

Education Committee JOINT FAVORABLE REPORT

Bill No.: HB-7110

AN ACT CONCERNING ENHANCED CLASSROOM SAFETY AND SCHOOL

Title: CLIMATE.

Vote Date: 3/25/2019

Vote Action: Joint Favorable Substitute Change of Reference to Appropriations

PH Date: 2/22/2019

File No.:

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

Education Committee

REASONS FOR BILL:

This bill is a revision of a School Safety bill from Session Year 2018, S.B. 453 which was passed through the House and Senate but ultimately vetoed by Governor Malloy. Gov. Malloy had concerns this bill, however well intentioned, would disproportionately affect students of color and would counter affect Connecticut's dedication to cutting the school to prison pipeline. Over the summer of 2018 a task force was established to better revise this bill. This session's bill aims to offer more support to disruptive students and less punitive.

Substitute Language:

Section 1:

- Requires all Boards of Education to develop a classroom safety plan for the 2020-21 school year. The substitute language removed "disrupts the classroom and is a danger to students or staff" from the list of relevant incidents to be addressed under this plan.
- Classroom safety plan must designate an administrator who can be notified in case the principal is unavailable.
- Substitute language specifies this plan must be developed in accordance with the safe school climate plan.
- This bill includes a FERPA-compliant process to inform parents about incident and include them in next planning for the student. Substitute language specifies that the meeting must be done in a convenient location or over the phone/video conference in order to increase accessibility to parents.

- Substitute language removed the requirement that superintendents report these incidents to their Boards of Education monthly, as this was criticized as likely to violate student's right to privacy.
- Substitute language ensures the meeting between reporting teacher and administrator cannot violate federal special education law and student's IEP.
- Substitute language requires students who engage in 2 or more incidents, or students with unsatisfactory academic performance who engages in 1 or more incident, be referred to a PPT for special education evaluation.

Section 2: Requires SDE to develop a biennial statewide school climate survey, administered by a third party. Substitute language allows SDE to accept private donations to complete such survey.

Section 3: Requires SDE to seek public input regarding the statewide school climate and the laws it might influence. Substitute language expands "public" beyond members of their Summer 2018 Working Group.

Section 4: Within available appropriations, SDE make extra resources available to alliance districts. Substitute Language includes they must develop strategies to assist Boards of Education enhance their safe school climate plans.

RESPONSE FROM ADMINISTRATION/AGENCY:

Dianna R. Wentzell, Commissioner, Department of Education: The Department generally supports this bill. They realize the utmost importance of classroom safety for students and teachers and are pleased with the steps this bill has made since it was vetoed last session. They are concerned about the requirement of Superintendents to report classroom disruptions to their Board of Education as even under anonymity, it would be very easy in small districts to know which student was being discussed. This recommendation was implemented in the bills substitute language. They are also concerned with the cost of the survey outlined in section 2. Substitute language allows SDE to accept private donations to complete this survey.

Sarah Healy Egan, Child Advocate, Office of the Child Advocate: The Office of the Child Advocate (OCA) acknowledges both the concerns of advocacy groups and constituents regarding the previous bill in the 2018 Session, as well as the significant changes this bill includes. They would however like to see more transparency in how districts implement these safety efforts. They would also like to see "implementation of trauma-informed protocols for preventing and responding to dysregulated students". They are concerned that no bill can create a safe school climate without proper funding.

NATURE AND SOURCES OF SUPPORT:

Jeff Leake, President, Connecticut Education Association (CEA): Mr. Leake supports this bill and assures this bill addresses a crisis happening in classrooms across the country. He believes this legislation will keep students and teachers safe, while providing students in turmoil the support they need. He then included testimony from almost 100 anonymous

teachers, detailing incidents of violence in the classroom and the need for more teacher directive in intervention.

Ray Rossomondo, Connecticut Education Association (CEA): Mr. Rossomondo submitted testimony on behalf of 3 anonymous educators from Hartford County, New Haven County and Tolland County. CEA received letters from 140 teachers expressing support for this bill and concern over violence in the classroom. The experiences the teachers share include students throwing chairs, punching teachers in the face, classrooms being evacuated for safety concerns, and broken supplies and equipment. These teachers express a dire concern for student and teacher safety as well as the student's access to uninterrupted classroom learning.

Representative Themis Klarides-Ditria, The 105th District: Representative Klarides-Ditria supports this bill. She believes giving teachers the ability to remove violent students from the classroom and create designated plans for such students increases the safety of all students and teachers.

The Education Committee received approximately 70 pieces of testimony in support of this bill, citing A) Feeling unsafe in their classrooms and B) Inadequate measures of discipline for violent students. This is in addition to over 100 pieces of anonymous testimony from educators submitted by CEA.

NATURE AND SOURCES OF OPPOSITION:

Kevin J. Smith, Ph.D., Superintendent of Wilton Schools: Dr. Smith opposes this bill as originally drafted. He opposes Superintendents reporting disruptive incidents monthly to the Board of Education as it could violate students FERPA rights. He feels parts of this bill are redundant as SRBI and IDEA procedures already provide appropriate avenues to address the disruptive incidents. He also urged financial support of school-based mental health support staff and funding of trauma-informed pedagogy.

Connecticut Association of Schools (CAS): CAS does not support this bill as originally drafted. CAS believes the drafted definition of disruptive behavior is vague and a one size fits all approach is inadequate. They also worry that if removal from the classroom is the unilateral decision of one administrator it could create conflicts within the school. They also reiterated the privacy concern in Board of Education reporting.

Tom Brant, President, Connecticut Association of School Psychologists (CASP): CASP recommends the committee consider the idea that more school employed mental health providers would act as a preventative measure as opposed to punishing disruptive students once the behavior already occurs. They believe this bill could unintentionally discriminate students which need the most advocacy.

Fran Rabinowitz, CT Association of Public School Superintendents (CAPSS): CAPSS does not feel the revision work done to this bill has gone far enough. They are very concerned about the mandated reporting and its privacy violations, although that language was removed from the substitute bill. They believe we need to support teachers so they can adequately manage and teach students who exhibit challenging behavior, but they believe this bill will do

more harm than good. They believe this bill will exclude the most needy students from getting the support they need.

Jan Perruccio, Superintendent of Old Saybrook Public Schools: Ms. Perruccio also reiterates the issue of privacy concerns in reporting incidents to the Board of Education. She is also concerned with how students would be educated while they are outside of a classroom awaiting the decision on future steps.

The Education Committee received over 20 pieces of testimony from Superintendents, student advocacy groups and educators who oppose this bill because of A) potential FERPA violations and B) potential for this bill to disproportionately affect students of color.

Reported by: Garnet McLaughlin

4/1/2019