
OLR Bill Analysis

sSB 1093

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE CONCERNING EDUCATION.

SUMMARY

This bill makes various changes in the education statutes governing suspension and expulsion. Specifically, it requires the following:

1. school districts with high rates of in- and out-of-school suspension and expulsion to develop and submit a response and improvement plan to the State Department of Education (SDE) (§ 1);
2. SDE to reclassify at least four authorized, unfilled existing positions to monitor these plans and support schools that are implementing them (§ 2);
3. each local and regional board of education to report to SDE and the Juvenile Justice Policy and Oversight Committee (JJPOC; see BACKGROUND) on expulsions and related alternative education program placements annually over the next three years (§ 5); and
4. SDE to establish an advisory committee on suspensions and expulsions in grades preschool through two (§ 6).

The bill also requires SDE to provide, and allows school boards to use, recommended assessments for screening students who exhibit mental health distress or who have been identified as at risk for suicide (§§ 3 & 4).

EFFECTIVE DATE: January 1, 2024, except the provisions governing (1) expulsion and alternative education reporting take effect upon

passage and (2) student mental health assessments take effect on July 1, 2023.

SUSPENSION AND EXPULSION

Response and Improvement Plans

By law, local and regional boards of education must annually submit certain data on each of their schools to SDE in their strategic school profile report. Among this data is the number of in-school and out-of-school suspensions and expulsions (CGS § 10-220(c)(3)).

Beginning on July 1, 2024, the bill requires districts to submit to SDE a “response and improvement plan” if they have schools with a rate of suspensions and expulsions that is high or disproportionate, as determined by the education commissioner, in their strategic school profile reports. Under the bill, the plan’s purpose is to reduce the number of suspensions and expulsions at the school. The board must (1) annually update the plan and submit it to SDE until the rate is no longer considered high or disproportionate by the commissioner and (2) send any response and improvement plan or plan update to the Education Committee.

Also, by July 1, 2024, the bill requires the Office of Policy and Management secretary, in consultation with the SDE commissioner, to reclassify at least four authorized, unfilled staff positions at SDE. This reclassification is to create positions within the department to provide support, on-site monitoring, and oversight to schools implementing a response and improvement plan. The bill requires SDE to use funds appropriated to its personal services account to fill the four reclassified positions.

District Reporting

The bill requires each local and regional board of education to report annually over the next three school years to JJPOC and SDE (beginning by July 1, 2023, and ending on July 1, 2026). Specifically, boards must report on the following topics:

1. the number of students in their district who were expelled and

- placed in alternative education, disaggregated by type of alternative educational opportunity consistent with federal student privacy regulations (see BACKGROUND);
2. the name of each alternative educational placement and the number of credits the student completes, consistent with federal student privacy regulations; and
 3. a description of (a) each alternative educational opportunity offered by the board and (b) how it compares to the State Board of Education's standards for the provision of an adequate alternative educational opportunity, which address the kind of instruction and number of hours to be provided to an enrolled student.

Advisory Committee

The bill requires SDE to establish an advisory committee by July 1, 2024, on suspensions and expulsions in grades preschool through two. It suggests the following duties for the committee at a minimum:

1. developing guidance to reduce the number of out-of-school suspensions and expulsions in these grades;
1. giving evidence-based and developmentally appropriate definitions and examples of conduct that is violent or sexual in nature, which is the only conduct under existing law that warrants out-of-school suspension for students in these grades (CGS § 10-233c(g)); and
2. recommending developmentally appropriate interventions for students in these grades as an alternative to out-of-school suspension.

The bill vests the authority to appoint advisory committee members solely with SDE's commissioner. At a minimum, the bill requires the commissioner to appoint one or more members of JJPOC's education subcommittee. It also prohibits any legislator from serving on the committee. This bill does not require a certain number of committee

members.

MENTAL HEALTH ASSESSMENTS

Under the bill, by January 1, 2024, SDE must give local and regional boards of education a list of recommended screening assessments for students who (1) exhibit mental health distress or (2) have been identified as at risk of suicide. (The bill does not specify how these students would be identified.) The list may include the Columbia Suicide Severity Rating Scale (see BACKGROUND).

Relatedly, the bill allows boards to use an assessment from the SDE-provided list to screen identified students beginning July 1, 2023. (However, boards may not possess the list of recommended assessments at that time since SDE is not required to provide it until six months later.)

BACKGROUND

JJPOC

State law charges JJPOC with evaluating policies related to the juvenile justice system and the expansion of juvenile jurisdiction to include 16- and 17-year-olds. Its members include legislators, judicial branch leaders, state agency heads, and child and victim advocates, among others (CGS § 46b-121n).

Federal Student Privacy Regulations

The U.S. Department of Education makes rules for school districts' release of student educational records in its regulations promulgated under the federal Family Educational Rights and Privacy Act (34 C.F.R. 99 et seq.).

Columbia Suicide Severity Rating Scale

According to the U.S. Department of Health and Human Services' Substance Abuse and Mental Health Services Administration, the Columbia Suicide Severity Rating Scale is a short questionnaire that can be administered quickly in the field by responders with no formal mental health training, and it is relevant in a wide range of settings and for people of all ages.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 29 Nay 12 (03/17/2023)