



General Assembly

Amendment

January Session, 2019

LCO No. 9755



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.

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) monitor the school climate
6 improvement efforts of local and regional boards of education, (2)
7 document any needs articulated by local and regional boards of
8 education for technical assistance and training relating to fostering
9 positive school climates, (3) identify best practices for promoting
10 positive school climates, (4) direct resources to support state-wide and
11 local initiatives on issues relating to fostering and improving positive
12 school climates and improving access to social and emotional learning
13 in schools, (5) develop an assessment for screening students in grades
14 three to twelve, inclusive, to determine whether such students are at

15 risk for suicide, (6) develop a biennial state-wide school climate
16 survey, as described in subsection (c) of section 2 of this act, (7)
17 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, 2020, 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) Four 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 representative of
32 the Connecticut Association of Public School Superintendents; and one
33 of whom is a representative of Greater Hartford Legal Aid;

34 (2) Four appointed by the president pro tempore of the Senate, one
35 of whom is a representative of the Connecticut Association of Schools,
36 one of whom is a representative of the Connecticut Association of
37 School Administrators; one of whom is a representative of the Social
38 Emotional Learning Alliance for Connecticut; and one of whom is a
39 representative of the Connecticut School Counselor Association;

40 (3) Three appointed by the majority leader of the House of
41 Representatives, one of whom is a representative of Special Education
42 Equity for Kids of Connecticut, one of whom is a representative of the
43 Connecticut Parent Advocacy Center and one of whom is a
44 representative of African Caribbean American Parents of Children
45 with Disabilities, Inc.;

46 (4) Three appointed by the majority leader of the Senate, one of

47 whom is a representative of the Center for Children's Advocacy, one of
48 whom is a representative of the Yale Center for Emotional Intelligence
49 and one of whom is a representative of the Neag School of Education
50 at The University of Connecticut;

51 (5) Three appointed by the minority leader of the House of
52 Representatives, one of whom is a representative of the American
53 Federation of Teachers-Connecticut, one of whom is a representative of
54 the Center for Social and Emotional Learning at Central Connecticut
55 State University and one of whom is a representative of the
56 Connecticut Parent Teacher Association;

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

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

64 (8) The chairpersons and ranking members of the joint standing
65 committees of the General Assembly having cognizance of matters
66 relating to children and education;

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

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

70 (c) All appointments to the collaborative shall be made not later
71 than thirty days after the effective date of this section. Any vacancy
72 shall be filled by the appointing authority.

73 (d) The cochairpersons of the collaborative shall be the executive
74 director of the Commission on Women, Children and Seniors, or the
75 executive director's designee, and a cochairperson elected from among
76 the members. The first meeting of the collaborative shall be held not

77 later than sixty days after the effective date of this section.

78 (e) The staff of the Commission on Women, Children and Seniors
79 shall serve as administrative staff of the collaborative.

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

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

101 (b) Not later than July 1, 2020, the social and emotional learning and
102 school climate advisory collaborative established pursuant to section 1
103 of this act shall submit the assessment it developed pursuant to section
104 1 of this act for screening students at risk for suicide and
105 recommendations for implementation of such assessment in public
106 elementary, middle and high schools to the joint standing committees
107 of the General Assembly having cognizance of matters relating to
108 children and education, in accordance with the provisions of section

109 11-4a of the general statutes.

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

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

140 Sec. 3. Section 10-222d of the general statutes is repealed and the
141 following is substituted in lieu thereof (*Effective July 1, 2020*):

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

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

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

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

174 (4) "Mobile electronic device" means any hand-held or other
175 portable electronic equipment capable of providing data
176 communication between two or more individuals, including, but not
177 limited to, a text messaging device, a paging device, a personal digital
178 assistant, a laptop computer, equipment that is capable of playing a
179 video game or a digital video disk, or equipment on which digital
180 images are taken or transmitted;

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

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

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

192 (8) "School employee" means (A) a teacher, substitute teacher,
193 school administrator, school superintendent, guidance counselor,
194 school counselor, psychologist, social worker, nurse, physician, school
195 paraprofessional or coach employed by a local or regional board of
196 education or working in a public elementary, middle or high school; or
197 (B) any other individual who, in the performance of his or her duties,
198 has regular contact with students and who provides services to or on
199 behalf of students enrolled in a public elementary, middle or high
200 school, pursuant to a contract with the local or regional board of
201 education; [and]

202 (9) "School climate" means the quality and character of school life
203 [with a particular focus on the quality of the relationships within the
204 school community between and among students and adults] based on
205 patterns of students', parents' and guardians' and school employees'

206 experiences of school life, including, but not limited to, norms, goals,
207 values, interpersonal relationships, teaching and learning practices and
208 organizational structures;

209 (10) "Positive school climate" means a school climate in which (A)
210 the norms, values, expectations and beliefs that support feelings of
211 social, emotional and physical safety are promoted, (B) students,
212 parents and guardians of students and school employees feel engaged
213 and respected and work together to develop and contribute to a shared
214 school vision, (C) educators model and nurture attitudes that
215 emphasize the benefits and satisfaction gained from learning, and (D)
216 each person feels comfortable contributing to the operation of the
217 school and care of the physical environment of the school;

218 (11) "Emotional intelligence" means the ability to (A) perceive,
219 recognize and understand emotions in oneself or others, (B) use
220 emotions to facilitate cognitive activities, including, but not limited to,
221 reasoning, problem solving and interpersonal communication, (C)
222 understand and identify emotions, and (D) manage emotions in
223 oneself and others; and

224 (12) "Social and emotional learning" means the process through
225 which children and adults achieve emotional intelligence through the
226 competencies of self-awareness, self-management, social awareness,
227 relationship skills and responsible decision-making.

228 (b) Each local and regional board of education shall develop and
229 implement a safe school climate plan to address the existence of
230 bullying and teen dating violence in its schools. Such plan shall: (1)
231 Enable students to anonymously report acts of bullying to school
232 employees and require students and the parents or guardians of
233 students to be notified at the beginning of each school year of the
234 process by which students may make such reports, (2) enable the
235 parents or guardians of students to file written reports of suspected
236 bullying, (3) require school employees who witness acts of bullying or
237 receive reports of bullying to orally notify the safe school climate

238 specialist, described in section 10-222k, or another school administrator
239 if the safe school climate specialist is unavailable, not later than one
240 school day after such school employee witnesses or receives a report of
241 bullying, and to file a written report not later than two school days
242 after making such oral report, (4) require the safe school climate
243 specialist to investigate or supervise the investigation of all reports of
244 bullying and ensure that such investigation is completed promptly
245 after receipt of any written reports made under this section and that
246 the parents or guardians of the student alleged to have committed an
247 act or acts of bullying and the parents or guardians of the student
248 against whom such alleged act or acts were directed receive prompt
249 notice that such investigation has commenced, (5) require the safe
250 school climate specialist to review any anonymous reports, except that
251 no disciplinary action shall be taken solely on the basis of an
252 anonymous report, (6) include a prevention and intervention strategy,
253 as defined by section 10-222g, for school employees to deal with
254 bullying and teen dating violence, (7) provide for the inclusion of
255 language in student codes of conduct concerning bullying, (8) require
256 each school to notify the parents or guardians of students who commit
257 any verified acts of bullying and the parents or guardians of students
258 against whom such acts were directed not later than forty-eight hours
259 after the completion of the investigation described in subdivision (4) of
260 this subsection (A) of the results of such investigation, and (B) verbally
261 and by electronic mail, if such parents' or guardians' electronic mail
262 addresses are known, that such parents or guardians may refer to the
263 plain language explanation of the rights and remedies available under
264 sections 10-4a and 10-4b published on the Internet web site of the local
265 or regional board of education pursuant to section 4 of this act, (9)
266 require each school to invite the parents or guardians of a student
267 against whom such act was directed to a meeting to communicate to
268 such parents or guardians the measures being taken by the school to
269 ensure the safety of the student against whom such act was directed
270 and policies and procedures in place to prevent further acts of
271 bullying, (10) require each school to invite the parents or guardians of
272 a student who commits any verified act of bullying to a meeting,

273 separate and distinct from the meeting required in subdivision (9) of
274 this subsection, to discuss specific interventions undertaken by the
275 school to prevent further acts of bullying, (11) establish a procedure for
276 each school to document and maintain records relating to reports and
277 investigations of bullying in such school and to maintain a list of the
278 number of verified acts of bullying in such school and make such list
279 available for public inspection, and annually report such number to the
280 Department of Education, and in such manner as prescribed by the
281 Commissioner of Education, (12) direct the development of case-by-
282 case interventions for addressing repeated incidents of bullying
283 against a single individual or recurrently perpetrated bullying
284 incidents by the same individual that may include both counseling and
285 discipline, (13) prohibit discrimination and retaliation against an
286 individual who reports or assists in the investigation of an act of
287 bullying, (14) direct the development of student safety support plans
288 for students against whom an act of bullying was directed that address
289 safety measures the school will take to protect such students against
290 further acts of bullying, (15) require the principal of a school, or the
291 principal's designee, to notify the appropriate local law enforcement
292 agency when such principal, or the principal's designee, believes that
293 any acts of bullying constitute criminal conduct, (16) prohibit bullying
294 (A) on school grounds, at a school-sponsored or school-related activity,
295 function or program whether on or off school grounds, at a school bus
296 stop, on a school bus or other vehicle owned, leased or used by a local
297 or regional board of education, or through the use of an electronic
298 device or an electronic mobile device owned, leased or used by the
299 local or regional board of education, and (B) outside of the school
300 setting if such bullying (i) creates a hostile environment at school for
301 the student against whom such bullying was directed, or (ii) infringes
302 on the rights of the student against whom such bullying was directed
303 at school, or (iii) substantially disrupts the education process or the
304 orderly operation of a school, (17) require, at the beginning of each
305 school year, each school to provide all school employees with a written
306 or electronic copy of the school district's safe school climate plan, and
307 (18) require that all school employees annually complete the training

308 described in section 10-220a or section 10-222j. The notification
309 required pursuant to subdivision (8) of this subsection and the
310 invitation required pursuant to subdivision (9) of this subsection shall
311 include a description of the response of school employees to such acts
312 and any consequences that may result from the commission of further
313 acts of bullying.

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

325 (d) On and after July 1, 2012, and biennially thereafter, each local
326 and regional board of education shall require each school in the district
327 to complete an assessment using the school climate assessment
328 instruments, including surveys, approved and disseminated by the
329 Department of Education pursuant to section 10-222h. Each local and
330 regional board of education shall collect the school climate assessments
331 for each school in the district and submit such school climate
332 assessments to the department.

333 Sec. 4. (NEW) (*Effective July 1, 2019*) Not later than June 30, 2020,
334 each local and regional board of education shall publish on the Internet
335 web site of such board the plain language explanation of the rights and
336 remedies available under sections 10-4a and 10-4b provided pursuant
337 to subsection (a) of section 1 of this act.

338 Sec. 5. (NEW) (*Effective July 1, 2019*) Each local and regional board of
339 education, in consultation with the Department of Education and the

340 social and emotional learning and school climate advisory
 341 collaborative established pursuant to section 1 of this act, shall provide
 342 on the Internet web site of the department training materials to school
 343 administrators regarding the prevention of and intervention in
 344 discrimination against and targeted harassment of students based on
 345 such students' (1) actual or perceived differentiating characteristics,
 346 such as race, color, religion, ancestry, national origin, gender, sexual
 347 orientation, gender identity or expression, socioeconomic status,
 348 academic status, physical appearance or mental, physical,
 349 developmental or sensory disability, or (2) association with individuals
 350 or groups who have or are perceived to have one or more of such
 351 characteristics. Such training materials may be developed in
 352 consultation with or provided by one or more organizations offering
 353 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, 2020</i>	10-222d
Sec. 4	<i>July 1, 2019</i>	New section
Sec. 5	<i>July 1, 2019</i>	New section