



Senate

General Assembly

File No. 347

February Session, 2024

Substitute Senate Bill No. 380

Senate, April 9, 2024

The Committee on Education reported through SEN. MCCRORY, D. of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING SCHOOL DISCIPLINE.

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

1 Section 1. Subsection (g) of section 10-233c of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2024*):

4 (g) On and after July 1, 2015, all suspensions pursuant to this section
5 shall be in-school suspensions, except a local or regional board of
6 education may authorize the administration of schools under its
7 direction to impose an out-of-school suspension on any pupil in (1)
8 grades three to twelve, inclusive, if, during the hearing held pursuant to
9 subsection (a) of this section, (A) the administration determines that the
10 pupil being suspended poses such a danger to persons or property or
11 such a disruption of the educational process that the pupil shall be
12 excluded from school during the period of suspension, or (B) the
13 administration determines that an out-of-school suspension is
14 appropriate for such pupil based on evidence of (i) previous disciplinary
15 problems that have led to suspensions or expulsion of such pupil, and

16 (ii) efforts by the administration to address such disciplinary problems
17 through means other than out-of-school suspension or expulsion,
18 including positive behavioral support strategies, or (2) grades preschool
19 to two, inclusive, if during the hearing held pursuant to subsection (a)
20 of this section, the administration (A) determines that an out-of-school
21 suspension is appropriate for such pupil based on evidence that such
22 pupil's conduct on school grounds is [of a violent or sexual nature that
23 endangers persons] behavior that causes serious physical harm, (B)
24 requires that such pupil receives services that are trauma-informed and
25 developmentally appropriate and align with any behavioral
26 intervention plan, individualized education program or plan pursuant
27 to Section 504 of the Rehabilitation Act of 1973, as amended from time
28 to time, for such pupil upon such pupil's return to school immediately
29 following the out-of-school suspension, and (C) considers whether to
30 convene a planning and placement team meeting for the purposes of
31 conducting an evaluation to determine whether such pupil may require
32 special education or related services. An out-of-school suspension
33 imposed under subdivision (2) of this subsection shall not exceed two
34 school days. An in-school suspension may be served in the school that
35 the pupil attends, or in any school building under the jurisdiction of the
36 local or regional board of education, as determined by such board.
37 Nothing in this section shall limit a person's duty as a mandated
38 reporter pursuant to section 17-101a to report suspected child abuse or
39 neglect.

40 Sec. 2. Section 10-233h of the general statutes is repealed and the
41 following is substituted in lieu thereof (*Effective July 1, 2024*):

42 (a) If any person who is at least [seven] ten years of age but less than
43 twenty-one years of age and an enrolled student is arrested for [a
44 violation of section 53-206c, a class A misdemeanor or a felony]
45 possession of a firearm, as defined in 18 USC 921, as amended from time
46 to time, on school grounds or at a school-sponsored activity, the
47 municipal police department or Division of State Police within the
48 Department of Emergency Services and Public Protection that made
49 such arrest shall, not later than the end of the weekday following such

50 arrest, orally notify the superintendent of schools of the school district
51 in which such person resides or attends school of the identity of such
52 person and the offense or offenses for which he was arrested and shall,
53 within seventy-two hours of such arrest, provide written notification of
54 such arrest, containing a brief description of the incident, to such
55 superintendent. The superintendent shall maintain such written report
56 in a secure location and the information in such report shall be
57 maintained as confidential in accordance with section 46b-124. [The
58 superintendent may disclose such information only to the principal of
59 the school in which such person is a student or to the principal or
60 supervisory agent of any other school in which the superintendent
61 knows such person is a student. The principal or supervisory agent may
62 disclose such information only to special services staff or a consultant,
63 such as a psychiatrist, psychologist or social worker, for the purposes of
64 assessing the risk of danger posed by such person to himself, other
65 students, school employees or school property and effectuating an
66 appropriate modification of such person's educational plan or
67 placement, and for disciplinary purposes. If the arrest occurred during
68 the school year, such assessment shall be completed not later than the
69 end of the next school day. If an expulsion hearing is held pursuant to
70 section 10-233d, a representative of the municipal police department or
71 the Division of State Police, as appropriate, may testify and provide
72 reports and information on the arrest at such hearing, provided such
73 police participation is requested by any of the following: The local or
74 regional board of education, the impartial hearing board, the principal
75 of the school or the student or his parent or guardian. Such information
76 with respect to a child under eighteen years of age shall be confidential
77 in accordance with sections 46b-124 and 54-76l, and shall only be
78 disclosed as provided in this section and shall not be further disclosed.]

79 (b) If any person who is at least ten years of age but less than twenty-
80 one years of age and an enrolled student is arrested for a violation of
81 section 53-206c, a class A misdemeanor or a felony, other than
82 possession of a firearm as described in subsection (a) of this section, the
83 Court Support Services Division of the Judicial Branch shall provide a
84 written report of such arrest to the superintendent of schools of the

85 school district in which such person resides or attends school upon the
86 presentation of such arrest to the court. Such written report shall
87 include, but need not be limited to, the identity of such person, the
88 violation or violations for which such person has been arrested, a brief
89 description of the incident that is the basis for such violation and, if
90 applicable, the identity of the alleged victim if such alleged victim is
91 another enrolled student, and whether such person's arrest has been
92 diverted to the community-based diversion system, screened and found
93 to be eligible for nonjudicial handling or dismissed by the court. The
94 superintendent shall maintain such written report in a secure location
95 and the information in such report shall be maintained as confidential
96 in accordance with sections 46b-124 and 54-76l, and shall only be
97 disclosed as provided in this section and shall not be further disclosed.

98 (c) (1) The superintendent may disclose a written report described in
99 subsection (a) or (b) of this section only to the principal of the school in
100 which such person is a student or to the principal or supervisory agent
101 of any other school in which the superintendent knows such person is a
102 student.

103 (2) Upon receipt of such written report, the principal or supervisory
104 agent may disclose such report only to special services staff or a
105 consultant, such as a psychiatrist, psychologist or social worker, for the
106 purposes of assessing the risk of danger posed by such person to such
107 person's self, other students, school employees or school property and
108 effectuating an appropriate modification of such person's educational
109 plan or placement, and for disciplinary purposes. Such person shall not
110 be prevented from attending class prior to the holding of an informal
111 hearing pursuant to section 10-233c, as amended by this act, or an
112 expulsion hearing pursuant to section 10-233d.

113 (3) An informal hearing pursuant to section 10-233c, as amended by
114 this act, or an expulsion hearing pursuant to section 10-233d shall not be
115 held for any person whose written report indicates that such person's
116 arrest has been diverted to the community-based diversion system,
117 screened and found to be eligible for nonjudicial handling or dismissed

118 by the court.

119 (d) If an expulsion hearing is held pursuant to section 10-233d, a
120 representative of the municipal police department or the Division of
121 State Police, as appropriate, may testify and provide reports and
122 information on such violation at such hearing, provided such police
123 participation is requested by any of the following: The local or regional
124 board of education, the impartial hearing board, the principal of the
125 school or the student or his parent or guardian. Such information with
126 respect to a child under eighteen years of age shall be confidential in
127 accordance with sections 46b-124 and 54-76l, and shall only be disclosed
128 as provided in this section and shall not be further disclosed.

129 Sec. 3. Section 10-233p of the 2024 supplement to the general statutes
130 is repealed and the following is substituted in lieu thereof (*Effective July*
131 *1, 2024*):

132 Each school resource officer, as defined in section 10-233m, shall
133 submit to the chief of police of such school resource officer's local law
134 enforcement agency a report for each investigation or behavioral
135 intervention of challenging behavior or conflict that escalates to violence
136 or constitutes a crime conducted by such school resource officer not later
137 than five school days after conducting such investigation or behavioral
138 intervention. The chief of police shall submit such report to the
139 superintendent of schools for the school district in which such
140 investigation or behavioral intervention occurred in accordance with
141 the provisions of the memorandum of understanding entered into
142 pursuant to section 10-233m, but shall be not less frequently than
143 monthly. If the chief of police of the school resource officer's local law
144 enforcement agency is not certified by the Police Officer Standards and
145 Training Council pursuant to section 7-294d, such school resource
146 officer shall submit such report directly to the superintendent of schools
147 for the school district in which such investigation or behavioral
148 intervention occurred in the same manner specified in this section for
149 the chief of police to submit such report. Such superintendent shall
150 submit such report to the local or regional board of education of the

151 school district. Such report shall include, but need not be limited to, (1)
152 the date, time and location of such investigation or behavioral
153 intervention, (2) the name and badge number of such school resource
154 officer, (3) the race, ethnicity, gender, age and disability status for each
155 student involved in such investigation or behavioral intervention, (4)
156 the reason for and nature of such investigation or behavioral
157 intervention, (5) the disposition of such investigation or behavioral
158 intervention, and (6) whether any student involved in such
159 investigation or behavioral intervention was (A) searched, (B) apprised
160 of such student's constitutional rights, (C) issued a citation or a
161 summons, (D) arrested, or (E) detained, including the amount of time
162 such student was detained. For purposes of this section, "investigation
163 or behavioral intervention" means a circumstance in which a school
164 resource officer is conducting (i) a fact-finding inquiry concerning
165 student behavior or school safety, including, but not limited to,
166 emergency circumstances, or (ii) an intervention to resolve violent or
167 nonviolent student behavior or conflicts.

168 Sec. 4. Subsection (a) of section 10-222q of the 2024 supplement to the
169 general statutes is repealed and the following is substituted in lieu
170 thereof (*Effective July 1, 2024*):

171 (a) There is established a social and emotional learning and school
172 climate advisory collaborative. The collaborative shall (1) collect
173 information concerning the school climate improvement efforts of local
174 and regional boards of education, (2) document any needs articulated
175 by local and regional boards of education for technical assistance and
176 training relating to fostering positive school climates, (3) identify best
177 practices for promoting positive school climates, (4) direct resources to
178 support state-wide and local initiatives on issues relating to fostering
179 and improving positive school climates and improving access to social
180 and emotional learning in schools, (5) develop an assessment for
181 screening students in grades three to twelve, inclusive, to determine
182 whether such students are at risk for suicide, (6) develop a biennial state-
183 wide school climate survey, as described in subsection (c) of section 2 of
184 public act 19-166, (7) develop a model positive school climate policy, as

185 described in subsection (a) of section 2 of public act 19-166, (8) develop
186 a plain language explanation of the rights and remedies available under
187 sections 10-4a and 10-4b for distribution to parents and guardians
188 pursuant to subdivision (2) of subsection (c) of section 10-222d, and
189 provide such explanation to each local and regional board of education
190 not later than January 1, 2021, (9) develop school climate survey
191 standards, including, but not limited to, standards for the collection of
192 data on diversity, equity and inclusion and for the reduction in
193 disparities in data collection between school districts, (10) develop a
194 model school climate improvement plan, and [(9)] (11) perform other
195 functions concerning social and emotional learning and fostering
196 positive school climates.

197 Sec. 5. Subsection (a) of section 10-222q of the 2024 supplement to the
198 general statutes, as amended by section 65 of public act 23-167, is
199 repealed and the following is substituted in lieu thereof (*Effective July 1,*
200 *2025*):

201 (a) There is established a social and emotional learning and school
202 climate advisory collaborative. The collaborative shall (1) collect
203 information concerning the school climate improvement efforts of local
204 and regional boards of education, (2) document any needs articulated
205 by local and regional boards of education for technical assistance and
206 training relating to fostering positive school climates, (3) identify best
207 practices for promoting positive school climates, (4) direct resources to
208 support state-wide and local initiatives on issues relating to fostering
209 and improving positive school climates and improving access to social
210 and emotional learning in schools, (5) develop an assessment for
211 screening students in grades three to twelve, inclusive, to determine
212 whether such students are at risk for suicide, (6) develop a biennial state-
213 wide school climate survey, as described in subsection (c) of section 2 of
214 public act 19-166, (7) adopt a Connecticut school climate policy, as
215 defined in section 10-222aa, as amended by this act, (8) develop a plain
216 language explanation of the rights and remedies available under
217 sections 10-4a and 10-4b for distribution to parents and guardians, and
218 provide such explanation to each local and regional board of education

219 not later than January 1, 2021, (9) develop standards for a school climate
220 survey, including, but not limited to, standards for the collection of data
221 on diversity, equity and inclusion and for the reduction in disparities in
222 data collection between school districts, (10) develop a model school
223 climate improvement plan, and [(9)] (11) perform other functions
224 concerning social and emotional learning and fostering positive school
225 climates.

226 Sec. 6. Subdivision (12) of section 10-222aa of the 2024 supplement to
227 the general statutes is repealed and the following is substituted in lieu
228 thereof (*Effective July 1, 2024*):

229 (12) "School climate survey" means a research-based, validated and
230 developmentally appropriate survey administered to students, school
231 employees and families of students, in the predominant languages of
232 the members of the school community, that (A) measures and identifies
233 school climate needs and tracks progress through a school climate
234 improvement plan, and (B) (i) meets the school climate survey standards
235 developed by the social and emotional learning and school climate
236 advisory collaborative, established pursuant to section 10-222q, as
237 amended by this act, or (ii) is the state-wide school climate survey
238 developed by said collaborative.

239 Sec. 7. Subsection (a) of section 10-222hh of the 2024 supplement to
240 the general statutes is repealed and the following is substituted in lieu
241 thereof (*Effective July 1, 2024*):

242 (a) For the school year commencing July 1, 2025, and each school year
243 thereafter, the school climate specialist, as described in section 10-222ee,
244 for each school, in collaboration with the school climate coordinator, as
245 described in section 10-222dd, shall develop, and update as necessary, a
246 school climate improvement plan. Such plan shall be based on the
247 results of the school climate survey, administered pursuant to section
248 10-222gg, any recommendations from the school climate committee, as
249 described in section 10-222ff, the protocols and supports, described in
250 subsection (b) of this section and any other data the school climate
251 specialist and school climate coordinator deemed relevant. Such plan

252 [shall be submitted] may incorporate the model school climate
253 improvement plan developed by the social and emotional learning and
254 school climate advisory collaborative, established pursuant to section
255 10-222q, as amended by this act. The school climate specialist submit
256 such plan to the school climate coordinator for review and approval on
257 or before December thirty-first of each school year. Upon approval of
258 such plan, a written or electronic copy of such plan shall be made
259 available to members of the school community and such plan shall be
260 used in the prevention of, identification of and response to challenging
261 behavior.

262 Sec. 8. Subsection (b) of section 10-222h of the general statutes is
263 repealed and the following is substituted in lieu thereof (*Effective July 1,*
264 *2024*):

265 (b) On or before February 1, 2014, and annually thereafter, the
266 department shall, in accordance with the provisions of section 11-4a,
267 submit a report on the status of its efforts pursuant to this section
268 including, but not limited to, (1) the number of verified acts of bullying
269 in the state, including, but not limited to, the number of such acts
270 directed at a student based on actual or perceived membership in a
271 protected class, (2) an analysis of the responsive action taken by school
272 districts, (3) an analysis of student responses on the uniform grade-level
273 appropriate questions described in subparagraph (A) of subdivision (4)
274 of subsection (a) of this section, and (4) any recommendations it may
275 have regarding additional activities or funding to prevent bullying in
276 schools and improve school climate to the joint standing committees of
277 the General Assembly having cognizance of matters relating to
278 education and children and to the speaker of the House of
279 Representatives, the president pro tempore of the Senate and the
280 majority and minority leaders of the House of Representatives and the
281 Senate.

282 Sec. 9. (NEW) (*Effective July 1, 2024*) The Department of Education
283 shall appoint a director of school climate improvement to serve as the
284 state-wide social and emotional learning and school climate expert. The

285 director of school climate improvement shall (1) assist local and regional
 286 boards of education with the implementation of (A) sections 10-222t to
 287 10-222v, inclusive, and sections 10-222aa to 10-222jj, inclusive, of the
 288 general statutes, as amended by this act, and (B) the Connecticut school
 289 climate policy, as defined in section 10-222aa of the general statutes, as
 290 amended by this act, (2) assist the social and emotional learning and
 291 school climate advisory collaborative, established pursuant to section
 292 10-222q of the general statutes, as amended by this act, in the
 293 development and implementation of tools and best practices related to
 294 school climate and culture, including, but not limited to, the
 295 development of a model school climate survey and a model school
 296 climate improvement plan, (3) provide information and assistance to
 297 local and regional boards of education, students and parents and
 298 guardians of students on the uniform bullying complaint form created
 299 pursuant to section 10-222bb of the general statutes, (4) not later than
 300 January 1, 2026, and annually thereafter, submit a report, in accordance
 301 with the provisions of section 11-4a of the general statutes, to the joint
 302 standing committee of the General Assembly having cognizance of
 303 matters relating to education on recommendations for best practices and
 304 improvement of school climate improvement strategies in this state, (5)
 305 assist school climate coordinators, appointed pursuant to section 10-
 306 222dd of the general statutes, in the development of a continuum of
 307 strategies to prevent, identify and respond to challenging behavior, (6)
 308 develop and provide technical assistance and recommendations, in
 309 collaboration with the social and emotional learning and school climate
 310 advisory collaborative, to local and regional boards of education on
 311 trainings for school employees for the purposes of school climate
 312 improvement, and (7) in collaboration with the social and emotional
 313 learning and school climate advisory collaborative, develop strategies
 314 to improve the delivery of services concerning social and emotional
 315 learning, skills building and mental health supports.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2024	10-233c(g)

Sec. 2	July 1, 2024	10-233h
Sec. 3	July 1, 2024	10-233p
Sec. 4	July 1, 2024	10-222q(a)
Sec. 5	July 1, 2025	10-222q(a)
Sec. 6	July 1, 2024	10-222aa(12)
Sec. 7	July 1, 2024	10-222hh(a)
Sec. 8	July 1, 2024	10-222h(b)
Sec. 9	July 1, 2024	New section

Statement of Legislative Commissioners:

In Section 2(b), "its presentation to the court" was changed to "the presentation of such arrest to the court" for clarity and "and 54-76l, and shall only be disclosed as provided in this section and shall not be further disclosed" was added for consistency.

ED *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 25 \$	FY 26 \$
Judicial Dept. (Probation)	GF - Cost	439,000 - 722,000	139,000 - 277,000
Education, Dept.	GF - Cost	51,500	103,000
State Comptroller - Fringe Benefits ¹	GF - Cost	184,243 - 293,243	96,487 - 151,487

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in significant costs to the state annually beginning in FY 25. It requires: (1) the Judicial Department to provide reports to school superintendents regarding students that have been arrested for certain offenses; and (2) the State Department of Education to appoint a director of school climate improvement. These costs are described in detail below.

Judicial Branch

The bill results in estimated costs to the Judicial Department of between \$439,000 and \$722,000 in FY 25 and between \$139,000 and \$277,000 in FY 26 and annually thereafter. There are corresponding fringe benefits costs of \$163,000 to \$272,000 in FY 25 and \$54,000 to \$109,000 in FY 26 and annually thereafter.

Due to the July 1, 2024 effective date, it is assumed that the Judicial

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.25% of payroll in FY 25.

Department will not have sufficient time to develop a technical solution in the first fiscal year. This results in a higher personnel cost in FY 25 for what is expected to be a highly manual process.² After a technical solution has been produced, it is anticipated that the Judicial Department will be able to reduce personnel costs in FY 26.³

The one-time cost to develop a technical solution is anticipated to be approximately \$14,000 in FY 25.⁴ There are additional one-time costs expected for equipment between \$9,000 to \$15,000 in FY 25.

State Department of Education

The bill results in a cost to SDE of \$51,500 in FY 25 and \$103,000 in FY 26 and annually thereafter. There are corresponding fringe costs of \$21,243 in FY 25 and \$42,487 in FY 26 and annually thereafter. The bill requires SDE to appoint a director of school climate improvement. It is anticipated that SDE will have to hire an employee to fulfill this requirement.

The bill also makes other changes regarding school climate and steps local and regional school districts must take when issuing certain out-of-school suspension. These changes are not expected to increase costs to SDE or to local and regional school districts associated with: (1) the provision of services to students that are arrested or that receive out-of-school suspensions; or (2) administering school climate surveys.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

²The positions required would be for a Juvenile Probation Officer Trainee which has an estimated salary of \$66,000. In FY 25, it is expected that the Judicial Department would need between 6 – 10 positions (\$396,000 - \$666,000 for the salaries and other expenses related to the positions between \$20,000 - \$33,000 in FY 25).

³In FY 26, it is expected that the Judicial Department would require between 2 – 4 positions (\$132,000 - \$264,000 for the salaries and other expenses related to the positions between \$7,000 - \$13,000 in FY 26).

⁴This estimate includes approximately 140 hours of development and testing to create a technical solution for the reports.

OLR Bill Analysis**sSB 380*****AN ACT CONCERNING SCHOOL DISCIPLINE.*****SUMMARY**

This bill makes numerous changes to the laws addressing student suspensions and arrests and school climate efforts in schools.

It includes the following:

1. changes the out-of-school suspension standard for grades preschool to two, inclusive, to evidence showing that the student's conduct on school grounds is behavior that causes serious physical harm rather than of a violent or sexual nature (§ 1);
2. limits out-of-school suspensions for this grade group to no more than two school days (§ 1);
3. changes the range of student ages, from at least seven years of age but less than 21 to at least 10 but less than 21, when police must notify a school superintendent that a student from the superintendent's school district is arrested for certain offenses, and makes other notification changes (§ 2);
4. clarifies that when the school resource officer's (SRO) law enforcement agency does not have a chief of police who is Police Officer Standards and Training Council (POST) certified, then the SRO instead submits the reports to the superintendent (§ 3);
5. allows a school climate specialist to incorporate the model school climate improvement plan into his or her school climate improvement plan, and makes other changes to school climate law (§§ 4-7);

6. requires the State Department of Education's (SDE) annual report on school bullying to include the number of bullying acts directed at students based on the victim being an actual or perceived member of a protected class (§ 8); and
7. creates the new position of statewide school climate improvement director (§ 9).

EFFECTIVE DATE: July 1, 2024, except § 5, which is the same statutory section as § 4, but with a later effective date, is effective July 1, 2025.

§ 1 – STANDARD FOR EARLY GRADES OUT-OF-SCHOOL SUSPENSION

The bill changes the standard for out-of-school suspensions for grades preschool to two, inclusive, to evidence that the student's conduct on school grounds is behavior that causes serious physical harm. Under current law, the standard is conduct of a violent or sexual nature that endangers persons.

Additionally under the bill in order to suspend a student in these grades, the school administration must (1) require that the student receives trauma-informed and developmentally appropriate services that align with any behavioral intervention plan, individualized education program, or Section 504 plan (Rehabilitation Act of 1973), when the student returns to school immediately following the suspension and (2) consider whether to convene a planning and placement team meeting to evaluate whether the student may need special education or related services.

It also limits out-of-school suspensions for this group to no more than two school days. By law, out-of-school suspensions are otherwise no more than 10 consecutive school days.

§ 2 – NOTIFICATION REQUIREMENTS FOLLOWING CERTAIN STUDENT ARRESTS

The bill changes the range of student ages, from at least seven years

of age but less than 21 to at least 10 but less than 21, when police must notify a school superintendent that a student from the superintendent's school district is arrested for certain offenses.

It also makes changes to the offenses that trigger the notification and for one group of offenses, what actor makes the notification.

Under current law, if the student is charged with a felony, a class A misdemeanor, or possession of a facsimile firearm (class B misdemeanor) the arresting law enforcement agency, by the end of the weekday following the arrest, must orally notify the superintendent for the district where the student resides or attends school of the student's identity and the arrest offense. Within 72 hours of the arrest, a written notification must be provided that contains a brief description of the incident.

Notification of Superintendent

The bill creates two groups of crimes by separating possession of a firearm, as defined in federal law, from the above-mentioned crimes and it handles each group's notification requirement differently.

Under the bill, when a student is charged with possession of a firearm, as defined in federal law, on school grounds or at a school-sponsored activity, the notification process is the same as under current law (see above). Under federal law, firearm means (1) any weapon (including a starter gun) which will or is designed to fire a projectile by an explosive action; (2) any firearm muffler or silencer; or (3) any destructive device, which includes any explosive bomb, grenade, or mine.

When a student is charged with possession of a facsimile firearm, a class A misdemeanor, or a felony, other than possession of a firearm, the judicial branch's Court Support Services Division must, upon the arrest being presented to the court, provide a written report of the arrest to the superintendent of the school district in which the student resides or attends school. The report must include, at a minimum, (1) the student's identity, the arrest violation or violations, a brief description of the

incident and, if applicable, the identity of the alleged victim if the victim is another enrolled student, and (2) whether the person's arrest has been diverted to the community-based diversion system, screened, and found to be eligible for nonjudicial handling or dismissed by the court.

Once the superintendent receives either of the reports mentioned above, it must be kept confidential according to state juvenile and youth confidentiality laws and can only be disclosed as provided in this section and shall not be further disclosed.

Allowed Disclosure of the Student Record

As under current law, the superintendent can disclose either type of written report described above to only the principal of the school the student attends or to the principal or supervisory agent (i.e., an administrator) of any other school in which the superintendent knows the person is a student.

The bill maintains the current law requirement for what a principal may do with the report. This includes disclosing the report only to special services staff or a consultant (such as a psychiatrist, psychologist, or social worker) to (1) assess the risk of danger posed by the student to his or herself, other students, school employees, or school property and (2) institute an appropriate change of the student's educational plan or placement, and for disciplinary purposes. The bill includes a new requirement that the student cannot be prevented from attending class before an informal suspension hearing or an expulsion hearing is held.

Expulsion Hearing Prohibited When Student Diverted to Community-Based Diversion System

The bill prohibits holding an informal suspension hearing or expulsion hearing when the written report indicates the student's arrest has been diverted to the community-based diversion system and found eligible for nonjudicial handling or the court dismisses the case.

As under current law, if an expulsion hearing is held, police may testify and give reports if invited to testify by any of certain parties including the school board, the principal, or the student's parents or

guardian.

§ 3 – SRO REPORTS

Current law requires each SRO to give his or her agency’s police chief a report for each investigation or behavioral intervention the SRO conducts within five days after doing so. The law details what must be in the report and requires police chiefs to submit SROs’ reports to their school districts’ superintendents at least monthly.

The bill clarifies that when the SRO’s law enforcement agency does not have a chief of police who is POST certified, then the SRO instead submits the reports to the superintendent. (In some towns, by charter or municipal ordinance, the chief law enforcement officer is the first selectman.)

§§ 4 & 5 – SCHOOL CLIMATE SURVEYS AND CLIMATE IMPROVEMENT PLANS

The bill requires the Social and Emotional Learning and School Climate Advisory Collaborative (i.e., “the collaborative”) to develop a (1) school climate survey standard and (2) model school climate improvement plan. The survey standards must include data collection standards on diversity, equity, and inclusion and how to reduce data collection disparities between school districts.

By law, the collaborative is tasked with numerous activities related to positive school climate including developing a statewide school climate survey and a model positive school climate policy.

§§ 6 & 7 – LOCAL SCHOOL CLIMATE STEPS

Under current law, a “school climate survey” means a research-based, validated, and developmentally appropriate survey for students, school employees, and families of students, in the predominant languages of the school community, that measures and identifies school climate needs and tracks progress through a school climate improvement plan.

The bill adds to this definition the requirement that school climate surveys meet the collaborative survey standards or use the state-wide school climate survey that the collaborative develops.

By law, the school climate specialist has numerous duties at the individual school level. The bill allows a school climate specialist to incorporate the model school climate improvement plan into his or her school climate improvement plan. Unchanged from current law, the school climate specialist must submit the plan to the school district's school climate coordinator for review and approval.

§ 8 – RECORDING ACTS OF BULLYING

By law, SDE must annually report to the Education and Children's committees and legislative leadership on the status of its efforts to address school bullying. The report must include the number of verified bullying acts in the state. The bill additionally requires the report to include the number of bullying acts directed at students based on the bullying victim being an actual or perceived member of a protected class. (Presumably, this means protected class as defined in Connecticut human rights law.)

§ 9 – STATE DIRECTOR OF SCHOOL CLIMATE IMPROVEMENT

The bill requires SDE to appoint a director of school climate improvement to serve as the statewide social and emotional learning and school climate expert. The director is given numerous duties including annually, beginning by January 1, 2026, submitting a report to the Education Committee on recommendations for best practices and school climate improvement strategies in the state.

At the state level, the bill requires the director to:

1. assist the collaborative to develop and implement tools and best practices for school climate and culture, including developing a model school climate survey and a model school climate improvement plan; and

2. in collaboration with the collaborative develop strategies to improve service delivery concerning social and emotional learning, skills building, and mental health supports.

At the local level, the bill requires the director to:

1. assist school boards with implementing the (a) state anti-bullying, school climate, and social and emotional learning policy and requirements and (b) Connecticut school climate policy;
2. provide information and assistance to school boards, students, and parents and guardians of students on the uniform bullying complaint form;
3. assist school climate coordinators (the districtwide school climate official) in developing a continuum of strategies to prevent, identify, and respond to challenging behavior; and
4. develop and provide technical assistance and recommendations, in collaboration with the collaborative, to school boards on school employee trainings for the purposes of school climate improvement.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 31 Nay 13 (03/20/2024)