



Substitute House Bill No. 7215

Public Act No. 19-166

AN ACT CONCERNING SCHOOL CLIMATES.

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

Section 1. (NEW) (*Effective from passage*) (a) There is established a social and emotional learning and school climate advisory collaborative. The collaborative shall (1) collect information concerning the school climate improvement efforts of local and regional boards of education, (2) document any needs articulated by local and regional boards of education for technical assistance and training relating to fostering positive school climates, (3) identify best practices for promoting positive school climates, (4) direct resources to support state-wide and local initiatives on issues relating to fostering and improving positive school climates and improving access to social and emotional learning in schools, (5) develop an assessment for screening students in grades three to twelve, inclusive, to determine whether such students are at risk for suicide, (6) develop a biennial state-wide school climate survey, as described in subsection (c) of section 2 of this act, (7) develop a model positive school climate policy, as described in subsection (a) of section 2 of this act, (8) develop a plain language explanation of the rights and remedies available under sections 10-4a and 10-4b of the general statutes for distribution to parents and guardians pursuant to subdivision (2) of subsection (c) of section 10-

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222d of the general statutes, as amended by this act, and provide such explanation to each local and regional board of education not later than January 1, 2021, and (9) perform other functions concerning social and emotional learning and fostering positive school climates.

(b) The collaborative shall consist of the following members:

(1) Five appointed by the speaker of the House of Representatives, one of whom is a member of the Juvenile Justice Policy and Oversight Committee, established pursuant to section 46b-121n of the general statutes; one of whom is a representative of the Connecticut Association of Boards of Education; one of whom is a school administrator with experience in district-level, equity-focused and cross-disciplinary social and emotional learning; one of whom is a representative of an organization that provides free or reduced-cost legal services; and one of whom is a representative of Connecticut Parent Power;

(2) Five appointed by the president pro tempore of the Senate, one of whom is a representative of the Connecticut Association of Schools; one of whom is a representative of the Connecticut Association of School Administrators; one of whom is a representative of the Social Emotional Learning Alliance for Connecticut; one of whom is a representative of the Connecticut School Counselor Association; and one of whom is a representative of the Connecticut Association of Public School Superintendents;

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

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(4) Three appointed by the majority leader of the Senate, one of whom is a representative of the Center for Children's Advocacy; one of whom is a representative of the Yale Center for Emotional Intelligence; and one of whom is a representative of the Neag School of Education at The University of Connecticut;

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

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

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

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

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

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

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

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(d) The cochairpersons of the collaborative shall be the executive director of the Commission on Women, Children and Seniors, or the executive director's designee, and a cochairperson elected from among the members. The first meeting of the collaborative shall be held not later than sixty days after the effective date of this section.

(e) The collaborative may designate subcommittees and advisory groups to carry out its functions, provided any subcommittees so designated shall be comprised of members of the collaborative.

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

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

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

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act.

(b) Not later than July 1, 2020, the social and emotional learning and school climate advisory collaborative established pursuant to section 1 of this act shall submit the assessment it developed pursuant to section 1 of this act for screening students at risk for suicide and recommendations for implementation of such assessment in public elementary, middle and high schools to the joint standing committees of the General Assembly having cognizance of matters relating to children and education, in accordance with the provisions of section 11-4a of the general statutes.

(c) Not later than July 1, 2021, the social and emotional learning and school climate advisory collaborative established pursuant to section 1 of this act shall develop a biennial state-wide school climate survey and provide such survey to the Department of Education. Such survey shall be designed to obtain confidential information from school employees and the parents and guardians of students concerning such employees' and parents' and guardians' impressions of the school climate at the school for which such school employees are assigned or such parents' and guardians' children are enrolled. Such survey shall inquire as to, but need not be limited to, such school employees' and parents' and guardians' impressions of (1) the student learning environment at the school, including academic supports and resources available to students and school safety, (2) communication by school employees to parents and guardians concerning students, (3) the teaching environment at the school, which includes resources, support and professional development for school employees, leadership within the school and the availability of collaborative planning time, (4) whether a positive school climate exists at the school, (5) whether individuals of all races, ethnicities and cultural backgrounds feel welcomed at the school, and (6) the availability of supports and strategies for the development and retention of teachers and

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administrators, including, but not limited to, minority teachers and administrators, school psychologists and school counselors, and suggestions for increasing the availability of such supports and strategies.

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

Sec. 3. Section 10-222d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

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

(1) "Bullying" means [(A) the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district, or (B) a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that: (i) Causes physical or emotional harm to such student or damage to such student's property, (ii) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property, (iii) creates a hostile environment at school for such student, (iv) infringes on the rights of such student at school, or (v) substantially disrupts the education process or the orderly operation of a school] an act that is direct or indirect and severe, persistent or pervasive, which (A) causes physical or emotional harm to an individual, (B) places an individual in reasonable fear of physical or emotional harm, or (C) infringes on the rights or opportunities of an individual at school. "Bullying" shall include, but need not be limited to, a written, oral or electronic communication or physical act or

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gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics;

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

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

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

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

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

(7) "Outside of the school setting" means at a location, activity or

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program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education;

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

(9) "School climate" means the quality and character of school life [with a particular focus on the quality of the relationships within the school community between and among students and adults.] based on patterns of students', parents' and guardians' and school employees' experiences of school life, including, but not limited to, norms, goals, values, interpersonal relationships, teaching and learning practices and organizational structures;

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

(11) "Emotional intelligence" means the ability to (A) perceive,

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recognize and understand emotions in oneself or others, (B) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem solving and interpersonal communication, (C) understand and identify emotions, and (D) manage emotions in oneself and others; and

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

(b) Each local and regional board of education shall develop and implement a safe school climate plan to address the existence of bullying and teen dating violence in its schools. Such plan shall: (1) Enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified at the beginning of each school year of the process by which students may make such reports, (2) enable the parents or guardians of students to file written reports of suspected bullying, (3) require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, described in section 10-222k, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report, (4) require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section and that the parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced, (5) require the safe

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school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report, (6) include a prevention and intervention strategy, as defined by section 10-222g, for school employees to deal with bullying and teen dating violence, (7) provide for the inclusion of language in student codes of conduct concerning bullying, (8) require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation described in subdivision (4) of this subsection (A) of the results of such investigation, and (B) verbally and by electronic mail, if such parents' or guardians' electronic mail addresses are known, that such parents or guardians may refer to the plain language explanation of the rights and remedies available under sections 10-4a and 10-4b published on the Internet web site of the local or regional board of education pursuant to section 4 of this act, (9) require each school to invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place to prevent further acts of bullying, (10) require each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting required in subdivision (9) of this subsection, to discuss specific interventions undertaken by the school to prevent further acts of bullying, (11) establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education, and in such manner as prescribed by the Commissioner of Education, (12) direct the development of case-by-case interventions for addressing repeated incidents of bullying

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against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline, (13) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying, (14) direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying, (15) require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct, (16) prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, or (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school, (17) require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan, and (18) require that all school employees annually complete the training described in section 10-220a or section 10-222j. The notification required pursuant to subdivision (8) of this subsection and the invitation required pursuant to subdivision (9) of this subsection shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying.

(c) Not later than September 1, 2014, each local and regional board

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of education that has not had a safe school climate plan, developed pursuant to this section, previously reviewed and approved by the Department of Education shall submit a safe school climate plan to the department for review and approval in accordance with the provisions of section 10-222p. Not later than thirty calendar days after approval by the department of such safe school climate plan, the board shall make such plan available on the board's and each individual school in the school district's Internet web site and ensure that such plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

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

Sec. 4. (NEW) (*Effective July 1, 2019*) Not later than June 30, 2021, each local and regional board of education shall publish on the Internet web site of such board the plain language explanation of the rights and remedies available under sections 10-4a and 10-4b of the general statutes provided pursuant to subsection (a) of section 1 of this act.

Sec. 5. (NEW) (*Effective July 1, 2019*) Each local and regional board of education, in consultation with the Department of Education and the social and emotional learning and school climate advisory collaborative established pursuant to section 1 of this act, shall provide on the Internet web site of the department training materials to school administrators regarding the prevention of and intervention in discrimination against and targeted harassment of students based on such students' (1) actual or perceived differentiating characteristics,

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such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance or mental, physical, developmental or sensory disability, or (2) association with individuals or groups who have or are perceived to have one or more of such characteristics. Such training materials may be developed in consultation with or provided by one or more organizations offering training on identifying, preventing and intervening in discrimination.

Approved July 8, 2019