



Substitute Senate Bill No. 453

Public Act No. 18-89

AN ACT CONCERNING CLASSROOM SAFETY AND DISRUPTIVE BEHAVIOR.

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

Section 1. Subsection (a) of section 10-222d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) As used in this section, sections 10-222g to [10-222i, inclusive, and section] 10-222k, inclusive, as amended by this act, and section 2 of this act:

(1) "Bullying" means (A) the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district, or (B) a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that: (i) Causes physical or emotional harm to such student or damage to such student's property, (ii) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property, (iii) creates a hostile environment at school for such student, (iv) infringes on the rights of such student at school, or (v) substantially disrupts the education process or the orderly operation of

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a school. "Bullying" shall include, but not be limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics;

(2) "Cyberbullying" means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications;

(3) "Teen dating violence" means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship;

(4) "Mobile electronic device" means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted;

(5) "Electronic communication" means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo-optical system;

(6) "Hostile environment" means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate;

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(7) "Outside of the school setting" means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education;

(8) "School employee" means (A) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or (B) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional board of education; [and]

(9) "School climate" means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults; [.] and

(10) "Daily classroom safety" means a classroom environment in which students and school employees are not physically injured by other students, school employees or parents, or exposed to such physical injury to others.

Sec. 2. (NEW) (*Effective July 1, 2018*) (a) Not later than September 1, 2019, each local and regional board of education shall revise its safe school climate plan, developed pursuant to section 10-222d of the general statutes, as amended by this act, to include provisions addressing daily classroom safety in the schools under the jurisdiction of such board. Such plan shall: (1) Include a prevention and intervention strategy, as defined in section 10-222g of the general statutes, as amended by this act, for daily classroom safety, (2) provide for the inclusion of language in student codes of conduct concerning

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daily classroom safety, (3) provide a designated procedure and support plan for daily classroom safety that includes (A) the identity of the administrator who is to be notified by a teacher when a student is violating daily classroom safety, and the identity of any other individuals who may be contacted if such administrator is unavailable, (B) the process by which such administrator is to investigate and assess the facts and severity of a violation of daily classroom safety, (C) the location where a teacher may refer a student who is violating daily classroom safety, (D) therapeutic support for the teacher and student or students involved in an incident of a violation of daily classroom safety, and (E) a process for ensuring that such support plan complies with the provisions in section 10-76d of the general statutes regarding students who are the subject of repeat referrals for violations of daily classroom safety, (4) require the principal of the school to notify (A) the parents or guardians of a student who has violated daily classroom safety that such student has violated daily classroom safety and the details of such violation, and (B) in cases when such violation is witnessed by other students, the local or regional board of education and the parents or guardians of such students who witnessed such violation of the details of such violation without disclosing the identity of the student who violated daily classroom safety, (5) require each school to invite the parents or guardians of a student who violated daily classroom safety to a meeting to discuss specific interventions undertaken by the school to prevent further violations of daily classroom safety, (6) establish a procedure for each school to document and maintain records relating to reports and investigations of violations of daily classroom safety in such school and to maintain a list of the number of violations of daily classroom safety in such school and make such list available for public inspection, and annually report such number to the Department of Education, and in such manner as prescribed by the Commissioner of Education, (7) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of a violation of daily classroom safety, and

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(8) require an administrator to meet with the teacher of a student who has violated daily classroom safety not later than two school days following such violation to discuss how such student's behavior will be addressed and what interventions will be implemented to support such teacher and student.

(b) If a teacher refers a student out of such teacher's classroom for a violation of daily classroom safety, the administrator may place such student in another educational setting that is best suited to meet such student's needs. The administrator may return such student to such teacher's classroom if (1) such teacher consents to such student's return, or (2) the crisis intervention team for the school, identified pursuant to section 10-236b of the general statutes, or a team of teachers and administrators of the school, designated by the school principal to assess whether such student should return to such teacher's classroom, determines that such return is warranted because such student has received appropriate intervention and support and there are adequate protections in the classroom for the safety of the teacher and other students.

Sec. 3. Section 10-222j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

The Department of Education shall provide, within available appropriations, annual training to school employees, [as defined in section 10-222d,] except those school employees who hold professional certification pursuant to section 10-145b unless such school employee who holds professional certification is the district safe school climate coordinator, the safe school climate specialist or a member of the safe school climate committee, as described in section 10-222k, as amended by this act, on the prevention, identification and response to violations of daily classroom safety, school bullying and teen dating violence, [as defined in section 10-222d,] and the prevention of and response to youth suicide. Such training may include, but not be limited to, (1)

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developmentally appropriate strategies to ensure daily classroom safety, prevent bullying and teen dating violence among students in school and outside of the school setting, (2) developmentally appropriate strategies for immediate and effective interventions to ensure daily classroom safety and stop bullying and teen dating violence, (3) information regarding the interaction and relationship between students violating daily classroom safety or committing acts of bullying and teen dating violence, students against whom such acts of bullying and teen dating violence are directed and witnesses of such acts of bullying and teen dating violence, (4) research findings on daily classroom safety, bullying and teen dating violence, such as information about the types of students who have been shown to be at-risk for violating daily classroom safety, bullying and teen dating violence in the school setting, (5) information on the incidence and nature of cyberbullying, [as defined in section 10-222d,] (6) Internet safety issues as they relate to cyberbullying, or (7) information on the incidence of youth suicide, methods of identifying youths at risk of suicide and developmentally appropriate strategies for effective interventions to prevent youth suicide. Such training may be presented in person by mentors, offered in state-wide workshops or through on-line courses.

Sec. 4. Section 10-222k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) For the school year commencing July 1, [2012] 2018, and each school year thereafter, the superintendent of each local or regional board of education shall appoint, from among existing school district staff, a district safe school climate coordinator. The district safe school climate coordinator shall: (1) Be responsible for implementing the district's safe school climate plan, developed pursuant to section 10-222d, as amended by this act, (2) collaborate with the safe school climate specialists, described in subsection (b) of this section, the board

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of education for the district and the superintendent of schools of the school district to prevent, identify and respond to bullying and violations of daily classroom safety in the schools of the district, (3) provide data and information, in collaboration with the superintendent of schools of the district, to the Department of Education regarding bullying and daily classroom safety, in accordance with the provisions of subsection (b) of section 10-222d and subsection (a) of section 10-222h, and (4) meet with the safe school climate specialists at least twice during the school year to discuss issues relating to bullying and daily classroom safety in the school district and to make recommendations concerning amendments to the district's safe school climate plan.

(b) For the school year commencing July 1, 2012, and each school year thereafter, the principal of each school, or the principal's designee, shall serve as the safe school climate specialist and shall (1) investigate or supervise the investigation of reported acts of bullying in the school in accordance with the district's safe school climate plan, (2) collect and maintain records of reports and investigations of bullying in the school, and (3) act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.

(c) (1) For the school year commencing July 1, 2012, and each school year thereafter, the principal of each school shall establish a committee or designate at least one existing committee in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying and daily classroom safety in the school. Such committee shall include at least one parent or guardian of a student enrolled in the school appointed by the school principal.

(2) Any such committee shall: (A) Receive copies of completed reports following investigations of bullying or violations of daily classroom safety, (B) identify and address patterns of bullying or acts

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that violate daily classroom safety among students in the school, (C) implement the provisions of the school security and safety plan, developed pursuant to section 10-222m, regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying or daily classroom safety, (D) review and amend school policies relating to bullying and daily classroom safety, (E) review and make recommendations to the district safe school climate coordinator regarding the district's safe school climate plan based on issues and experiences specific to the school, (F) educate students, school employees and parents and guardians of students on issues relating to bullying and daily classroom safety, (G) collaborate with the district safe school climate coordinator in the collection of data regarding bullying and violations of daily classroom safety, in accordance with the provisions of subsection (b) of section 10-222d and subsection (a) of section 10-222h, and (H) perform any other duties as determined by the school principal that are related to the prevention, identification and response to school bullying and violations of daily classroom safety for the school.

(3) Any parent or guardian serving as a member of any such committee shall not participate in the activities described in subparagraphs (A) to (C), inclusive, of subdivision (2) of this subsection or any other activity that may compromise the confidentiality of a student.

Sec. 5. Section 10-222g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

For the purposes of section 10-222d, as amended by this act, the term "prevention and intervention strategy" may include, but is not limited to, (1) implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for ensuring daily classroom safety and the

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prevention of bullying and teen dating violence identified by the Department of Education, (2) school rules prohibiting acts that violate daily classroom safety, bullying, teen dating violence, harassment and intimidation and establishing appropriate consequences for those who engage in such acts, (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying or teen dating violence is likely to occur, (4) inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school, (5) individual interventions with the child who violates daily classroom safety, the bully, parents and school employees, and interventions with the bullied child, parents and school employees, (6) school-wide training related to safe school climate, (7) student peer training, education and support, (8) promotion of parent involvement in prevention of acts that violate daily classroom safety and bullying [prevention] through individual or team participation in meetings, trainings and individual interventions, [and] (9) culturally competent school-based curriculum focusing on social-emotional learning, trauma-informed instruction, self-awareness and self-regulation, and (10) therapeutic support for students, as needed, following violations of daily classroom safety. Funding for the school-based bullying intervention and school climate improvement strategy may originate from public, private, federal or philanthropic sources. For purposes of this section, "interventions with the bullied child" includes referrals to a school counselor, psychologist or other appropriate social or mental health service, and periodic follow-up by the safe school climate specialist with the bullied child.

Vetoed June 7, 2018