



General Assembly

Amendment

January Session, 2019

LCO No. 9992



Offered by:

REP. LINEHAN, 103rd Dist.
REP. GREEN, 55th Dist.
REP. CURREY, 11th Dist.
REP. KOKORUDA, 101st Dist.
REP. SANCHEZ, 25th Dist.

REP. MCCARTY, 38th Dist.
REP. CONLEY, 40th Dist.
REP. PALM, 36th Dist.
REP. SANTIAGO H., 84th Dist.

To: Subst. House Bill No. **7215**

File No. 126

Cal. No. 104

"AN ACT CONCERNING SCHOOL CLIMATES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) (a) There is established a
4 social and emotional learning and school climate advisory
5 collaborative. The collaborative shall (1) collect information concerning
6 the school climate improvement efforts of local and regional boards of
7 education, (2) document any needs articulated by local and regional
8 boards of education for technical assistance and training relating to
9 fostering positive school climates, (3) identify best practices for
10 promoting positive school climates, (4) direct resources to support
11 state-wide and local initiatives on issues relating to fostering and
12 improving positive school climates and improving access to social and
13 emotional learning in schools, (5) develop an assessment for screening

14 students in grades three to twelve, inclusive, to determine whether
15 such students are at risk for suicide, (6) develop a biennial state-wide
16 school climate survey, as described in subsection (c) of section 2 of this
17 act, (7) develop a model positive school climate policy, as described in
18 subsection (a) of section 2 of this act, (8) develop a plain language
19 explanation of the rights and remedies available under sections 10-4a
20 and 10-4b of the general statutes for distribution to parents and
21 guardians pursuant to subdivision (2) of subsection (c) of section 10-
22 222d of the general statutes, as amended by this act, and provide such
23 explanation to each local and regional board of education not later
24 than January 1, 2021, and (9) perform other functions concerning social
25 and emotional learning and fostering positive school climates.

26 (b) The collaborative shall consist of the following members:

27 (1) Five appointed by the speaker of the House of Representatives,
28 one of whom is a member of the Juvenile Justice Policy and Oversight
29 Committee, established pursuant to section 46b-121n of the general
30 statutes; one of whom is a representative of the Connecticut
31 Association of Boards of Education; one of whom is a school
32 administrator with experience in district-level, equity-focused and
33 cross-disciplinary social and emotional learning; one of whom is a
34 representative of an organization that provides free or reduced-cost
35 legal services; and one of whom is a representative of Connecticut
36 Parent Power;

37 (2) Five appointed by the president pro tempore of the Senate, one
38 of whom is a representative of the Connecticut Association of Schools;
39 one of whom is a representative of the Connecticut Association of
40 School Administrators; one of whom is a representative of the Social
41 Emotional Learning Alliance for Connecticut; one of whom is a
42 representative of the Connecticut School Counselor Association; and
43 one of whom is a representative of the Connecticut Association of
44 Public School Superintendents;

45 (3) Three appointed by the majority leader of the House of

46 Representatives, one of whom is a representative of Special Education
47 Equity for Kids of Connecticut; one of whom is a representative of the
48 Connecticut Parent Advocacy Center; and one of whom is a
49 representative of African Caribbean American Parents of Children
50 with Disabilities, Inc.;

51 (4) Three appointed by the majority leader of the Senate, one of
52 whom is a representative of the Center for Children's Advocacy; one of
53 whom is a representative of the Yale Center for Emotional Intelligence;
54 and one of whom is a representative of the Neag School of Education
55 at The University of Connecticut;

56 (5) Three appointed by the minority leader of the House of
57 Representatives, one of whom is a representative of the American
58 Federation of Teachers-Connecticut; one of whom is a representative of
59 the Center for Social and Emotional Learning at Central Connecticut
60 State University; and one of whom is a representative of the
61 Connecticut Parent Teacher Association;

62 (6) Three appointed by the minority leader of the Senate, one of
63 whom is a representative of the Connecticut Education Association;
64 one of whom is a representative of the National Alliance on Mental
65 Illness, Connecticut; and one of whom is a representative of the Youth
66 Suicide Advisory Board established pursuant to section 17a-52 of the
67 general statutes;

68 (7) The Commissioner of Education, or the commissioner's designee;

69 (8) The chairpersons and ranking members of the joint standing
70 committees of the General Assembly having cognizance of matters
71 relating to children and education;

72 (9) The Child Advocate, or the Child Advocate's designee; and

73 (10) The executive director of the Commission on Women, Children
74 and Seniors, or the executive director's designee.

75 (c) All appointments to the collaborative shall be made not later

76 than thirty days after the effective date of this section. Any vacancy
77 shall be filled by the appointing authority.

78 (d) The cochairpersons of the collaborative shall be the executive
79 director of the Commission on Women, Children and Seniors, or the
80 executive director's designee, and a cochairperson elected from among
81 the members. The first meeting of the collaborative shall be held not
82 later than sixty days after the effective date of this section.

83 (e) The collaborative may designate subcommittees and advisory
84 groups to carry out its functions, provided any subcommittees so
85 designated shall be comprised of members of the collaborative.

86 (f) The staff of the Commission on Women, Children and Seniors
87 shall serve as administrative staff of the collaborative.

88 (g) Not later than January 1, 2021, and annually thereafter, the
89 collaborative shall submit a report concerning (1) its efforts to (A)
90 monitor the school climate improvement efforts of local and regional
91 boards of education, (B) document needs articulated by local and
92 regional boards of education for technical assistance and training
93 relating to fostering positive school climates, (C) identify best practices
94 for promoting positive school climates, and (D) direct resources to
95 support state-wide and local initiatives on issues relating to fostering
96 and improving positive school climates and improving access to social
97 and emotional learning, and (2) any recommendations, to the joint
98 standing committees of the General Assembly having cognizance of
99 matters relating to children and education, in accordance with the
100 provisions of section 11-4a of the general statutes.

101 Sec. 2. (*Effective from passage*) (a) Not later than January 1, 2020, the
102 social and emotional learning and school climate advisory
103 collaborative established pursuant to section 1 of this act shall develop
104 a model positive school climate policy. In developing such model
105 policy, the collaborative may review safe school climate plans
106 developed and implemented by local and regional boards of education
107 pursuant to section 10-222d of the general statutes, as amended by this

108 act.

109 (b) Not later than July 1, 2020, the social and emotional learning and
110 school climate advisory collaborative established pursuant to section 1
111 of this act shall submit the assessment it developed pursuant to section
112 1 of this act for screening students at risk for suicide and
113 recommendations for implementation of such assessment in public
114 elementary, middle and high schools to the joint standing committees
115 of the General Assembly having cognizance of matters relating to
116 children and education, in accordance with the provisions of section
117 11-4a of the general statutes.

118 (c) Not later than July 1, 2021, the social and emotional learning and
119 school climate advisory collaborative established pursuant to section 1
120 of this act shall develop a biennial state-wide school climate survey
121 and provide such survey to the Department of Education. Such survey
122 shall be designed to obtain confidential information from school
123 employees and the parents and guardians of students concerning such
124 employees' and parents' and guardians' impressions of the school
125 climate at the school for which such school employees are assigned or
126 such parents' and guardians' children are enrolled. Such survey shall
127 inquire as to, but need not be limited to, such school employees' and
128 parents' and guardians' impressions of (1) the student learning
129 environment at the school, including academic supports and resources
130 available to students and school safety, (2) communication by school
131 employees to parents and guardians concerning students, (3) the
132 teaching environment at the school, which includes resources, support
133 and professional development for school employees, leadership within
134 the school and the availability of collaborative planning time, (4)
135 whether a positive school climate exists at the school, (5) whether
136 individuals of all races, ethnicities and cultural backgrounds feel
137 welcomed at the school, and (6) the availability of supports and
138 strategies for the development and retention of teachers and
139 administrators, including, but not limited to, minority teachers and
140 administrators, school psychologists and school counselors, and
141 suggestions for increasing the availability of such supports and

142 strategies.

143 (d) Not later than August 1, 2021, the Department of Education shall
144 publish the model positive school climate policy developed pursuant
145 to subsection (a) of this section and the biennial state-wide school
146 climate survey developed pursuant to subsection (c) of this section on
147 the Internet web site of the department.

148 Sec. 3. Section 10-222d of the general statutes is repealed and the
149 following is substituted in lieu thereof (*Effective July 1, 2021*):

150 (a) As used in this section, sections 10-222g to 10-222i, inclusive,
151 [and] section 10-222k and sections 1 and 2 of this act:

152 (1) "Bullying" means [(A) the repeated use by one or more students
153 of a written, oral or electronic communication, such as cyberbullying,
154 directed at or referring to another student attending school in the same
155 school district, or (B) a physical act or gesture by one or more students
156 repeatedly directed at another student attending school in the same
157 school district, that: (i) Causes physical or emotional harm to such
158 student or damage to such student's property, (ii) places such student
159 in reasonable fear of harm to himself or herself, or of damage to his or
160 her property, (iii) creates a hostile environment at school for such
161 student, (iv) infringes on the rights of such student at school, or (v)
162 substantially disrupts the education process or the orderly operation of
163 a school] an act that is direct or indirect and severe, persistent or
164 pervasive, which (A) causes physical or emotional harm to an
165 individual, (B) places an individual in reasonable fear of physical or
166 emotional harm, or (C) infringes on the rights or opportunities of an
167 individual at school. "Bullying" shall include, but need not be limited
168 to, a written, oral or electronic communication or physical act or
169 gesture based on any actual or perceived differentiating characteristic,
170 such as race, color, religion, ancestry, national origin, gender, sexual
171 orientation, gender identity or expression, socioeconomic status,
172 academic status, physical appearance, or mental, physical,
173 developmental or sensory disability, or by association with an

174 individual or group who has or is perceived to have one or more of
175 such characteristics;

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

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

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

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

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

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

201 (8) "School employee" means (A) a teacher, substitute teacher,
202 school administrator, school superintendent, guidance counselor,
203 school counselor, psychologist, social worker, nurse, physician, school

204 paraprofessional or coach employed by a local or regional board of
205 education or working in a public elementary, middle or high school; or
206 (B) any other individual who, in the performance of his or her duties,
207 has regular contact with students and who provides services to or on
208 behalf of students enrolled in a public elementary, middle or high
209 school, pursuant to a contract with the local or regional board of
210 education; [and]

211 (9) "School climate" means the quality and character of school life
212 [with a particular focus on the quality of the relationships within the
213 school community between and among students and adults] based on
214 patterns of students', parents' and guardians' and school employees'
215 experiences of school life, including, but not limited to, norms, goals,
216 values, interpersonal relationships, teaching and learning practices and
217 organizational structures;

218 (10) "Positive school climate" means a school climate in which (A)
219 the norms, values, expectations and beliefs that support feelings of
220 social, emotional and physical safety are promoted, (B) students,
221 parents and guardians of students and school employees feel engaged
222 and respected and work together to develop and contribute to a shared
223 school vision, (C) educators model and nurture attitudes that
224 emphasize the benefits and satisfaction gained from learning, and (D)
225 each person feels comfortable contributing to the operation of the
226 school and care of the physical environment of the school;

227 (11) "Emotional intelligence" means the ability to (A) perceive,
228 recognize and understand emotions in oneself or others, (B) use
229 emotions to facilitate cognitive activities, including, but not limited to,
230 reasoning, problem solving and interpersonal communication, (C)
231 understand and identify emotions, and (D) manage emotions in
232 oneself and others; and

233 (12) "Social and emotional learning" means the process through
234 which children and adults achieve emotional intelligence through the
235 competencies of self-awareness, self-management, social awareness,

236 relationship skills and responsible decision-making.

237 (b) Each local and regional board of education shall develop and
238 implement a safe school climate plan to address the existence of
239 bullying and teen dating violence in its schools. Such plan shall: (1)
240 Enable students to anonymously report acts of bullying to school
241 employees and require students and the parents or guardians of
242 students to be notified at the beginning of each school year of the
243 process by which students may make such reports, (2) enable the
244 parents or guardians of students to file written reports of suspected
245 bullying, (3) require school employees who witness acts of bullying or
246 receive reports of bullying to orally notify the safe school climate
247 specialist, described in section 10-222k, or another school administrator
248 if the safe school climate specialist is unavailable, not later than one
249 school day after such school employee witnesses or receives a report of
250 bullying, and to file a written report not later than two school days
251 after making such oral report, (4) require the safe school climate
252 specialist to investigate or supervise the investigation of all reports of
253 bullying and ensure that such investigation is completed promptly
254 after receipt of any written reports made under this section and that
255 the parents or guardians of the student alleged to have committed an
256 act or acts of bullying and the parents or guardians of the student
257 against whom such alleged act or acts were directed receive prompt
258 notice that such investigation has commenced, (5) require the safe
259 school climate specialist to review any anonymous reports, except that
260 no disciplinary action shall be taken solely on the basis of an
261 anonymous report, (6) include a prevention and intervention strategy,
262 as defined by section 10-222g, for school employees to deal with
263 bullying and teen dating violence, (7) provide for the inclusion of
264 language in student codes of conduct concerning bullying, (8) require
265 each school to notify the parents or guardians of students who commit
266 any verified acts of bullying and the parents or guardians of students
267 against whom such acts were directed not later than forty-eight hours
268 after the completion of the investigation described in subdivision (4) of
269 this subsection (A) of the results of such investigation, and (B) verbally

270 and by electronic mail, if such parents' or guardians' electronic mail
271 addresses are known, that such parents or guardians may refer to the
272 plain language explanation of the rights and remedies available under
273 sections 10-4a and 10-4b published on the Internet web site of the local
274 or regional board of education pursuant to section 4 of this act, (9)
275 require each school to invite the parents or guardians of a student
276 against whom such act was directed to a meeting to communicate to
277 such parents or guardians the measures being taken by the school to
278 ensure the safety of the student against whom such act was directed
279 and policies and procedures in place to prevent further acts of
280 bullying, (10) require each school to invite the parents or guardians of
281 a student who commits any verified act of bullying to a meeting,
282 separate and distinct from the meeting required in subdivision (9) of
283 this subsection, to discuss specific interventions undertaken by the
284 school to prevent further acts of bullying, (11) establish a procedure for
285 each school to document and maintain records relating to reports and
286 investigations of bullying in such school and to maintain a list of the
287 number of verified acts of bullying in such school and make such list
288 available for public inspection, and annually report such number to the
289 Department of Education, and in such manner as prescribed by the
290 Commissioner of Education, (12) direct the development of case-by-
291 case interventions for addressing repeated incidents of bullying
292 against a single individual or recurrently perpetrated bullying
293 incidents by the same individual that may include both counseling and
294 discipline, (13) prohibit discrimination and retaliation against an
295 individual who reports or assists in the investigation of an act of
296 bullying, (14) direct the development of student safety support plans
297 for students against whom an act of bullying was directed that address
298 safety measures the school will take to protect such students against
299 further acts of bullying, (15) require the principal of a school, or the
300 principal's designee, to notify the appropriate local law enforcement
301 agency when such principal, or the principal's designee, believes that
302 any acts of bullying constitute criminal conduct, (16) prohibit bullying
303 (A) on school grounds, at a school-sponsored or school-related activity,
304 function or program whether on or off school grounds, at a school bus

305 stop, on a school bus or other vehicle owned, leased or used by a local
306 or regional board of education, or through the use of an electronic
307 device or an electronic mobile device owned, leased or used by the
308 local or regional board of education, and (B) outside of the school
309 setting if such bullying (i) creates a hostile environment at school for
310 the student against whom such bullying was directed, or (ii) infringes
311 on the rights of the student against whom such bullying was directed
312 at school, or (iii) substantially disrupts the education process or the
313 orderly operation of a school, (17) require, at the beginning of each
314 school year, each school to provide all school employees with a written
315 or electronic copy of the school district's safe school climate plan, and
316 (18) require that all school employees annually complete the training
317 described in section 10-220a or section 10-222j. The notification
318 required pursuant to subdivision (8) of this subsection and the
319 invitation required pursuant to subdivision (9) of this subsection shall
320 include a description of the response of school employees to such acts
321 and any consequences that may result from the commission of further
322 acts of bullying.

323 (c) Not later than September 1, 2014, each local and regional board
324 of education that has not had a safe school climate plan, developed
325 pursuant to this section, previously reviewed and approved by the
326 Department of Education shall submit a safe school climate plan to the
327 department for review and approval in accordance with the provisions
328 of section 10-222p. Not later than thirty calendar days after approval
329 by the department of such safe school climate plan, the board shall
330 make such plan available on the board's and each individual school in
331 the school district's Internet web site and ensure that such plan is
332 included in the school district's publication of the rules, procedures
333 and standards of conduct for schools and in all student handbooks.

334 (d) On and after July 1, 2012, and biennially thereafter, each local
335 and regional board of education shall require each school in the district
336 to complete an assessment using the school climate assessment
337 instruments, including surveys, approved and disseminated by the
338 Department of Education pursuant to section 10-222h. Each local and

339 regional board of education shall collect the school climate assessments
 340 for each school in the district and submit such school climate
 341 assessments to the department.

342 Sec. 4. (NEW) (*Effective July 1, 2019*) Not later than June 30, 2021,
 343 each local and regional board of education shall publish on the Internet
 344 web site of such board the plain language explanation of the rights and
 345 remedies available under sections 10-4a and 10-4b provided pursuant
 346 to subsection (a) of section 1 of this act.

347 Sec. 5. (NEW) (*Effective July 1, 2019*) Each local and regional board of
 348 education, in consultation with the Department of Education and the
 349 social and emotional learning and school climate advisory
 350 collaborative established pursuant to section 1 of this act, shall provide
 351 on the Internet web site of the department training materials to school
 352 administrators regarding the prevention of and intervention in
 353 discrimination against and targeted harassment of students based on
 354 such students' (1) actual or perceived differentiating characteristics,
 355 such as race, color, religion, ancestry, national origin, gender, sexual
 356 orientation, gender identity or expression, socioeconomic status,
 357 academic status, physical appearance or mental, physical,
 358 developmental or sensory disability, or (2) association with individuals
 359 or groups who have or are perceived to have one or more of such
 360 characteristics. Such training materials may be developed in
 361 consultation with or provided by one or more organizations offering
 362 training on identifying, preventing and intervening in discrimination."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>July 1, 2021</i>	10-222d
Sec. 4	<i>July 1, 2019</i>	New section
Sec. 5	<i>July 1, 2019</i>	New section