

Legislative History for Connecticut Act

PA 14-229

SB477

House	6959-6962	4
Senate	835-843, 872-873	11
<u>Education</u>	<u>1201-1203</u>	<u>3</u>
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2014**

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Thank you, Mr. Speaker.

Through you, Mr. Speaker, to the proponent of the bill, a few clarifying questions.

DEPUTY SPEAKER BERGER:

Please proceed, ma'am.

REP. REBIMBAS (70th):

Thank you, Mr. Speaker.

Through you, Mr. Speaker, I believe there's a fiscal note associated with the legislation that's before us, potentially regarding the DMV, if the Representative would be able to highlight what the additional costs will be.

Through you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Representative Fox.

REP. FOX (146th):

And through you, Mr. Speaker, yes, there is a potential fiscal note. The -- it would not take place in this, the upcoming fiscal year but it would in future years. And it is, it goes with the Department of Motor Vehicle would -- I mean they're estimating about eighty-something thousand, as well as the State Comptroller may estimate somewhere around 30,000. The Motor Vehicle Department they -- they -- is a section

here that says up to 650,000; however, it is hoped that that would be something that could be absorbed within the department, because though we are making other changes in the bill, that will hopefully make it easier for them to manage these operations.

DEPUTY SPEAKER BERGER:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Mr. Speaker.

Through you, Mr. Speaker, and I believe there's also the DMV is proposing in the, in the legislation before us a fee be prior to the installation of these devices, an administrative fee. I believe that's a hundred dollars; is that correct? And, through you, would that also try to offset the expenses that DMV foresees in having in the implementation of this legislation?

Through you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Representative Fox.

REP. FOX (146th):

And through you, Mr. Speaker, yes.

DEPUTY SPEAKER BERGER:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Mr. Speaker.

And because we acknowledge that there's going to be an increase of these devices because now it's extended to first-time offenders as well, through you, Mr. Speaker, what is the cost associated with the device and is that borne on the individual that is going to have it installed in their vehicle?

Through you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Representative Fox.

REP. FOX (146th):

Through you, Mr. Speaker, the -- the prices that I have -- have heard are between 70 to maybe \$95 per month. And, yes, it would be borne upon the individual using it.

DEPUTY SPEAKER BERGER:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Mr. Speaker.

And through you, Mr. Speaker, is there anything in this legislation that would require the individual to put it on multiple vehicles or if the representation is that there's one, primary vehicle

that the person drives, that it only needs to be that one vehicle?

Through you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Representative Fox.

REP. FOX (146th):

Through you, Mr. Speaker, it would be the primary vehicle.

DEPUTY SPEAKER BERGER:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Mr. Speaker.

And through you, Mr. Speaker, does this legislation allow any individual who has a commercial license to install the device on a commercial vehicle?

Through you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Representative Fox.

REP. FOX (146th):

Through you, Mr. Speaker, I -- excuse me. If I could, through you, Mr. Speaker, I believe it does.

DEPUTY SPEAKER BERGER:

Representative Rebimbas.

REP. REBIMBAS (70th):

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mentioned through Senator Fasano's as well as this legislation. So I do appreciate everyone's support.

And if there are no objections, Madam President, I would move to place this item on Consent.

THE CHAIR:

Seeing no objection, so ordered, sir.

Mr. Clerk.

THE CLERK:

On page 17, Calendar 255, Substitute for Senate Bill Number 477, AN ACT CONCERNING THE EXPUNGEMENT OF A PUPIL'S CUMULATIVE EDUCATION RECORD FOR CERTAIN EXPULSIONS; Favorable Report of the Committee on Education, and there are amendments.

THE CHAIR:

Good afternoon, Senator Stillman; so good to see you.

SENATOR STILLMAN:

Good afternoon, Madam President; good to see you, as well. Welcome back.

THE CHAIR:

Thank you.

SENATOR STILLMAN:

We missed you.

THE CHAIR:

I'm glad to be back.

SENATOR STILLMAN:

Thank you.

I move the joint committee's Favorable Report and passage of the bill.

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THE CHAIR:

The motion is on acceptance and passage. Will you remark?

SENATOR STILLMAN:

Yes; thank you.

The bill allows local or regional boards of education to erase an expulsion from a student's cumulative educational record if the student's conduct proves that it merits erasure.

I have an amendment, if the Clerk would kindly call LCO Number 3828, and that I be allowed to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 3828, Senate "A," offered by Senator Stillman et al.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

I move adoption of the amendment.

THE CHAIR:

The motion is on adoption. Will you remark, ma'am?

SENATOR STILLMAN:

Yes; thank you, very much.

This amendment is a strike-all amendment so it -- it becomes the bill. And what it does is it clarifies

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the fact that, number one, there was a technical issue within the original bill, which was a concern about violating federal law. We have now fixed that, but it addresses this issue of expunging a record.

This bill has nothing to do -- or the amendment which becomes the underlying -- which becomes the bill has nothing to do with expelling a student; it's strictly about expunging their record. It allows that flexibility by the boards of education that, again, if it, if a student's merits -- record merits expulsion based on a previous indiscretion -- let's put it that way -- by bringing a firearm or deadly weapon to the school, they have proven, the student has proven himself or herself to have now an appropriate record of -- of merit, the school board may after two years or more make a decision to expunge that record so that when they graduate from high school, it is no longer a part of the record.

This is strictly for grades K through 8. We all know that children sometimes bring things to school which are inappropriate. They might not know better. And this is an opportunity to address this issue, and I am -- I think this is an important bill in terms of bringing some sensibility but most importantly the freedom for boards of education to make decisions that they feel are appropriate for the benefit of the child's future.

And with that I would like, if I may, Madam President, I would like to yield to Senator Bartolomeo.

THE CHAIR:

Senator --

SENATOR STILLMAN:

Thank you.

THE CHAIR:

-- Bartolomeo, will you accept the yield, ma'am?

SENATOR BARTOLOMEO:

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Yes, I do. Thank you, Madam President.

I would like to thank Senator Stillman as the Senate Chair of the Education Committee and also Senator Boucher as the Ranking Member on that committee.

This is a situation that began in one of my districts, and the superintendent and the board of education came to me because they just could not understand how a kindergartner who mistakenly brought what he thought was a really kind of fun, cool gift, a BB gun to school, and that although we do and did expel him, that that would continue on his record right through and until graduation and therefore even be available when he ultimately is applying to colleges.

So I appreciate their quick, quick response, their sensitivity to the issue, and the common-sense solution that I believe this bill offers.

Thank you, very much, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Madam President, I rise to support the amendment. I think it addresses some of the earlier concerns about some of the aspects to the original bill. And just for clarification -- and I would ask just for confirmation, through you, Madam President, through the Chairs of the committees -- that in fact be clear that in grades K-8, weapons, issues around weapons automatically would be expunged after graduation but that, in fact, through the bill may ask for a hearing to expunge earlier, at least two years later for K-8 and that at K-12 any other expellable offenses would automatically be expunged at graduation. However, in

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grades 9 through 12, in high school weapons' offenses
are never expunged.

Through you, Madam President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

Through you, that is correct.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, very much, Madam President.

And, again, I think this is a very sound bill, and it
does address concerns that were brought forward. And
I think it is reasonable for all of us to support it.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

Senator Kane.

SENATOR KANE:

Thank you --

THE CHAIR:

On the amendment.

SENATOR KANE:

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-- Madam. Thank you, Madam President.

Through you, I have a couple questions to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Thank you, Madam President.

Sitting here, I'm listening to the remarks made by yourself and Senator Bartolomeo and -- and, of course, Senator Boucher, and if I could just -- if you could just correct me if I'm wrong so I -- if I am understanding this clearly. So the underlying law allows us to expunge a student's records if they are expelled if they did something, as you said, an indiscretion when they were younger except if they were to bring a gun or weapon to school. I believe that was the description of the bill.

Then when Senator Bartolomeo stood up and said there was a child who brought a BB gun to school, now we're allowing a person to bring a gun to school and still get their records expunged? I -- I guess you lost me when Senator Bartolomeo stood up.

Through you, Madam President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

Through you to Senator Kane, in grades 9 through 12, the record if they bring a deadly weapon or a firearm to school, that is never expunged from the record. The feeling -- and that's federal law as well -- and the feeling is that by the time a child or a young person is of high school age, they certainly should know better and so that is, that in a sense is part of

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their punishment is that it will always be on their record.

In terms of K through 8, the local board of education can make a decision at least two years out from the violation of the school rule to expunge a record of a child who happened to bring a deadly weapon to school. It is strictly the local board of education who can look at the record of a child and determine that the child is now, has now become a student that is deserving through their meritorious behavior, that is deserving of having their record expunged so that when they graduate from high school, if nothing else happens in their high school years, that when they graduate from high school that will no longer be on their record.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

So without this law or this change in the law, that part of their record would stay with them, regardless of the situation. So if it was a gift that they thought or -- or a joke or a mistake or -- or what have you, what we're saying is we should treat this in a case-by-case basis and let the local board of ed decide, rather than it be clear under statute that they will not be allowed to expunge those records.

Is -- is -- do I now have it correctly, through you, Madam President?

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

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Through you to -- to the Senator, that is correct.

SENATOR KANE:

Okay.

SENATOR STILLMAN:

We are leaving this in the local boards of education's hands. As a matter of fact, there was testimony in committee where boards, the board of ed, boards of education were supportive of this idea.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further?

If not, I'll try your minds on Senate "A." All in favor please say Aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate "A" passes.

Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

The amendment that we just adopted became the underlying bill. If there isn't an objection, I'd like to ask it be placed on the Consent Calendar.

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THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk.

THE CLERK:

On page number 20, Calendar 270, Senate Bill Number 185, AN ACT CONCERNING CHANGES TO THE STANDARD VALUATION AND NONFORFEITURE LAWS, AND THE USE OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS' VALUATION MANUAL; Favorable Report of the Committee on Insurance and Real Estate, and there are amendments.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

If that item might be passed temporarily.

THE CHAIR:

So ordered.

Mr. Clerk -- or Senator Looney, do you have --

SENATOR LOONEY:

Yes, Madam President. Also, I believe that the item on Calendar -- Calendar page 20, Calendar 273 should also be marked passed temporarily.

THE CHAIR:

So ordered.

SENATOR LOONEY:

And if we might, if the Clerk would call as the next item, Madam President, Calendar page 22, Calendar 280, Senate Bill 312.

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Page 8, Calendar 74, Senate Bill Number 95; also on page 8, Calendar 80, Senate Bill 188.

On Calendar page 9 -- I'm sorry -- on page, yeah, page 9, Calendar 110, Senate Bill 125; Calendar 112, Senate Bill 255; Calendar 113, Senate Bill Number 256; Calendar 122, Senate Bill 260.

On page 11, Calendar 163, Senate Bill 280; Calendar 177, Senate Bill 271.

On page 13, Calendar 207, Senate Bill Number 193.

On page 14, Calendar 225, Senate Bill Number 281.

On page 15, Calendar 244, Senate Bill 283.

Page 17, Calendar 255, Senate Bill 477.

On page 23, Calendar 288, Senate Bill 413; Calendar 290, Senate Bill 418.

And on page 25, Calendar 303, Senate Bill Number 217.

THE CHAIR:

I'm sorry. At this time, Mr. Clerk, will you call for a roll call vote, and the machine will be open on the second Consent Calendar.

THE CLERK:

Immediate roll call has been ordered in the Senate on the second Consent Calendar of the day. Immediate roll call has been ordered in the Senate.

THE CHAIR:

If all members voted, all members voted, the machine will be closed.

Mr. Clerk, will you please call the tally.

THE CLERK:

On the second Consent Calendar for today.

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Total Number Voting	35
Those voting Yea	35
Those voting Nay	0
Absent, not voting	1

THE CHAIR:

The Consent Calendar passes.

Mr. Clerk -- oh, I'm sorry -- Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if we might go back to the item that was removed from Consent and ask for a roll call vote on that item. That was Calendar page 8, Calendar 78, Senate Bill 186.

THE CHAIR:

Mr. Clerk, will you call for a roll call vote, and the machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call has been ordered in the Senate.
Immediate roll call ordered in the Senate. An
immediate roll call has been ordered in the Senate.

THE CHAIR:

Have all members voted; all members voted? The machine will be closed.

Mr. Clerk, will you please call the tally.

THE CLERK:

Senate Bill Number 186.

Total Number Voting	33
Those voting Yea	23
Those voting Nay	10
Absent, not voting	3

**JOINT
STANDING
COMMITTEE
HEARINGS**

**EDUCATION
PART 3
1035 – 1449**

2014

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EDUCATION COMMITTEE

March 17, 2014
11:00 A.M.

very much.

KARIMA ROBINSON: Thank you for the opportunity. I appreciate it.

SENATOR STILLMAN: Patricia Charles to be followed by Michelle Ducette-Cunningham and Doreen Marvin.

Welcome.

PATRICIA CHARLES: Thank you for the opportunity to speak to you about two issues.

The first one is Bill 473. In my testimony I misnumbered it, and I resubmitted to the education office upstairs. But I am in favor of requiring the parent or guardian of a student who is enrolled in a magnet school or on a waiting list to notify the home school.

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Currently, we don't have that kind of notice and cannot then anticipate the cost, and I outlined this in a magnet report that I gave you; and it's on page 3.

Further, I ask that you amend the bill with the intent of focusing on a solution for the financial hardships imposed on districts like Middletown to fund escalating tuition costs for students attending magnet schools.

Middletown partnered with ACES, the Thomas Edison magnet school since 2002, and we send 120 students annually.

As one of the districts involved in its development, we are committed to that partnership. However, since that time, the number of magnet schools across the state has risen, and Middletown, being centrally located, has seen a huge increase to 399 students or 8.3

percent of our student population go to magnet schools; and this is at a cost to our district of \$954,000.

The solution is more than having parents notify us of the number of students attending. Amend the bill to allow districts to cap student participation in magnet schools at 5 percent or provide greater financial support to cities that are particularly impacted by magnet enrollment. This would provide us the ability to plan for tuition expenditures in the district budget, continue our commitment to a finite number of magnet school placements, retain our education-oriented students and families in the home district, reduce the dollars leaving our district, which are very much needed for our Alliance efforts, and maintain in the district the dollars used to create our own attractive programs and resources.

So I urge you to help cities like Middletown contain their magnet school enrollment and tuition costs and consider the consequences to our school district.

I'd also like to speak to you about SB 477, the intent to amend Statute 10-233D that prevents expunging expulsion information unequivocally.

In the case of a very young child, they're not able to discern sometimes the consequences of their actions or the danger that they place themselves or others, and I believe it's unfair to continue to record this action through a child's school career to an adverse effect, if this student has clearly demonstrated through this time period that the actions in the early primary grades aren't observed in the student at any later point, either in or out of school.

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EDUCATION COMMITTEE

March 17, 2014
11:00 A.M.

REP. FLEISCHMANN: Thank you very much for your testimony and your patience. This is the second public hearing where you've come. You've gotten not a low number. You stuck around to deliver your testimony, and we appreciate the time and thought you put into that.

Are there questions from members of the committee? If not, thank you very much, and we will be studying this further as we deal with these issues.

PATRICIA CHARLES: I appreciate that. Thank you.

REP. FLEISCHMANN: Michelle Ducette-Cunningham to be followed by Doreen Marvin.

MICHELLE DUCETTE-CUNNINGHAM: Good afternoon, Representative Fleischmann, members of the Education Committee. My name is Michelle Ducette-Cunningham, and I'm the Executive Director of the Connecticut Afterschool Network.

I am here today to urge you to add language to Senate Bill 476 about the achievement gap that would a new summer learning grant program because any approach to changing the achievement gap is left entirely unanswered if you're not looking at summer learning.

For the ninth grade achievement gap in reading, two-thirds of that is the result of summer learning loss, and the language that I would propose would allow Connecticut to recreate the BELL program, which started outside of Boston. It shows significant improvements in students. It provides 240 hours of program. It's a combination of small group math and reading instruction with fun enrichment in the afternoon, and it provides both childcare for