial arts weapon, as defined in section 53a-3, on school property
566 or at a school-sponsored activity, or (2) offering for sale or distribution
567 on school property or at a school-sponsored activity a controlled
568 substance, as defined in subdivision (9) of section 21a-240, whose
569 manufacture, distribution, sale, prescription, dispensing, transporting
570 or possessing with the intent to sell or dispense, offering, or
571 administration is subject to criminal penalties under sections 21a-277
572 and 21a-278.] (e) If a pupil is expelled pursuant to this section for
573 possession of a firearm, [or deadly weapon] as defined in 18 USC 921,
574 as amended from time to time, or deadly weapon, dangerous
575 instrument or martial arts weapon, as defined in section 53a-3, the
576 board of education shall report the violation to the local police
577 department or in the case of a student enrolled in a technical high
578 school to the state police. If a pupil is expelled pursuant to this section
579 for the sale or distribution of such a controlled substance, as defined in
580 subdivision (9) of section 21a-240, whose manufacture, distribution,
581 sale, prescription, dispensing, transporting or possessing with the
582 intent to sell or dispense, offering, or administration is subject to
583 criminal penalties under sections 21a-277 and 21a-278, the board of
584 education shall refer the pupil to an appropriate state or local agency
585 for rehabilitation, intervention or job training, or any combination
586 thereof, and inform the agency of its action. [Whenever a local or
587 regional board of education notifies a pupil between the ages of sixteen
588 and eighteen or the parents or guardian of such pupil that an
589 expulsion hearing will be held, the notification shall include a
590 statement that the board of education is not required to offer an
591 alternative educational opportunity to any pupil who is found to have
592 engaged in the conduct described in this subsection.]

593 (f) Whenever a pupil is expelled pursuant to the provisions of this

594 section, notice of the expulsion and the conduct for which the pupil
595 was expelled shall be included on the pupil's cumulative educational
596 record. Such notice, except for notice of an expulsion of a pupil in
597 grades nine to twelve, inclusive, based on possession of a firearm or
598 deadly weapon as described in subsection (a) of this section, (1) shall
599 be expunged from the cumulative educational record by the local or
600 regional board of education if a pupil graduates from high school, or
601 (2) may be expunged from the cumulative educational record by the
602 local or regional board of education before a pupil graduates from
603 high school if (A) in the case of a pupil for which the length of the
604 expulsion period is shortened or the expulsion period is waived
605 pursuant to subdivision (2) of subsection (c) of this section, such board
606 determines that an expungement is warranted at the time such pupil
607 completes the board-specified program and meets any other
608 conditions required by such board pursuant to subdivision (2) of
609 subsection (c) of this section, or (B) such pupil has demonstrated to
610 such board that the conduct and behavior of such pupil in the years
611 following such expulsion warrants an expungement. A local or
612 regional board of education, in determining whether to expunge such
613 notice under subparagraph (B) of this subdivision, may receive and
614 consider evidence of any subsequent disciplinary problems that have
615 led to removal from a classroom, suspension or expulsion of such
616 pupil.

617 (g) A local or regional board of education may adopt the decision of
618 a pupil expulsion hearing conducted by another school district
619 provided such local or regional board of education or impartial
620 hearing board shall hold a hearing pursuant to the provisions of
621 subsection (a) of this section which shall be limited to a determination
622 of whether the conduct which was the basis for the expulsion would
623 also warrant expulsion under the policies of such board. The pupil
624 shall be excluded from school pending such hearing. The excluded
625 student shall be offered an alternative educational opportunity in
626 accordance with the provisions of subsections (d) and (e) of this

627 section.

628 (h) Whenever a pupil against whom an expulsion hearing is
629 pending withdraws from school after notification of such hearing but
630 before the hearing is completed and a decision rendered pursuant to
631 this section, (1) notice of the pending expulsion hearing shall be
632 included on the pupil's cumulative educational record, and (2) the
633 local or regional board of education or impartial hearing board shall
634 complete the expulsion hearing and render a decision. If such pupil
635 enrolls in school in another school district, such pupil shall not be
636 excluded from school in the other district pending completion of the
637 expulsion hearing pursuant to this subsection unless an emergency
638 exists, provided nothing in this subsection shall limit the authority of
639 the local or regional board of education for such district to suspend the
640 pupil or to conduct its own expulsion hearing in accordance with this
641 section.

642 (i) Prior to conducting an expulsion hearing for a child requiring
643 special education and related services described in subparagraph (A)
644 of subdivision (5) of section 10-76a, a planning and placement team
645 shall convene to determine whether the misconduct was caused by the
646 child's disability. If it is determined that the misconduct was caused by
647 the child's disability, the child shall not be expelled. The planning and
648 placement team shall reevaluate the child for the purpose of modifying
649 the child's individualized education program to address the
650 misconduct and to ensure the safety of other children and staff in the
651 school. If it is determined that the misconduct was not caused by the
652 child's disability, the child may be expelled in accordance with the
653 provisions of this section applicable to children who do not require
654 special education and related services. Notwithstanding the provisions
655 of subsections (d) and (e) of this section, whenever a child requiring
656 such special education and related services is expelled, an alternative
657 educational opportunity, consistent with such child's educational
658 needs shall be provided during the period of expulsion.

659 (j) An expelled pupil may apply for early readmission to school.
660 Except as provided in this subsection, such readmission shall be at the
661 discretion of the local or regional board of education. The board of
662 education may delegate authority for readmission decisions to the
663 superintendent of schools for the school district. If the board delegates
664 such authority, readmission shall be at the discretion of the
665 superintendent. Readmission decisions shall not be subject to appeal to
666 Superior Court. The board or superintendent, as appropriate, may
667 condition such readmission on specified criteria.

668 (k) Local and regional boards of education shall submit to the
669 Commissioner of Education such information on expulsions for the
670 possession of weapons as required for purposes of the Gun-Free
671 Schools Act of 1994, 20 USC 8921 et seq., as amended from time to
672 time.

673 (l) (1) Any student who commits an expellable offense and is
674 subsequently committed to a juvenile detention center, the Connecticut
675 Juvenile Training School or any other residential placement for such
676 offense may be expelled by a local or regional board of education in
677 accordance with the provisions of this section. The period of expulsion
678 shall run concurrently with the period of commitment to a juvenile
679 detention center, the Connecticut Juvenile Training School or any other
680 residential placement.

681 (2) If a student who committed an expellable offense seeks to return
682 to a school district after [having been] participating in a diversionary
683 program, or having been detained in a juvenile detention center, the
684 Connecticut Juvenile Training School or any other residential
685 placement and such student has not been expelled by the local or
686 regional board of education for such offense under subdivision (1) of
687 this subsection, the local or regional board of education for the school
688 district to which the student is returning shall allow such student to
689 return and may not expel the student for additional time for such
690 offense.

691 (3) The Department of Education shall ensure that educational
692 supports are in place for any child, whether or not such child was
693 expelled, who returns to a school district after participating in a
694 diversionary program or having been detained in a juvenile detention
695 center or any residential placement or probation.

696 Sec. 17. (NEW) (*Effective from passage*) (a) Not later than January 1,
697 2017, the Department of Education shall develop and implement
698 entrance requirements for the referral of students involved in the
699 juvenile justice system under chapter 815t of the general statutes to
700 alternative education opportunities, which shall be similar or
701 equivalent to alternative education, as defined by section 10-74j of the
702 general statutes, and which shall ensure that for any child requiring
703 special education pursuant to section 10-76a of the general statutes, the
704 provision of such alternative education opportunity shall comply with
705 the Individuals With Disabilities Education Act, 20 USC 1400 et seq., as
706 amended from time to time.

707 (b) Not later than April 1, 2017, the Commissioner of Education
708 shall report to the Juvenile Justice Policy Oversight Committee
709 established pursuant to section 46b-121n of the general statutes, as
710 amended by this act, in accordance with the provisions of section 11-4a
711 of the general statutes, concerning the implementation of subsection
712 (a) of this section.

713 Sec. 18. (NEW) (*Effective from passage*) (a) Not later than January 1,
714 2016, the Department of Education, with input from local and regional
715 boards of education, shall develop a remediation plan to address those
716 districts and schools that have higher than average out-of-school
717 suspension and expulsion rates, racial disparities or numbers of
718 students involved in the juvenile justice system under chapter 815t of
719 the general statutes. Such plan shall include restorative justice models.

720 (b) Not later than April 1, 2017, the Commissioner of Education
721 shall report to the Juvenile Justice Policy Oversight Committee

722 established pursuant to section 46b-121n of the general statutes, as
723 amended by this act, in accordance with the provisions of section 11-4a
724 of the general statutes, concerning the implementation of subsection
725 (a) of this section.

726 Sec. 19. (NEW) (*Effective July 1, 2017*) No facility operated by the
727 Department of Children and Families or the Court Support Services
728 Division of the Judicial Department shall impose an out-of-school
729 suspension on any child residing in any such facility.

730 Sec. 20. Section 17a-16 of the general statutes is repealed and the
731 following is substituted in lieu thereof (*Effective July 1, 2017*):

732 (a) No child or youth placed or treated under the direction of the
733 Commissioner of Children and Families in any public or private
734 facility or a juvenile detention center or a residential placement made
735 pursuant to chapter 815t shall be deprived of any personal, property or
736 civil rights, except in accordance with due process of law.

737 (b) Each child or youth placed or treated under the direction of the
738 Commissioner of Children and Families in any public or private
739 facility or a juvenile detention center or a residential placement made
740 pursuant to chapter 815t shall receive humane and dignified treatment
741 at all times, with full respect for his personal dignity and right to
742 privacy, consistent with his treatment plan as determined by the
743 commissioner.

744 (c) (1) Each child and youth shall be permitted to communicate with
745 any individual, group or agency, consistent with his or her treatment
746 objectives as determined by the Commissioner of Children and
747 Families or Judicial Department, as appropriate.

748 (2) Each public or private facility under the direction of the
749 Commissioner of Children and Families or the Judicial Department
750 shall furnish writing materials and postage to any child or youth
751 desiring them.

752 (3) A child or youth shall be permitted to make or receive telephone
753 calls to or from his attorneys at any reasonable time. Public telephones
754 shall be made available in appropriate locations.

755 (d) (1) The Commissioner of Children and Families shall adopt
756 regulations, in accordance with chapter 54, with respect to each facility
757 or institution under his jurisdiction, to specify the following: (A) When
758 a child or youth may be placed in restraint or seclusion or when force
759 may be used upon a child or youth; (B) when the head of a facility may
760 limit the use or receipt of mail by any child or youth and a procedure
761 for return of unopened mail; and (C) when the head of a facility may
762 restrict the use of a telephone by any child or youth.

763 (2) A copy of any order placing a child or youth in restraint or
764 seclusion in accordance with the regulations adopted in subdivision (1)
765 of this subsection shall be made a part of the child's or youth's
766 permanent clinical record. Any special restriction on the use or receipt
767 of mail or telephone calls made in accordance with the regulations
768 adopted in subdivision (1) of this subsection, shall be noted in writing,
769 signed by the head of the facility, and made a part of the child's or
770 youth's permanent clinical record.

771 (e) (1) Each child or youth shall be permitted to receive visitors
772 subject to reasonable restrictions consistent with the child's or youth's
773 treatment objectives. The head of each facility shall establish visiting
774 hours and inform all children and youths and their families and other
775 visitors of these hours. Any special restriction shall be noted in writing,
776 signed by the head of the facility, and made a part of the child's or
777 youth's permanent clinical record.

778 (2) Each child or youth may receive his clergyman and attorney at
779 any reasonable time.

780 (f) No person shall be denied employment, housing, civil service
781 rank, any license or permit, including a professional license, or any
782 other civil or legal right, solely because of a present or past placement

783 with the Commissioner of Children and Families or in a juvenile
784 detention center or a residential placement pursuant to chapter 815t,
785 except as otherwise provided by statute.

786 (g) Each such child or youth [under the supervision of the
787 Commissioner of Children and Families] shall have the right to
788 counsel of his own choosing, and the right to receive visits from
789 physicians and mental health professionals as may be arranged by his
790 counsel.

791 (h) Each child or youth under the supervision of the Commissioner
792 of Children and Families shall have a right to a hearing pursuant to
793 procedures adopted by the commissioner, in accordance with sections
794 4-176e to 4-181a, inclusive, before he is involuntarily transferred by the
795 Commissioner of Children and Families to any facility outside the state
796 of Connecticut.

797 (i) Any child or youth aggrieved by a violation of subsections (a) to
798 (h), inclusive, of this section, may petition the superior court for the
799 venue district provided in section 46b-142 within which the child or
800 youth is or resides for appropriate relief, including temporary and
801 permanent injunctive relief. Such petition shall be treated as a juvenile
802 matter.

803 Sec. 21. Subsection (b) of section 17a-16a of the general statutes is
804 repealed and the following is substituted in lieu thereof (*Effective July*
805 *1, 2017*):

806 (b) (1) Whenever a child is placed in out-of-home care by the
807 department pursuant to an emergency order under subsection (e) of
808 section 17a-101g or an order of temporary custody or an order of
809 commitment under section 46b-129, and at any subsequent change in
810 out-of-home care, or a child who returns from placement in the
811 juvenile justice system under chapter 815t, any such child may, if it is
812 in the best interests of the child, as determined pursuant to subdivision
813 (3) of this subsection, continue to attend his or her school of origin.

814 Such child shall continue to be a resident of the school district in which
815 such school is located during such attendance for purposes of chapters
816 168 to 170, inclusive, 172 and 173. The board of education for the
817 school of origin shall continue to provide free school privileges to the
818 child and any services provided by such board shall be in accordance
819 with the provisions of subdivision (2) of subsection (e) of section 10-
820 76d and section 10-253. If the child continues to attend his or her
821 school of origin following placement in out-of-home care by the
822 department, the local or regional board of education of the school of
823 origin shall not be eligible to receive an excess cost grant pursuant to
824 subdivision (2) of subsection (e) of section 10-76d for the cost of such
825 education, including, but not limited to, tuition and transportation
826 costs. For the fiscal year ending June 30, 2013, and each fiscal year
827 thereafter, an excess cost grant pursuant to subdivision (2) of
828 subsection (e) of section 10-76d shall be available to the nexus school
829 district when the nexus school district pays the child's tuition to the
830 local or regional board of education of the school of origin. If the nexus
831 school district placed the child in a private school or regional
832 educational service center program prior to the child being removed
833 from the home by the department and the child continues to attend
834 such prior placement, the nexus school district, or, if the nexus school
835 district cannot be identified, the town where the child resides, shall be
836 eligible to receive the excess cost grant pursuant to section 10-76g.

837 (2) Every decision by the department to place a child into out-of-
838 home care under the provisions of subsection (e) of section 17a-101g
839 and section 46b-129, and any subsequent change in out-of-home care,
840 shall take into account the appropriateness of the school setting and
841 the proximity to the school of origin.

842 (3) (A) Whenever a child is placed in out-of-home care by the
843 department pursuant to an emergency order under subsection (e) of
844 section 17a-101g or an order of temporary custody or an order of
845 commitment under section 46b-129, and at any subsequent change in
846 out-of-home care, the department shall immediately determine

847 whether it is in the best interests of the child to remain in the school of
848 origin. There shall be a presumption that it is in the child's best
849 interests to remain in the school of origin. The department shall
850 provide written notice of its decision to the parties not later than three
851 business days after the date on which the decision is made. Such notice
852 shall identify the factors that form the basis of the department's
853 decision. Any party may object to the department's decision not later
854 than three business days after receipt of such notice. The child shall
855 remain in the school of origin until the time for objection has passed
856 and until any disagreement is resolved, except as provided in
857 subparagraph (C) of this subdivision. The child shall be transported to
858 the school of origin pursuant to subsection (c) of this section during
859 any such disagreement except as provided in subparagraph (C) of this
860 subdivision. Such disagreements shall be expeditiously resolved. The
861 department shall bear the burden of proof that the school placement
862 decision is in the child's best interests.

863 (B) The school placement decision may be revisited at any time
864 during the child's out-of-home care, if circumstances change, in order
865 to ensure that the school placement decision remains in the best
866 interests of the child. Notice of any subsequent decision to change the
867 child's school placement decision shall be provided in accordance with
868 subparagraph (A) of this subdivision. Any school placement decision
869 made pursuant to this section may be challenged through the dispute
870 resolution process for treatment plans. The child shall remain in the
871 school of origin until any such disagreement is resolved, except as
872 provided in subparagraph (C) of this subdivision and shall be
873 provided with transportation in accordance with subsection (c) of this
874 section.

875 (C) If at any time the department determines that continued
876 placement in the school of origin will jeopardize the child's immediate
877 physical safety, the department may immediately remove the child
878 from the school and shall notify the child's attorney, parents, guardian
879 ad litem and surrogate parent, if any, by phone or by facsimile on the

880 same business day. Any party may object to the decision to change the
881 child's school placement not later than three business days after receipt
882 of such notice. If any party objects to the change in school placement,
883 the department shall hold an administrative hearing not later than
884 three business days after the objection.

885 Sec. 22. (NEW) (*Effective July 1, 2017*) (a) The Commissioner of
886 Education shall ensure that probation officers in the juvenile justice
887 system under chapter 815t of the general statutes and private
888 providers of services, including juvenile justice boards and child,
889 youth and family support centers, have access to resources to evaluate
890 educational needs of children involved in the juvenile justice system
891 under chapter 815t of the general statutes and to ensure access to
892 supports, such as tutors, educational surrogates and educational
893 coaches, and to provide for transitional and reintegration services such
894 as education reintegration or transition team coordinators to ensure
895 that there is no interruption in the education of any such child.

896 (b) The commissioner shall ensure that as part of all congregate care
897 settings, students have access to (1) an array of educational services, (2)
898 educational advocates upon release from such setting, provided the
899 parent or parents or guardian of such child agrees to have an advocate
900 for such child, and (3) connection to educational opportunities
901 immediately upon such child's return to such child's community.

902 (c) The commissioner shall provide access to an educational
903 advocate for any child upon such child's return to such child's
904 community from a juvenile detention center or a residential placement
905 made pursuant to chapter 815t of the general statutes, provided the
906 parent or parents or guardian of such child agrees to have an advocate
907 for such child.

908 (d) The commissioner shall provide access to any child upon such
909 child's return to such child's community from a juvenile detention
910 center or a residential placement made pursuant to chapter 815t of the

911 general statutes, academic and vocational supports that are supported
912 by research demonstrating effectiveness with similar children.

913 (e) The commissioner shall ensure collaboration through
914 memoranda of understanding between local and regional boards of
915 education and private providers of services for the review of
916 educational records for children in the juvenile justice system pursuant
917 to chapter 815t of the general statutes.

918 (f) The commissioner shall ensure child and parent or guardian
919 input into education plans developed by the state and private
920 providers of services for children in the juvenile justice system
921 pursuant to chapter 815t of the general statutes and shall solicit such
922 input concerning the provision of educational services to children in
923 congregate care settings. The commissioner shall develop policies to
924 encourage such input.

925 (g) The commissioner shall ensure that each local or regional board
926 of education designates a liaison to serve the district under the
927 jurisdiction of such board for children returning to the district and
928 who require immediate enrollment in the school district and to ensure
929 that such student receives academic credit for work performed while
930 in the juvenile justice system pursuant to chapter 815t of the general
931 statutes.

932 (h) The commissioner shall conduct research on nationally
933 recognized models for effective education programming for the
934 juvenile justice population and shall employ such models in carrying
935 out the provisions of this section.

936 (i) Not later than January 1, 2018, the Commissioner of Education
937 shall report to the Juvenile Justice Policy Oversight Committee
938 established pursuant to section 46b-121n of the general statutes, as
939 amended by this act, in accordance with the provisions of section 11-4a
940 of the general statutes, concerning the implementation of subsections
941 (a) to (h), inclusive, of this section.

942 Sec. 23. (NEW) (*Effective from passage*) (a) Not later than July 1, 2017,
943 the Commissioner of Children and Families and the executive director
944 of the Court Support Services Division for the Judicial Department
945 shall establish transition teams to reintegrate children exiting
946 residential facilities under the jurisdiction of said commissioner or
947 executive director. Any such team may include a representative of a
948 local or regional board of education, as determined by said
949 commissioner or executive director. Such teams shall (1) assist children
950 in having a timely and effective reconnection with educational services
951 provided by the local and regional board of education for the
952 community to which the child reenters, (2) place such child in an
953 alternative education school or program maintained in accordance
954 with section 10-74j of the general statutes, provided a parent or
955 guardian of the child consents to such placement, and (3) ensure that
956 any special education needs of the child are adequately met.

957 (b) Not later than April 1, 2017, said commissioner and executive
958 director shall report to the Juvenile Justice Policy Oversight Committee
959 established pursuant to section 46b-121n of the general statutes, as
960 amended by this act, in accordance with the provisions of section 11-4a
961 of the general statutes, concerning the implementation of subsection
962 (a) of this section.

963 Sec. 24. (NEW) (*Effective January 1, 2017*) (a) The Commissioners of
964 Education, Children and Families and Correction and the Judicial
965 Department shall address educational deficiencies found in children in
966 the juvenile justice system pursuant to chapter 815t of the general
967 statutes, through increased collaboration, monitoring and
968 accountability in order to improve educational service delivery and
969 outcomes.

970 (b) Said commissioners and the Judicial Department shall
971 collaborate with local and regional boards of education to create an
972 assessment tool to measure educational performances of children who
973 transition from the juvenile justice system pursuant to chapter 815t of

974 the general statutes to schools under the jurisdiction of local and
975 regional boards of education.

976 (c) Said commissioners and the Judicial Department shall
977 collaborate with local and regional boards of education on professional
978 development specifically designed for educators who work with
979 children in the juvenile justice system pursuant to chapter 815t of the
980 general statutes.

981 (d) Not later than April 1, 2017, said commissioners and the Judicial
982 Department shall report to the Juvenile Justice Policy Oversight
983 Committee established pursuant to section 46b-121n of the general
984 statutes, as amended by this act, in accordance with the provisions of
985 section 11-4a of the general statutes, concerning the implementation of
986 subsections (a) to (c), inclusive, of this section.

987 Sec. 25. Section 17a-64 of the general statutes is repealed and the
988 following is substituted in lieu thereof (*Effective from passage*):

989 (a) The Department of Children and Families, in consultation with
990 the Department of Education, and with input from the local boards of
991 education for Hartford, Bridgeport and New Haven, shall establish the
992 Raise the Grade [pilot program] initiative, to be implemented in [the]
993 said cities [of Hartford, Bridgeport and New Haven for a two-year
994 period beginning July 1, 2013,] to increase the academic achievement
995 of children and youth who live in the custody of the Department of
996 Children and Families or who are being served by the Court Support
997 Services Division in said cities.

998 (b) The program shall use full-time coordinators to (1) assist with
999 the identification of children or youth who are performing below
1000 grade level and are (A) in state custody, or (B) under juvenile justice
1001 supervision, and (2) develop plans, in collaboration with the child's or
1002 youth's legal guardian, or educational surrogate or advocate, to
1003 improve the child's academic performance. Coordinators shall help
1004 facilitate the prompt transfer and review of educational records and

1005 report to the Department of Children and Families and the educational
1006 surrogate or advocate critical educational information, including, but
1007 not limited to, (i) progress monitoring, (ii) absenteeism, and (iii)
1008 discipline. Coordinators shall also help to support educational stability
1009 for children as described in section 17a-16a.

1010 (c) [Upon the conclusion of the pilot program, the] Not later than
1011 January 1, 2017, and January first each year thereafter, the Department
1012 of Children and Families, in coordination with the Court Support
1013 Services Division and the [State] Department of Education, shall
1014 report, in accordance with the provisions of section 11-4a, to the
1015 academic achievement [gap] gaps task force established pursuant to
1016 section 10-16mm and the Juvenile Justice Policy Oversight Committee
1017 established pursuant to section 46b-121n, as amended by this act, the
1018 number and educational profile of children served by the [program]
1019 initiative, the initiative's compliance with the Individuals with
1020 Disabilities Education Act, 20 USC 1400 et seq., as amended from time
1021 to time, and the impact on [their] the children's educational
1022 performance, including on (1) achievement, (2) absenteeism, and (3)
1023 adverse disciplinary measures.

1024 Sec. 26. (NEW) (*Effective from passage*) (a) Not later than January 1,
1025 2017, the Commissioners of Education and Higher Education and the
1026 Labor Commissioner shall develop a data gathering and information
1027 sharing system to determine graduation and dropout rates and
1028 engagement in post-secondary education and employment.

1029 (b) Not later than April 1, 2017, said commissioners shall report to
1030 the Juvenile Justice Policy Oversight Committee established pursuant
1031 to section 46b-121n of the general statutes, as amended by this act, in
1032 accordance with the provisions of section 11-4a of the general statutes,
1033 concerning the implementation of subsection (a) of this section.

1034 Sec. 27. (NEW) (*Effective from passage*) (a) Not later than January 1,
1035 2017, the Commissioners of Education and Children and Families and

1036 the Judicial Department, with input from local and regional boards of
1037 education, shall create an electronic system allowing for access to
1038 education records of children in the juvenile justice system pursuant to
1039 chapter 815t of the general statutes, and to provide timely sharing and
1040 full access to student education records, with consent from one parent
1041 or the guardian of a child.

1042 (b) Not later than April 1, 2017, said commissioners and department
1043 shall report to the Juvenile Justice Policy Oversight Committee
1044 established pursuant to section 46b-121n of the general statutes, as
1045 amended by this act, in accordance with the provisions of section 11-4a
1046 of the general statutes, concerning the implementation of subsection
1047 (a) of this section.

1048 Sec. 28. (*Effective from passage*) Not later than April 1, 2017, the
1049 Commissioner of Education shall, in accordance with the provisions of
1050 section 11-4a of the general statutes, report to the Juvenile Justice
1051 Policy Oversight Committee established pursuant to section 46b-121n
1052 of the general statutes, as amended by this act, on the implementation
1053 of changes made by this section to section 10-198a of the general
1054 statutes, as amended by this act, and section 10-233d of the general
1055 statutes, as amended by this act.

1056 Sec. 29. (*Effective from passage*) Not later than April 1, 2017, the
1057 Commissioner of Emergency Services and Public Protection shall, in
1058 accordance with the provisions of section 11-4a of the general statutes,
1059 report to the Juvenile Justice Policy Oversight Committee established
1060 pursuant to section 46b-121n of the general statutes, as amended by
1061 this act, on the implementation of changes made by this section to
1062 section 7-294h of the general statutes, as amended by this act.

1063 Sec. 30. (*Effective from passage*) Not later than April 1, 2017, the
1064 executive director of the Court Support Services Division of the
1065 Judicial Department shall, in accordance with the provisions of section
1066 11-4a of the general statutes, report to the Juvenile Justice Policy

1067 Oversight Committee established pursuant to section 46b-121n of the
1068 general statutes, as amended by this act, on the implementation of
1069 changes made by this section to section 17a-16 of the general statutes,
1070 as amended by this act.

1071 Sec. 31. (*Effective from passage*) Not later than April 1, 2017, the
1072 Commissioner of Children and Families shall, in accordance with the
1073 provisions of section 11-4a of the general statutes, report to the
1074 Juvenile Justice Policy Oversight Committee established pursuant to
1075 section 46b-121n of the general statutes, as amended by this act, on the
1076 implementation of changes made by this section to section 17a-64 of
1077 the general statutes, as amended by this act.

1078 Sec. 32. (*Effective from passage*) Not later than April 1, 2017, the
1079 Commissioner of Children and Families and the executive director of
1080 the Court Support Services Division of the Judicial Department shall,
1081 in accordance with the provisions of section 11-4a of the general
1082 statutes, report to the Juvenile Justice Policy Oversight Committee
1083 established pursuant to section 46b-121n of the general statutes, as
1084 amended by this act, on the implementation of changes made by this
1085 section to section 10-233f of the general statutes, as amended by this
1086 act.

1087 Sec. 33. (NEW) (*Effective from passage*) (a) Not later than January 1,
1088 2017, the Department of Children and Families and the Judicial
1089 Department shall work with private providers of services to adopt and
1090 adhere to an empirically supported recidivism reduction framework
1091 for the juvenile justice system pursuant to chapter 815t of the general
1092 statutes. Such framework shall: (1) Include risk and needs assessment
1093 tools; (2) employ treatment matching protocols that assess the needs of
1094 the child and risks such child faces; (3) employ cross-agency
1095 measurements of program outcomes and training and quality
1096 assurance processes; (4) employ program and practice monitoring and
1097 accountability; (5) draw from best and evidence-based practices from
1098 an inventory of such practices updated by the departments annually;

1099 (6) ensure sufficient contract and quality assurance capacity between
1100 agencies and private providers; and (7) ensure shared training between
1101 agencies and private providers.

1102 (b) Not later than July 1, 2017, and July first annually thereafter, said
1103 departments shall report to the Juvenile Justice Policy Oversight
1104 Committee established pursuant to section 46b-121n of the general
1105 statutes, as amended by this act, in accordance with the provisions of
1106 section 11-4a of the general statutes, concerning the implementation of
1107 subsection (a) of this section, including outcomes following such
1108 implementation for different genders and races and a determination of
1109 service and access gaps, if any.

1110 Sec. 34. (NEW) (*Effective from passage*) (a) Not later than January 1,
1111 2017, the Department of Children and Families and the Judicial
1112 Department shall:

1113 (1) Develop, provide and monitor the training of their staffs on
1114 policies and practices in secure and congregate care settings that
1115 promote deescalation and monitor and track successful and
1116 unsuccessful deescalation efforts employed in such settings;

1117 (2) Collect baseline data on the number and rate of arrests in secure
1118 and congregate care settings based on a child's race and gender and
1119 whether the child is considered to be at-risk for recidivism; and

1120 (3) Track and analyze the recidivism rates of all children.

1121 (b) (1) Not later than July 1, 2017, and July first annually thereafter,
1122 said departments shall report to the Juvenile Justice Policy Oversight
1123 Committee established pursuant to section 46b-121n of the general
1124 statutes, as amended by this act, in accordance with the provisions of
1125 section 11-4a of the general statutes, concerning the implementation of
1126 subdivisions (1) and (2) of subsection (a) of this section, including an
1127 analysis of the data collected pursuant to said subdivision (2).

1128 (2) Not later than July 1, 2017, and January first and July first
1129 annually thereafter, said departments shall report to the committee in
1130 accordance with the provisions of section 11-4a of the general statutes,
1131 concerning the tracking and analysis of recidivism rates pursuant to
1132 subdivision (3) of subsection (a) of this section.

1133 Sec. 35. (NEW) (*Effective January 1, 2017*) (a) The Department of
1134 Children and Families and the Judicial Department shall not enter into
1135 a contract with a private provider of services to reduce rates of
1136 recidivism for service recipients that does not include directives for
1137 compliance with deescalation policies.

1138 (b) Not later than July 1, 2017, said departments shall report to the
1139 Juvenile Justice Policy Oversight Committee established pursuant to
1140 section 46b-121n of the general statutes, as amended by this act, in
1141 accordance with the provisions of section 11-4a of the general statutes,
1142 concerning the implementation of subsection (a) of this section.

1143 Sec. 36. (NEW) (*Effective January 1, 2017*) (a) The Secretary of the
1144 Office of Policy and Management shall select a neutral agency that the
1145 secretary deems to not have an active role in the effort to reduce
1146 recidivism rates among children. The commissioner for such agency
1147 shall track and analyze the rates of recidivism for children in this state.

1148 (b) Not later than January 1, 2018, and January first annually
1149 thereafter, said commissioner shall report to the Juvenile Justice Policy
1150 Oversight Committee established pursuant to section 46b-121n of the
1151 general statutes, as amended by this act, and the Office of Policy and
1152 Management, in accordance with the provisions of section 11-4a of the
1153 general statutes, concerning the implementation of subsection (a) of
1154 this section.

1155 Sec. 37. Section 46b-121n of the 2016 supplement to the general
1156 statutes is repealed and the following is substituted in lieu thereof
1157 (*Effective from passage*):

1158 (a) There is established a Juvenile Justice Policy and Oversight
1159 Committee. The committee shall evaluate policies related to the
1160 juvenile justice system and the expansion of juvenile jurisdiction to
1161 include persons sixteen and seventeen years of age.

1162 (b) The committee shall consist of the following members:

1163 (1) Two members of the General Assembly, one of whom shall be
1164 appointed by the speaker of the House of Representatives, and one of
1165 whom shall be appointed by the president pro tempore of the Senate;

1166 (2) The chairpersons and ranking members of the joint standing
1167 committees of the General Assembly having cognizance of matters
1168 relating to the judiciary, children, human services and appropriations,
1169 or their designees;

1170 (3) The Chief Court Administrator, or the Chief Court
1171 Administrator's designee;

1172 (4) A judge of the superior court for juvenile matters, appointed by
1173 the Chief Justice;

1174 (5) The executive director of the Court Support Services Division of
1175 the Judicial Department, or the executive director's designee;

1176 (6) The executive director of the Superior Court Operations
1177 Division, or the executive director's designee;

1178 (7) The Chief Public Defender, or the Chief Public Defender's
1179 designee;

1180 (8) The Chief State's Attorney, or the Chief State's Attorney's
1181 designee;

1182 (9) The Commissioner of Children and Families, or the
1183 commissioner's designee;

1184 (10) The Commissioner of Correction, or the commissioner's

1185 designee;

1186 (11) The Commissioner of Education, or the commissioner's
1187 designee;

1188 (12) The Commissioner of Mental Health and Addiction Services, or
1189 the commissioner's designee;

1190 (13) The Labor Commissioner, or the commissioner's designee;

1191 (14) The Commissioner of Social Services, or the commissioner's
1192 designee;

1193 (15) The Commissioner of Public Health, or the commissioner's
1194 designee;

1195 (16) The president of the Connecticut Police Chiefs Association, or
1196 the president's designee;

1197 (17) The chief of police of a municipality with a population in excess
1198 of one hundred thousand, appointed by the president of the
1199 Connecticut Police Chiefs Association;

1200 (18) Two child or youth advocates, one of whom shall be appointed
1201 by one chairperson of the Juvenile Justice Policy and Oversight
1202 Committee, and one of whom shall be appointed by the other
1203 chairperson of the Juvenile Justice Policy and Oversight Committee;

1204 (19) Two parents or parent advocates, at least one of whom is the
1205 parent of a child who has been involved with the juvenile justice
1206 system, one of whom shall be appointed by the minority leader of the
1207 House of Representatives, and one of whom shall be appointed by the
1208 minority leader of the Senate;

1209 (20) The Child Advocate, or the Child Advocate's designee; and

1210 (21) The Secretary of the Office of Policy and Management, or the
1211 secretary's designee.

1212 (c) Any vacancy shall be filled by the appointing authority.

1213 (d) The Secretary of the Office of Policy and Management, or the
1214 secretary's designee, and a member of the General Assembly selected
1215 jointly by the speaker of the House of Representatives and the
1216 president pro tempore of the Senate from among the members serving
1217 pursuant to subdivision (1) or (2) of subsection (b) of this section shall
1218 be cochairpersons of the committee. Such cochairpersons shall
1219 schedule the first meeting of the committee, which shall be held not
1220 later than sixty days after June 13, 2014.

1221 (e) Members of the committee shall serve without compensation,
1222 except for necessary expenses incurred in the performance of their
1223 duties.

1224 (f) Not later than January 1, 2015, the committee shall report, in
1225 accordance with section 11-4a, to the joint standing committees of the
1226 General Assembly having cognizance of matters relating to
1227 appropriations, the judiciary, human services and children, and the
1228 Secretary of the Office of Policy and Management, regarding the
1229 following:

1230 (1) Any statutory changes concerning the juvenile justice system
1231 that the committee recommends to (A) improve public safety; (B)
1232 promote the best interests of children and youths who are under the
1233 supervision, care or custody of the Commissioner of Children and
1234 Families or the Court Support Services Division of the Judicial
1235 Department; (C) improve transparency and accountability with respect
1236 to state-funded services for children and youths in the juvenile justice
1237 system with an emphasis on goals identified by the committee for
1238 community-based programs and facility-based interventions; and (D)
1239 promote the efficient sharing of information between the Department
1240 of Children and Families and the Judicial Department to ensure the
1241 regular collection and reporting of recidivism data and promote public
1242 welfare and public safety outcomes related to the juvenile justice

1243 system;

1244 (2) A definition of "recidivism" that the committee recommends to
1245 be used by state agencies with responsibilities with respect to the
1246 juvenile justice system, and recommendations to reduce recidivism for
1247 children and youths in the juvenile justice system;

1248 (3) Short-term goals to be met within six months, medium-term
1249 goals to be met within twelve months and long-term goals to be met
1250 within eighteen months, for the Juvenile Justice Policy and Oversight
1251 Committee and state agencies with responsibilities with respect to the
1252 juvenile justice system to meet, after considering existing relevant
1253 reports related to the juvenile justice system and any related state
1254 strategic plan;

1255 (4) The impact of legislation that expanded the jurisdiction of the
1256 juvenile court to include persons sixteen and seventeen years of age, as
1257 measured by the following:

1258 (A) Any change in the average age of children and youths involved
1259 in the juvenile justice system;

1260 (B) The types of services used by designated age groups and the
1261 outcomes of those services;

1262 (C) The types of delinquent acts or criminal offenses that children
1263 and youths have been charged with since the enactment and
1264 implementation of such legislation; and

1265 (D) The gaps in services identified by the committee with respect to
1266 children and youths involved in the juvenile justice system, including,
1267 but not limited to, children and youths who have attained the age of
1268 eighteen after being involved in the juvenile justice system, and
1269 recommendations to address such gaps in services; and

1270 (5) Strengths and barriers identified by the committee that support
1271 or impede the educational needs of children and youths in the juvenile

1272 justice system, with specific recommendations for reforms.

1273 (g) Not later than July 1, 2015, the committee shall report, in
1274 accordance with section 11-4a, to the joint standing committees of the
1275 General Assembly having cognizance of matters relating to
1276 appropriations, the judiciary, human services and children, and the
1277 Secretary of the Office of Policy and Management, regarding the
1278 following:

1279 (1) The quality and accessibility of diversionary programs available
1280 to children and youths in this state, including juvenile review boards
1281 and services for a child or youth who is a member of a family with
1282 service needs;

1283 (2) An assessment of the system of community-based services for
1284 children and youths who are under the supervision, care or custody of
1285 the Commissioner of Children and Families or the Court Support
1286 Services Division of the Judicial Department;

1287 (3) An assessment of the congregate care settings that are operated
1288 privately or by the state and have housed children and youths
1289 involved in the juvenile justice system in the past twelve months;

1290 (4) An examination of how the state Department of Education and
1291 local boards of education, the Department of Children and Families,
1292 the Department of Mental Health and Addiction Services, the Court
1293 Support Services Division of the Judicial Department, and other
1294 appropriate agencies can work collaboratively through school-based
1295 efforts and other processes to reduce the number of children and
1296 youths who enter the juvenile justice system as a result of being a
1297 member of a family with service needs or convicted as delinquent;

1298 (5) An examination of practices and procedures that result in
1299 disproportionate minority contact, as defined in section 4-68y, within
1300 the juvenile justice system;

1301 (6) A plan to provide that all facilities and programs that are part of
1302 the juvenile justice system and are operated privately or by the state
1303 provide results-based accountability;

1304 (7) An assessment of the number of children and youths who, after
1305 being under the supervision of the Department of Children and
1306 Families, are convicted as delinquent; and

1307 (8) An assessment of the overlap between the juvenile justice system
1308 and the mental health care system for children.

1309 (h) The committee shall complete its duties under this section after
1310 consultation with one or more organizations that focus on relevant
1311 issues regarding children and youths, such as the University of New
1312 Haven and any of the university's institutes. The committee may
1313 accept administrative support and technical and research assistance
1314 from any such organization. The committee shall work in collaboration
1315 with any results first initiative implemented pursuant to section 2-111
1316 or any public or special act.

1317 (i) The committee shall establish a time frame for review and
1318 reporting regarding the responsibilities outlined in subdivision (5) of
1319 subsection (f) of this section, and subdivisions (1) to (7), inclusive, of
1320 subsection (g) of this section. Each report submitted by the committee
1321 shall include specific recommendations to improve outcomes and a
1322 timeline by which specific tasks or outcomes must be achieved.

1323 (j) The committee shall implement a strategic plan that integrates
1324 the short-term, medium-term and long-term goals identified pursuant
1325 to subdivision (3) of subsection (f) of this section. As part of the
1326 implementation of such plan, the committee shall collaborate with any
1327 state agency with responsibilities with respect to the juvenile justice
1328 system, including, but not limited to, the Departments of Education,
1329 Mental Health and Addiction Services, Correction and Children and
1330 Families and the Labor Department and Judicial Department, and
1331 municipal police departments. Not later than January 1, 2016, the

1332 committee shall report such plan, in accordance with section 11-4a, to
1333 the joint standing committees of the General Assembly having
1334 cognizance of matters relating to appropriations, the judiciary, human
1335 services and children, and the Secretary of the Office of Policy and
1336 Management, regarding progress toward the full implementation of
1337 such plan and any recommendations concerning the implementation
1338 of such identified goals by any state agency with responsibilities with
1339 respect to the juvenile justice system or municipal police departments.

1340 (k) The committee shall assess the juvenile justice system and make
1341 recommendations, if any, to improve the system. Not later than July 1,
1342 2016, July 1, 2017, and July 1, 2018, the committee shall report such
1343 assessment and recommendations, in accordance with section 11-4a, to
1344 the joint standing committees of the General Assembly having
1345 cognizance of matters relating to appropriations, the judiciary, human
1346 services and children, and the Secretary of the Office of Policy and
1347 Management, regarding the following:

1348 (1) Mental health and substance abuse treatment programs and
1349 services for children and youths involved with, or at risk of
1350 involvement with, the juvenile justice system;

1351 (2) Educational outcomes for children and youths involved with, or
1352 at risk of involvement with, the juvenile justice system;

1353 (3) Disproportionate minority contact, as defined in section 4-68y,
1354 with children and youths involved with the juvenile justice system;

1355 (4) Training on the juvenile justice system for state agencies and
1356 municipal police departments;

1357 (5) Diversion of at-risk children and youths from the juvenile justice
1358 system;

1359 (6) Recidivism tracking and policies and procedures to reduce
1360 recidivism;

1361 (7) Data sharing among public and private juvenile justice and other
1362 child services agencies, including the Department of Education, to
1363 evaluate the effectiveness and efficiency of the juvenile justice system;

1364 (8) Vocational educational opportunities for children and youths in
1365 the juvenile justice system until the child or youth reaches the age of
1366 twenty-one years of age;

1367 (9) Oversight and the reduction in the use of restraints for children
1368 and youths, and the reduction in the use of seclusion and room
1369 confinement in juvenile justice facilities;

1370 (10) Use of evidence-based positive behavioral support strategies
1371 and other evidence-based or research-informed strategies for reducing
1372 the reliance on restraints and seclusion; and

1373 (11) Programs and facilities using restraints or seclusion for children
1374 or youths and any data regarding such uses, including, but not limited
1375 to, the rate and duration of use for children and youths with
1376 disabilities.

1377 (l) Not later than January 1, 2017, the committee shall report, in
1378 accordance with section 11-4a, to the joint standing committees of the
1379 General Assembly having cognizance of matters relating to
1380 appropriations, the judiciary, human services and children and the
1381 Secretary of the Office of Policy and Management, regarding the
1382 development of a plan for a community-based diversion system that:

1383 (1) Diverts children who commit crimes, excluding serious juvenile
1384 offenses, from the juvenile justice system;

1385 (2) Identifies services that are evidence-based, trauma-informed and
1386 culturally and linguistically appropriate;

1387 (3) Expands the capacity of juvenile review boards to ensure state-
1388 wide coverage, accept referrals from municipal police departments
1389 and schools for children outside the juvenile justice system and

1390 implement restorative justice practices;

1391 (4) Expands the provision of prevention, intervention and treatment
1392 services by youth service bureaus;

1393 (5) Embeds into school districts a school-based diversion initiative
1394 to reduce juvenile justice involvement among youth with mental
1395 health needs; and

1396 (6) Expands access to in-home and community-based services.

1397 (m) The committee shall establish a data workgroup to provide
1398 ongoing monitoring and oversight of the sharing of data related to
1399 children involved with the juvenile justice system, across state
1400 agencies, municipalities, boards of education and private providers of
1401 services. Membership of the work group shall include, but not be
1402 limited to, the Commissioners of Children and Families, Education and
1403 Mental Health and Addiction Services, or their designees; the Chief
1404 State's Attorney, or the Chief State's Attorney's designee; the Chief
1405 Public Defender, or the Chief Public Defender's designee; the Secretary
1406 of the Office of Policy and Management, or the secretary's designee;
1407 and the executive director of the Court Support Services Division of
1408 the Judicial Department, or the executive director's designee. Such
1409 workgroup shall:

1410 (1) Access relevant data on juvenile justice populations;

1411 (2) Link the data maintained by executive branch agencies and the
1412 Judicial Department for the purposes of facilitating the sharing and
1413 analysis of data;

1414 (3) Establish uniform provisions for protecting confidential
1415 information and enforcing state and federal confidentiality protections
1416 and ensure compliance with related state and federal laws and
1417 regulations;

1418 (4) Develop specific recommendations for the committee on the use

1419 of limited releases of client specific data sharing across systems,
1420 including with the Office of Policy and Management, the Division of
1421 Criminal Justice, the Departments of Children and Families, Education
1422 and Mental Health and Addiction Services, the Judicial Department
1423 and other agencies;

1424 (5) Develop a standard template for memoranda of understanding
1425 for data-sharing between executive branch agencies, the Judicial
1426 Department, and when necessary, researchers outside of state
1427 government; and

1428 (6) Carry out any other similar task, as directed by the committee.

1429 [(l)] (n) Not later than July 1, 2015, and quarterly thereafter until
1430 January 1, 2017, and annually thereafter, the committee shall submit a
1431 report, in accordance with section 11-4a, to the joint standing
1432 committees of the General Assembly having cognizance of matters
1433 relating to appropriations, the judiciary, human services and children,
1434 and the Secretary of the Office of Policy and Management, regarding
1435 progress made to achieve goals and measures identified by the
1436 committee pursuant to this section.

1437 Sec. 38. (NEW) (*Effective July 1, 2016*) (a) The cochairpersons of the
1438 Juvenile Justice Policy Oversight Committee established pursuant to
1439 section 46b-121n of the general statutes, as amended by this act, shall
1440 jointly select five members from among its members and the
1441 cochairpersons of the Children's Behavioral Health Advisory
1442 Committee, established under section 17a-4a of the general statutes,
1443 shall jointly select eight members from among its members, to serve in
1444 joint committee. The cochairpersons of the Juvenile Justice Policy
1445 Oversight and Children's Behavioral Health Advisory Committees
1446 shall jointly call for the first meeting of the joint committee to be held
1447 not later than September 1, 2016. The members of the joint committee
1448 shall select cochairpersons from the members serving on the joint
1449 committee. The joint committee shall:

1450 (1) Review law and policy issues associated with the integration of
1451 the children's behavioral health system and the juvenile justice system
1452 pursuant to chapter 815t of the general statutes;

1453 (2) Coordinate the planning and policy initiatives of the Juvenile
1454 Justice Policy Oversight Committee and the Children's Behavioral
1455 Health Advisory Committee concerning the integration of the
1456 children's behavioral health and juvenile justice systems;

1457 (3) Make recommendations to ensure that children in the juvenile
1458 justice system have access to a full range of community-based
1459 behavioral health services;

1460 (4) Review the reinvestment of cost savings associated with (A)
1461 reduced incarceration rates for children, and (B) increased accessibility
1462 to community-based behavioral health services;

1463 (5) Recommend reimbursement policies that incentivize providers
1464 to deliver evidence-based practices to children in the juvenile justice
1465 system;

1466 (6) Promote common behavioral health screening tools in schools
1467 and communities;

1468 (7) Make recommendations to ensure that probation and parole
1469 officers have access to licensed behavioral health clinicians, including
1470 (A) psychologists licensed under chapter 383 of the general statutes,
1471 (B) clinical social workers licensed under subsection (c) or (e) of section
1472 20-195n of the general statutes, (C) alcohol and drug counselors
1473 licensed under section 20-74s of the general statutes, (D) professional
1474 counselors licensed under sections 20-195cc and 20-195dd of the
1475 general statutes, and (E) marital and family therapists licensed under
1476 section 20-195c of the general statutes, for full biopsychosocial
1477 assessments;

1478 (8) Make recommendations to ensure that secure facilities operated

1479 by the Department of Children and Families or the Court Support
 1480 Services Division of the Judicial Department and private service
 1481 providers contracting with said department or division screen children
 1482 in such facilities for behavioral health issues;

1483 (9) Examine grant funds and federal Medicaid reimbursement rates
 1484 to make informed recommendations to expand service capacities,
 1485 retain staff and deliver evidence-based practices to all children,
 1486 whether or not a child is involved with the juvenile justice system
 1487 pursuant to chapter 815t of the general statutes; and

1488 (10) Assess the annual investment required to fully implement the
 1489 comprehensive children's mental, emotional and behavioral health
 1490 implementation plan, developed pursuant to section 1 of public act 13-
 1491 178, and recommend such investments be made.

1492 (b) Not later than January 1, 2017, and January first annually
 1493 thereafter, the joint committee shall report to the Juvenile Justice Policy
 1494 Oversight Committee and the Children's Behavioral Health Advisory
 1495 Committee, in accordance with the provisions of section 11-4a of the
 1496 general statutes, on any findings, recommendations, reviews,
 1497 examinations, analyses or assessments made or conducted pursuant to
 1498 subsection (a) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2017</i>	46b-133
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>January 1, 2017</i>	46b-148
Sec. 5	<i>January 1, 2017</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>October 1, 2016</i>	46b-121(b)(1)
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>January 1, 2017</i>	46b-120(5)

Sec. 11	<i>January 1, 2017</i>	10-198a
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>January 1, 2017</i>	7-294h
Sec. 14	<i>from passage</i>	New section
Sec. 15	<i>from passage</i>	New section
Sec. 16	<i>January 1, 2017</i>	10-233d
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>from passage</i>	New section
Sec. 19	<i>July 1, 2017</i>	New section
Sec. 20	<i>July 1, 2017</i>	17a-16
Sec. 21	<i>July 1, 2017</i>	17a-16a(b)
Sec. 22	<i>July 1, 2017</i>	New section
Sec. 23	<i>from passage</i>	New section
Sec. 24	<i>January 1, 2017</i>	New section
Sec. 25	<i>from passage</i>	17a-64
Sec. 26	<i>from passage</i>	New section
Sec. 27	<i>from passage</i>	New section
Sec. 28	<i>from passage</i>	New section
Sec. 29	<i>from passage</i>	New section
Sec. 30	<i>from passage</i>	New section
Sec. 31	<i>from passage</i>	New section
Sec. 32	<i>from passage</i>	New section
Sec. 33	<i>from passage</i>	New section
Sec. 34	<i>from passage</i>	New section
Sec. 35	<i>January 1, 2017</i>	New section
Sec. 36	<i>January 1, 2017</i>	New section
Sec. 37	<i>from passage</i>	46b-121n
Sec. 38	<i>July 1, 2016</i>	New section

Statement of Purpose:

To implement the recommendations of the Juvenile Justice Policy Oversight Committee to reduce incarceration rates of children, to increase diversion of children from the juvenile justice system, to reduce education barriers faced by children in or exiting the juvenile justice system, to reduce recidivism, to address mental and behavioral health issues of children and to increase data sharing in a secure manner that preserves confidentiality.

[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.]