

Education Committee JOINT FAVORABLE REPORT

Bill No.: SB-380

Title: AN ACT CONCERNING SCHOOL DISCIPLINE.

Vote Date: 3/20/2024

Vote Action: Joint Favorable Substitute

PH Date: 3/13/2024

File No.:

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SPONSORS OF BILL:

Education Committee

Rep. Robin A. Porter, 94th Dist.

Sen. Herron Gaston, 23rd Dist.

Rep. Anthony L. Nolan, 39th Dist.

REASONS FOR BILL:

This bill was raised to address various concerns related to school discipline, including but not limited to: exclusionary disciplinary practices for young students, inconsistent school climate surveys among districts, and acts of bullying directed at student members of various protected classes.

SUBSTITUTE LANGUAGE:

The substitute language for this bill makes three major adjustments. Firstly, it makes a clarification in Sec. 1 that harm must be "serious" physical harm in relation to behavior which qualifies for exclusionary discipline. Secondly, it makes community-based diversion program status a required component of post-arrest reports in Sec. 2 and prohibits an expulsion hearing when a student is in a community-based diversion program and found eligible for nonjudicial handling. Finally, regarding Sec. 3 the substitute language clarifies that behavioral intervention reports written by school resource officers must be sent to the superintendent of schools when the relevant municipality does not have a chief of police who is a POST certified officer.

RESPONSE FROM ADMINISTRATION/AGENCY:

Office of Chief Public Defender, Director of Delinquency Defense and Child Protection, Renee Cimino; supports this bill in general, but is in opposition to Sec. 1 and 2. They suggest that the language in Sec. 1 be modified to include services and protection for all students grades preschool to twelve. They state that the current language provides protections up until grade two but suggest extending this so that all students in public schools have equal access to trauma-informed behavioral intervention plans. Additionally, they suggest that the language in Sec. 2 be modified to include participation in Diversionary Programs when notice of an arrest to the superintendent of schools is precluded.

State of Connecticut, Judicial Branch, External Affairs Division; does not take a position on this bill, yet has some operational concerns related to Sec. 2 of the proposal. They state that this section will require the Judicial Branch's Court Support Services Division to provide, in certain circumstances, a report on the arrest of a juvenile to the superintendent of the relevant school district. They state that providing victim information to a school superintendent may violate confidentiality statutes, especially if the victim in question is also a juvenile.

CT State Department of Education, Commissioner, Charlene Russell-Tucker; provides comment on multiple sections of this bill. Regarding Sec. 1, they suggest that no changes to the relevant statute be made until the School Discipline Collaborative finish their work regarding the language used to permit out of school suspensions. Regarding Sec. 2, they suggest including the district superintendent among the parties that must be notified in the event of a student arrest, so that proper resources can be coordinated for that student's return to school. They express support for Sec. 4. Regarding Sec. 8, they suggest adjusting the current language, as the Department will not be able to ascertain the intent of students exhibiting bullying behavior. Finally, regarding Sec. 9, they state that the Department would require additional resources to fill the position of director of school climate as the funding for such a position was not included in the Governor's budget.

NATURE AND SOURCES OF SUPPORT:

FaithActs, Executive Vice President, Duanecia Clark; expresses support for this bill, stating that school discipline must be fair, developmentally appropriate, and determined by a teaching staff that reflects the student body it serves. They stress that schools cannot implement equitable disciplinary practices without also ensuring teacher and staff diversity.

Private Citizen, Melissa Combs; expresses support for this bill, stating that standardizing school climate surveys and allowing for insights into the experiences of protected classes of students will enhance the previous work of the committee on this issue.

Private Citizen, Lisa De Sousa; expresses support for this bill, stating that schools need real and useful climate surveys that can provide an accurate depiction of what school life is like for students who are part of a protected class.

Connecticut Education Association, President, Kate Dias; supports certain sections of this bill. They express support for Sec. 1 dealing with out of school suspensions, Sec. 4 and 8 dealing with school climate surveys and bullying, and Sec. 9, which establishes a position in the SDE to oversee school climate. They reserve judgement on Sec. 2, suggesting that a

classroom teacher be one of the individuals notified when a student is caught possessing a firearm.

Regional Youth Adult Social Action Partnership, CEO & President, Marc Donald;

supports this bill, stating that it provides essential steps to ensure that all students in Connecticut thrive in more positive school climates which incorporate age-appropriate approaches to disruptive and at-risk behaviors.

Education Reform Now CT, Executive Director, Amy Dowell; expresses strong support for this bill. They state that when children are disruptive in school, it is usually due to their needs not being met. Because of this, they are in strong support of Sec. 1 of this bill, which would ensure that student needs are considered when a student received an out of school suspension. Furthermore, they provide support for Sec. 8 and 9 of this bill.

CT Black and Brown Student Union, Executive Director, Shineika Fareus; expresses general support for this bill, stating that it represents a positive stride towards more equitable educational practices and school systems that prioritize student support and wellbeing over shame and exclusion.

SEEK, Legislative Chair, Andrew Feinstein; expresses support for this bill, yet states that it is only one small step in the right direction. They state that the provisions in this bill certainly will reduce the incidences of out of school suspensions but will not get rid of them entirely. He states that his organization is in support of fully removing exclusionary discipline, and while this bill is a small step in the right direction, it is not enough.

Private Citizen, Timothy Gabriele; supports this bill, providing testimony regarding the School Climate Advisory Collaborative. They state that many students in their town face bullying and harassment based on a protected class. They state that creating a state model for climate improvement will give school administrators the incentive to tackle this issue with proven methodology to back it up.

Radical Advocates for Cross-Cultural Education, Executive Director, Robert Goodrich;

expresses support for this bill, stating that it provides additional clarity, protections, and a more just process for students who may engage in disruptive behavior or are arrested at a young age outside of school. Additionally, they express support for the provision which develops and strengthens diagnostic mechanisms for understanding school climate. They state that this provision will make it possible for schools to conduct more robust equity audits and allow for better planning to address the root causes of systemic inequality.

Racial Advocates for Cross-Cultural Education, Community Organizing Intern, Chenoa Greenlee;

supports this bill, stating that it represents a continued commitment to transparent reporting procedures for students facing disciplinary action, including arrests. They state that it is a rational step towards more equitable educational practices and school systems which center student support and wellbeing rather than shame and exclusion.

Center for Children's Advocacy, Attorney, Marisa Halm; expresses support for Sec. 2 of this bill. They state that this provision will ensure that students are not being unnecessarily pushed out of school for matters that are being handled appropriately through Connecticut's

juvenile justice system. They then provide real world examples of students who would have benefited from the provisions within Sec. 2 of this bill.

School and State Finance Project, Executive Director, Lisa Hammersley; expresses strong support for Sec. 4 - 8 of this legislation. They state that today, schools are required to produce climate surveys, however these surveys vary widely between districts as there is no standardization between them. They state that this bill will mitigate this issue by requiring the Social and Emotional Learning and the School Climate Advisory Collaborative to develop school climate survey standards, ensuring that data across the state is uniform and can be used to make informed decisions regarding school climate in the state.

Student, Naziah Jones; supports this bill. They state that it is unreasonable for children in second grade or lower to face the possibility of out of school suspension for disruptive behavior. They instead suggest that it is more practical to offer restorative disciplinary practices instead of exclusionary ones.

Connecticut Legal Services, Managing Attorney, Agata Lawska; expresses support for this bill and also includes some suggested substitute language. They suggest that children in pre-kindergarten through second grade should not face the possibility of exclusion at all and suggest the implementation of planning and placement teams and trauma informed evaluations instead.

Center for Children's Advocacy, Attorney, Kathryn Meyer; supports this bill, stating that it will ensure that Connecticut reduces the prevalence and eliminates the racial disparity of young children who are suspended from school.

CWCSEO, Children's Policy Analyst, TJ Nuccio; expresses support for this bill, in particular Sec. 4 - 9 They state that these sections will help provide for a more effective educational infrastructure that will allow school to improve their overall school climate. Regarding Sec. 9 specifically, they suggest funding the position of director of school climate on an annual basis.

Connecticut Justice Alliance, Executive Director, Christina Quaranta; expresses strong support for Sec. 1 and 2 of this bill. Regarding Sec. 1, they state that it will address the issue of suspensions of young students in schools, as these suspensions are disproportionately impacting Black and Latino children. For Sec. 2, they state that it will aid in reducing the number of unnecessary and unsubstantiated suspension and expulsion of youth whose matters are otherwise being appropriately handled by the legal system.

Center for Children's Advocacy, Youth Advocates, Gavin Roane & Jordan Wright; express strong support for this bill. They express support for the provision which would remove references to violent and sexual behavior in statute dealing with exclusionary discipline for young students. They state that the current language is out of touch, as young students may not even understand what these types of behaviors are.

National Association of Social Workers, Member, Dr. Gina Rosich; supports this bill. They state that it will provide supports for the development of a model school climate improvement plan that is inclusive of LGBTQ+ student needs and which accurately

documents acts of bullying based on membership in the LGBTQ+ community along with membership in other protected classes.

[CT Voices for Children, Research & Policy Director, Lauren Ruth;](#) expresses strong support for this bill, stating that it would make school discipline practices across the state more fair, transparent, and supportive of positive school climates. They provide relevant data to reinforce their support for various sections of the bill.

[Center for Children's Advocacy, Staff Attorney, Mallory Sanchez;](#) expresses strong support for this bill, stating that it adds to the tools available to districts to implement school climate improvement plans and to accurately collect data on school climate. They state that standardizing school surveys will ensure that all students' experience are being considered and will work towards reducing data disparities between districts.

[Radical Advocates for Cross-Cultural Education, Intern, Alicia Lind-Windham;](#) supports this bill, stating that it represents a significant step forward in fostering positive school climates and promoting student safety. They state that by prioritizing alternative disciplinary measures, promoting social and emotional learning, and fostering data-driven decision making, school climate will improve greatly.

[ACLU Connecticut, Policy Counsel, Jess Zaccagnino;](#) supports this bill. They state that this bill will take steps to address the root necessities for school community wellbeing through methods that do not increase policing.

NATURE AND SOURCES OF OPPOSITION:

[Anonymous;](#) opposes this bill, stating that decisions regarding student discipline should be the cognizance of the local school districts.

[Ellington Public Schools, Superintendent, Dr. Scott Nicol;](#) opposes this bill, expressing concern over the provision dealing with school resource officer reports of student behavioral issues. They state that given the current language of the bill, boards of education may be able to reasonably determine the identity of the student. They state that this is likely a violation of FERPA.

NATURE AND SOURCES OF GENERAL COMMENT:

[CAPSS, Executive Director, Fran Rabinowitz;](#) provides a summary of the provisions within this bill.

[Connecticut Conference of Municipalities, Advocacy Manager, Lindsay Seti;](#) does not take a stance on this bill but expresses concern with Sec. 1. They state that decisions regarding student discipline should be made at the district level, and not mandated through statute.

Reported by: Benjamin Lee

Date: 4/4/24