General Assembly

Substitute Bill No. 7110

January Session, 2019

AN ACT CONCERNING ENHANCED CLASSROOM SAFETY AND SCHOOL CLIMATE.

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

Section 1. (NEW) (Effective July 1, 2019) (a) Not later than July 1, 2020, each local and regional board of education shall develop a classroom safety plan for the schools under the jurisdiction of such board. Each board shall implement a classroom safety plan for the school year commencing July 1, 2020, and each school year thereafter. Such classroom safety plan shall include:

(1) Protocols and supports for enhancing classroom safety, and addressing incidents that (A) require the temporary removal of a majority of the students and staff to reduce the likelihood of injury, (B) result in an injury that requires medical attention beyond basic first aid and that may include emergency room or doctor visits, or (C) result in an injury that (i) has been caused by the same person on more than one occasion, such as by means of kicking, biting or punching, (ii) has been verified by the school nurse or other medical personnel, and (iii) may not result in an emergency room or doctor visit. Such protocols and supports shall include:

(I) A process for designating an administrator who is responsible for mobilizing the crisis intervention team, described in subdivision (2) of
subsection (o) of section 10-236b of the general statutes, in the absence
of the school principal;

(II) The location where a student who is responsible for or involved
in such incident is sent when such student is temporarily removed
from the classroom, in accordance with section 10-233b of the general
statutes, in order to ensure the safety of such student and the other
students and staff in the classroom, and which shall include access to
appropriate professional staff, and which may include, but need not be
limited to, therapeutic resources, instructional materials and
technology, and any other resources conducive to addressing the
temporary needs of such student;

(III) A plan, developed in accordance with the provisions of the safe
school climate plan developed for the school district pursuant to
section 10-222d of the general statutes, to generally and proactively
lessen negative behaviors, enhance resiliency, increase the use of
deesalation strategies, and improve social and peer-relations skills,
which shall include training and may include, but need not be limited
to, therapeutic supports, restorative practices, protocols and support
provided by the Department of Education pursuant to section 3 of this
act, trauma-informed instruction, or strategies to improve the school
climate; and

(IV) A process for ensuring that such protocols and supports
described in this subdivision comply with all state and federal laws
and regulations for students who receive special education services or
an accommodation for a disability, and that any recommendations for
such students are consistent with Section 504 of the Rehabilitation Act
of 1973, as amended from time to time, and section 10-76d of the
general statutes, and are consistent with the individualized education
program for such student developed by such student's planning and
placement team or revised with the advice and consent of such
planning and placement team;

(2) A notification process concerning incidents described in
subdivision (1) of this subsection that occur within a classroom that requires the principal of the school to (A) notify the parents or guardians of the students who were engaged in or were injured during such incident, provided such notification complies with the provisions of the Family Educational Rights and Privacy Act of 1974, 20 USC 1232g, as amended from time to time, and (B) discuss at a meeting with the parents or guardians of the students who were engaged in such incident the specific supports or interventions undertaken by the school to address such incident, provided such meeting is conducted in a mutually agreed upon location that is convenient for the parent or guardian, which may be at the school or by means of a telephone conversation or video conference;

(3) A procedure for each school to document and maintain records relating to all reports and investigations of incidents described in subdivision (1) of this subsection that occur at the school, including the number of such incidents and grade level of the students involved in such incidents;

(4) A prohibition against discrimination or retaliation against any individual who reports or assists in the investigation of an incident described in subdivision (1) of this subsection;

(5) A requirement that an administrator conduct a meeting with the teacher who witnesses an incident described in subdivision (1) of this subsection, not later than two school days following such incident, to discuss and determine the supports and interventions necessary to support the student and teacher, provided such meeting does not violate the provisions of the Individuals with Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time, section 10-76d of the general statutes and the individualized education program for such student developed by such student's planning and placement team;

(6) A requirement that notice of an incident described in subdivision (1) of this subsection be sent, not later than two school days following
such incident, to the planning and placement team, if any, of a student who was involved in such incident for the purpose of determining any supports and interventions for such student; and

(7) A requirement that any student who is not receiving special education and related services and who engages in (A) two or more incidents described in subdivision (1) of this subsection, or (B) one or more such incidents and whose behavior, attendance or academic performance in school is considered unsatisfactory, be referred to a planning and placement team to determine eligibility for special education and related services pursuant to sections 10-76a to 10-76d, inclusive, of the general statutes.

(b) In the case of a student who is not receiving special education and related services, but for whom supports and interventions have been provided following an incident described in subdivision (1) of subsection (a) of this section, whenever a teacher has continued concerns with such supports or interventions, or lack thereof, to address such incident, the teacher may request an emergency meeting of the scientific research-based intervention team or crisis intervention team, as appropriate, to review the response to such incident. Such emergency meeting shall occur not later than three school days following such request. The committee shall review such supports or interventions determined pursuant to subdivision (5) or (6) of subsection (a) of this section, and may revise such supports or interventions to address the concerns of the teacher. There shall be no discrimination or retaliation against any teacher who requests a meeting pursuant to this subsection.

(c) Any supports or interventions provided under this section to any student who receives special education or related services or an accommodation for a disability shall be determined in accordance with and comply with all applicable state and federal laws and regulations, including, but not limited to, Section 504 of the Rehabilitation Act of 1973, as amended from time to time, the Individuals with Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time,
section 10-76d of the general statutes and the individualized education program for such student developed by such student's planning and placement team.

(d) Each local and regional board of education shall submit an annual report to the Department of Education concerning all incidents described in subdivision (1) of subsection (a) of this section that occurred in the classrooms of schools under the jurisdiction of such board. Such report shall include the total number of such incidents, the grade levels of students involved in such incidents, and the race and category of disability of students involved in such incidents.

Sec. 2. Section 10-222h of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2019):

(a) The Department of Education shall [within available appropriations,] (1) document school districts' articulated needs for technical assistance and training related to safe learning and bullying, (2) collect information on the prevention and intervention strategies used by schools to reduce the incidence of bullying, improve school climate and improve reporting outcomes, (3) develop or recommend model safe school climate plans for grades kindergarten to twelve, inclusive, and (4) in collaboration with the Connecticut Association of Schools, disseminate to all public schools grade-level appropriate school climate assessment instruments, approved by the department, to be used by local and regional boards of education for the purposes of collecting information described in subdivision (2) of this subsection so that the department can monitor bullying prevention efforts over time and compare each district's progress to state trends. Such school climate assessment instruments shall (A) include surveys that contain uniform grade-level appropriate questions that collect information about students' perspectives and opinions about the school climate at the school, and (B) allow students to complete and submit such assessment and survey anonymously.

(b) On or before [February 1, 2014] July 1, 2020, and annually
thereafter, the department shall, in accordance with the provisions of section 11-4a, submit a report on the status of its efforts pursuant to this section including, but not limited to, the number of verified acts of bullying and incidents described in subdivision (1) of subsection (a) of section 1 of this act in the state, an analysis of the responsive action taken by school districts, an analysis of student responses on the uniform grade-level appropriate questions described in subparagraph (A) of subdivision (4) of subsection (a) of this section and any recommendations it may have regarding additional activities or funding to prevent bullying and incidents described in subdivision (1) of subsection (a) of section 1 of this act in schools and improve school climate and safety to the joint standing committees of the General Assembly having cognizance of matters relating to education and children and to the speaker of the House of Representatives, the president pro tempore of the Senate and the majority and minority leaders of the House of Representatives and the Senate.

(c) Not later than January 1, 2020, the department shall procure or otherwise invite requests for proposals to develop and implement a biennial state-wide school climate survey, and thereafter enter into a contract to carry out the provisions of this section and subsection (d) of section 10-222d. The state-wide school climate survey shall at a minimum:

(1) Seek confidential responses from school employees, including principals, assistant principals, teachers, school social workers, school psychologists, school nurses, school counselors and school paraprofessionals, and, in a separate survey, seek confidential responses from parents; and

(2) Solicit information from school employees and parents, as deemed appropriate and relevant for such respondent, on (A) the learning environment for students, including academic supports and resources, school safety and security and outreach to parents, (B) the teaching environment, including resources, supports and professional development for teachers, administrators and other educators, teacher
leadership and collaborative planning time, (C) strategies for establishing a positive and welcoming environment for students, parents of students, teachers and administrators of all races, ethnicities and cultural backgrounds, and (D) supports and strategies for the development and retention of new teachers, minority teachers and administrators, school psychologists and school counselors.

[(c)] (d) The department may accept private donations for the purposes of this section.

Sec. 3. (Effective from passage) The Department of Education shall solicit public input regarding the development and implementation of the biennial state-wide school climate survey described in subsection (c) of section 10-222h of the general statutes, as amended by this act.

Sec. 4. (NEW) (Effective July 1, 2019) The Department of Education shall, within available appropriations, (1) develop and disseminate strategies to assist local and regional boards of education in (A) enhancing their safe school climate plans, developed pursuant to section 10-222d of the general statutes, and classroom safety plans, developed pursuant to section 1 of this act, (B) reducing incidents of school violence, and (C) promoting trauma sensitivity in schools, and (2) make available to school districts designated as alliance districts pursuant to section 10-262u of the general statutes, resources to promote systemic improvement of school climate through training, strategies for connecting youth to appropriate services and fostering trauma-sensitive school communities.

This act shall take effect as follows and shall amend the following sections:

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<tr>
<th>Section</th>
<th>Date</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 1</td>
<td>July 1, 2019</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 2</td>
<td>July 1, 2019</td>
<td>10-222h</td>
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<tr>
<td>Sec. 3</td>
<td>from passage</td>
<td>New section</td>
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<tr>
<td>Sec. 4</td>
<td>July 1, 2019</td>
<td>New section</td>
</tr>
</tbody>
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