



TESTIMONY OF THE CENTER FOR CHILDREN'S ADVOCACY:

**HB 7110: AN ACT CONCERNING ENHANCED CLASSROOM SAFETY
AND SCHOOL CLIMATE**

**February 22, 2019
Education Committee**

Good morning Chairman McCrory and Chairman Sanchez, Vice Chair Abrams, Vice Chair Barry and members of the Education Committee. This testimony is submitted on behalf of the Center for Children's Advocacy (CCA), a non-profit organization affiliated with University of Connecticut School of Law concerning **HB 7110: An Act Concerning Enhanced Classroom Safety and School Climate**.

CCA provides holistic legal services to Connecticut's poorest and most vulnerable children through both individual representation and systemic advocacy. Through our Juvenile Justice, Educational Success, and Racial Justice Projects, CCA provides individual representation to youth at risk of or already in the juvenile justice system and collaborates with public defenders, probation officers, and other service providers to improve overall outcomes by protecting children's educational legal rights. Through our Racial Justice Project, we run Racial and Ethnic Disparities (RED) Reduction Projects in Hartford, Bridgeport, New Haven, and Waterbury, where we work with local stakeholders to develop strategies to reduce the disproportionate representation of youth of color in our juvenile justice system. CCA also plays a role in shaping juvenile justice policy through our membership on the Juvenile Justice Policy & Oversight Committee (JJPOC). Finally, CCA co-chairs a policy advocacy committee focused on the social-emotional health of our youngest learners, along with the Office of the Child Advocate, called "Setting Young Children Up for Success."¹

HB 7110 is an improved version of the 2018 Classroom Safety bill that Governor Malloy vetoed in May 2018. CCA strongly supported such a veto. While the intent of the bill was well-meaning—to provide teachers with independent decision making in situations where their students are exhibiting "injurious" behaviors—the original bill contravened federal laws that protects and provides services for students with disabilities (IDEA), and that protects a student's privacy rights (FERPA). We also cautioned that this bill would exacerbate the racial and ethnic

¹ We held a legislative forum on this topic and wrote a policy brief with suggestions for supporting this population which can be found at: <https://cca-ct.org/wp-content/uploads/2018/05/Setting-Young-Children-Up-for-Success-Policy-Brief-Feb-2018.pdf>

disproportionality that already exists in classroom removal (which is even more pronounced in the younger grades) by creating the enhanced ability for teachers to legally remove students from the classroom.

As a result of the Governor's veto, the State Department of Education convened a workgroup to revise the legislation, of which we were part. As a result, our feedback on H.B. 7110 is focused on making key revisions to the raised bill rather than outright opposition. But our support is conditioned upon these critical points:

1. We must either remove or much more clearly define the language mandating classroom removal for situations involving the "clearing of the classroom" (lines 9-11). This language is extremely subjective and vague in nature and will inadvertently lead to unnecessary classroom removals based on an individual teacher's own interpretation of a situation.
2. We must ***require*** "access to appropriate professional staff, therapeutic resources, instructional materials and technology, and any other resources conducive to addressing the temporary needs of such student" when a child is removed from the classroom (lines 32-25). The raised bill makes these resources optional to provide. Staff with professional training to de-escalate targeted behaviors and resources to ensure removed students have access to missed classwork and classroom time are essential to make this bill meaningful.
3. We must ***require*** "therapeutic supports, restorative practices, protocols and support...trauma-informed instruction, or strategies to improve the school climate" (lines 39-42). The raised bill also makes these resources optional. These elements are essential tools in promoting classroom safety and a school environment. We cannot make these tools optional to implement if our aim is to educate, and not punish, the students involved in these incidents.
4. Compliance with IDEA, (along with Section 504 and FERPA) is noted in the raised bill, but we need to underscore the necessity of adherence to "Child find" in order to ensure that at-risk regular education students are not repeatedly targeted by the subjective provisions in this bill without school staff making appropriate referrals for evaluations. We recommend adding language that refers to Child find and its legal requirements mandating special education referral and evaluation for students experiencing repeated discipline and removal, as required by federal and state law.

We are respectful of the process that the bill's creators have undergone, and we appreciate that a variety of stakeholders have been heard on this issue. However, we believe that these amendments are necessary to protect the legal rights of our state's most marginalized students who will most be affected by this legislation. These students include our youngest preschool through early elementary children, kids who are involved in the juvenile justice and child welfare systems, children with trauma backgrounds and poverty-related medical issues, and all children of color who are overly represented in school discipline numbers.

For these reasons, we conditionally support the raised bill, and we recommend the above suggested revisions to guarantee the safety of both staff and students through therapeutic prevention and intervention resources. Only then will we reach the desired outcomes of safer classrooms, more positive school climate, and thriving educational outcomes.

Thank you for your time and consideration. Please do not hesitate to contact our office with any questions or concerns.

Respectfully submitted,

/s/

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