



Testimony Supporting

S.B. 380: An Act Concerning School Discipline

Education Committee
March 13, 2024

Dear Co-Chairs McCrory and Currey, Ranking Members Berthel and McCarty, and distinguished Members of the Education Committee of the Connecticut General Assembly:

My name is Lauren Ruth, and I am testifying today on behalf of Connecticut Voices for Children (CT Voices), a research-based advocacy organization working to ensure that Connecticut is a thriving and equitable state where all children achieve their full potential.

CT Voices is testifying in **support of S.B. 380: An Act Concerning School Discipline.**

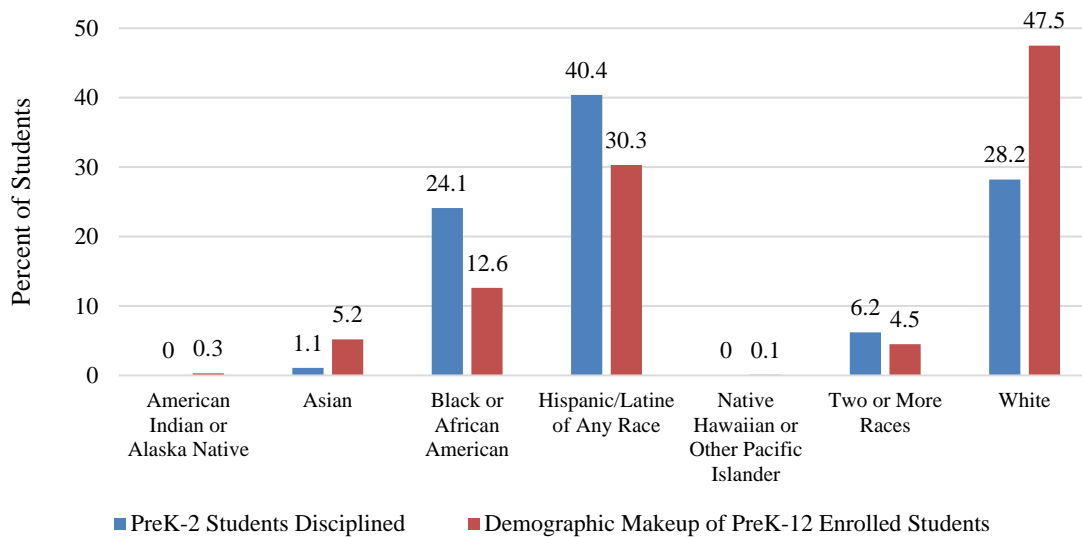
CT Voices supports S.B. 380, which includes numerous provisions that, if passed, would make school discipline practices across the state more fair, transparent, and supportive of positive school climates.

Section 1

Section 1 of S.B. 380 will help to reduce the use of out-of-school exclusionary discipline with very young children (pre-kindergarten through second grade) by restricting the use of these practices to situations in which behaviors cause physical harm, and it would reduce the allowable length of an out-of-school suspension from ten days to two days. When a school decides to issue an out-of-school suspension to a very young child, this bill would require that schools provide trauma-informed and developmentally appropriate services to the child when the child returns to school and consider whether the child may need special education or related services to better support learning and appropriate behavior in the classroom.

We support the changes proposed in Section 1. While Connecticut has significantly reduced the use of suspension and expulsion for very young students following the passage of Public Act No. 15-19, schools have not eliminated this practice. In fact, suspensions and expulsions of children in pre-K through second grade increased by 27 percent during the 2022-23 school year compared to the 2021-2022 school year (753 children versus 594 children, respectively).¹ Racial disparities in the use of exclusionary discipline begins in these earliest years and is evident in Connecticut data.

Racial Disparities in Suspension and Expulsion of PreK-2 Students in SY 2022-23



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Data Source: CT Voices analysis of Connecticut State Department of Education Data available on EdSight.ct.gov

These racial disparities in discipline are not due to Black, Hispanic/Latine, or multi-racial children engaging in more misbehaviors than Asian and White children. Rather, they are largely explained by implicit bias and mismatches in student-teacher race. Groundbreaking work done by Dr. Walter Gilliam and colleagues while he was at the Yale University Child Studies Center used eye-tracking software to detect expected behavior and found that when teachers were prompted to expect misbehavior, they looked first and longest at pictures of Black children, especially Black boys.³ In this same study, Gilliam and colleagues had teachers assign severity ratings to vignettes about children’s misbehaviors. They found that when teacher-student race matched (i.e. White teacher and White student), teachers assigned lower severity ratings. When teacher-student race did not match (i.e. White teacher and Black student), teachers assigned higher severity ratings. When interpreting this study in terms of practical classroom behaviors, we would expect that teachers (most of whom are White in Connecticut) will spend more time looking for misbehaviors in Black children and will punish Black children more harshly due to interpreting misbehaviors as more severe.

While studies establishing the relationship between length of time suspended and academic achievement are limited, there is evidence suggesting that increased length of time spent in suspension is significantly correlated with decreased reading scores,⁴ math scores, and attendance in the current and subsequent years.⁵ For young children in particular, there is evidence that more severe school discipline is associated with increases in acting out behaviors.⁶

Notably, other states are moving toward restricting the use of exclusionary discipline for very young children. In 2017, Texas passed House Bill 674, which bans the use of out-of-school suspension for kindergarten through second-grade students in all cases except those federally mandated—assault, drug possession, and weapon possession. This standard is even stricter than the one being discussed today. Immediately following the passage of H.B. 674, out-of-school suspensions for very young children in Texas fell from 36,475 in 2015-2016 to 7,640 in 2017-2018.⁷

The proposed change in Section 1 of S.B. 380 is an important acknowledgment of the impact of

exclusionary discipline on child development and of the role that child developmental research can play in shaping educational policy and practices. For all these reasons, we support restricting the use of suspensions and expulsions and limiting the length of suspensions to two school days.

Section 2

Section 2 of S.B. 380 will help reduce the possibility of issuing unfair exclusionary discipline for behaviors that occur outside of the school setting. Currently, police departments must report to superintendents when they arrest an enrolled student for various charges. Section 2 would still require that police departments report to superintendents when they arrest an enrolled student for possession of a firearm on school grounds or at a school-sponsored activity, and it would change the reporting body for other criminal charges to the Court Support Services Division of the Judicial Branch. This change helps to ensure that young people are not unfairly subjected to out-of-school suspension or expulsion in response to suspected criminal offenses that they may not have committed, and it is in better alignment with Connecticut's laws protecting the confidentiality of young people under the age of 18.

Moving the reporting of arrests that occur outside of school jurisdiction from the police to the Judicial Branch will not impact the requirements of the Gun Free Schools Act. What it will do is reduce confusion for school districts regarding student arrests and reduce the risk of schools issuing unsubstantiated suspensions and expulsions in reaction to *an arrest* rather than *an adjudication*. Suspensions have a large empirical impact on involvement in the criminal legal system; a study examining 15 years of data found that repeated school removal explained 52 percent of the association between childhood suspension and later arrest.⁸ Thus, policies that reduce unnecessary suspensions and minimize repeat time spent out of school are better for students *and* public safety.

Section 3

Section 3 of S.B. 380 amends the law requiring school resource officers (SROs) to submit reports regarding their investigations and behavioral interventions to the local law enforcement agency chief of police so that in instances where local law enforcement agencies do not have a chief of police, SROs may submit their reports to the school district superintendent.

We support this change, which will facilitate a process whereby LEAs whose police departments do not have a chief of police may still report on the impacts of SRO interventions. It appears as though some districts are struggling to implement P.A. 23-167, which mandates that districts post memoranda of understanding with police departments regarding SROs on the district website and that SROs begin submitting reports regarding investigations and interventions to their chief of police by July 1, 2023. CT Voices has been working with students from the Yale Law School Youth Justice Project to collect and analyze MOUs. We expected to collect MOUs from 59 school districts.⁹ Of the 59 districts that report using an SRO and, therefore, should have an MOU, we were able to collect 17 MOUs posted online and collected 30 MOUs by contacting the district. We anticipate that if school districts and police departments are struggling to *post* MOUs, they are likely also struggling with the new reporting mandate. Creating another method for reporting may help to alleviate at least one problem contributing to these discrepancies.

Sections 4-9

Sections 4-8 of S.B. 380 amend school climate laws in various ways to better support schools and ensure the uniformity of school climate data collection. The bill requires the school climate advisory collaborative to develop climate survey standards and a model school climate improvement plan, allowing the State to compare the information collected from school climate surveys, detect when schools are struggling to

create safe and positive school climates, and assist schools in their efforts to work toward safe and positive school climates. The bill would also require the State Department of Education (SDE) to report on verified acts of bullying based on actual or perceived membership in a protected class.

We support efforts to ensure that school climate surveys are helpful to schools, districts, and the State. Until there is greater uniformity across survey questions and collection methods, these surveys provide little meaning and are not useful for identifying and utilizing the best practices of schools that display high student and parent satisfaction. Additionally, we support increasing transparency surrounding school bullying data, and we do not anticipate reporting these data to cause districts and SDE too much additional trouble. SDE must already report data regarding reported bullying or harassment based upon race, gender, and disability to the Federal Civil Rights Data Collection as well as data regarding sanctions due to bullying or harassment based upon race, gender, and disability. Reporting these data on EdSight would ensure current and yearly reporting of data (as opposed to every-other-year).

Finally, section 9 of S.B. 380 creates the position of a director of school climate improvement within SDE to work with the school climate advisory collaborative to carry out these mandates.

Connecticut Voices for Children urges the committee to pass S.B. 380: An Act Concerning School Discipline. We believe the policies within S.B. 380 will help to make school discipline fairer and more transparent while contributing to safer, happier schools.

Thank you for your time and consideration.

Sincerely,

Lauren Ruth, Ph.D.
Research & Policy Director
Connecticut Voices for Children

¹ CT Voices analysis of data from the 2022-23 Report on Student Discipline in Connecticut Public Schools, page 12. Connecticut State Department of Education. "2022-23 Report on Student Discipline in Connecticut Public Schools." *Report to the Connecticut General Assembly Pursuant CGS 10-223n*, (2024, February).
https://edsight.ct.gov/relatedreports/SchoolDiscipline_BoardReport_2022-23.pdf

² CT Voices analysis of data from the 2022-23 Report on Student Discipline in Connecticut Public Schools, page 12. PreK-12 overall student demographic data calculated from 2022-23 enrollment data listed on EdSight.ct.gov. Connecticut State Department of Education. "2022-23 Report on Student Discipline in Connecticut Public Schools." *Report to the Connecticut General Assembly Pursuant CGS 10-223n*, (2024, February).
https://edsight.ct.gov/relatedreports/SchoolDiscipline_BoardReport_2022-23.pdf

³ Gilliam, Walter S., Angela N. Maupin, Chin R. Reyes, Maria Accavitti, and Frederick Shic. "Do early educators' implicit biases regarding sex and race relate to behavior expectations and recommendations of preschool expulsions and suspensions." *Yale University Child Study Center* 9, no. 28 (2016): 1-16.
https://www.jsums.edu/scholars/files/2017/03/Preschool-Implicit-Bias-Policy-Brief_final_9_26_276766_5379.pdf

⁴ Arcia, Emily. "Achievement and enrollment status of suspended students: Outcomes in a large, multicultural school district." *Education and urban society* 38, no. 3 (2006): 359-369.
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⁵ LiCalsi, Christina, David Osher, and Paul Bailey. "An empirical examination of the effects of suspension and suspension severity on behavioral and academic outcomes." *American Institutes for Research* (2021): 2021-08.
<https://www.cmhnetwork.org/wp-content/uploads/2021/09/NYC-Suspension-Effects-Behavioral-Academic-Outcomes-August-2021.pdf>

⁶ LiCalsi, Christina, David Osher, and Paul Bailey. "An empirical examination of the effects of suspension and suspension severity on behavioral and academic outcomes." *American Institutes for Research* (2021): 2021-08.

<https://www.cmhnetwork.org/wp-content/uploads/2021/09/NYC-Suspension-Effects-Behavioral-Academic-Outcomes-August-2021.pdf>

⁷ Texans Care for Children. "Report: TX schools still suspending many Prek – 2nd graders, but out-of-school suspensions dropped sharply." (2019, August 28). <https://txchildren.org/posts/2019/8/27/report-tx-schools-still-suspending-many-pre-k-2nd-graders-but-out-of-school-suspensions-dropped-sharply#:~:text=That%20legislation%20prohibits%20out%2Dof,while%20keeping%20children%20in%20class>.

⁸ Mittleman, Joel. "A downward spiral? Childhood suspension and the path to juvenile arrest." *Sociology of education* 91, no. 3 (2018): 183-204.

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⁹ Sullivan, Marybeth. "School resource officers." *Office of Legislative Research Report*, (2022, December 8). 2022-R-0265. <https://www.cga.ct.gov/2022/rpt/pdf/2022-R-0265.pdf>