

1 S.16

2 Senators Champion, Balint, Hardy and Hooker move that the report of the  
3 Committee of Education on Senate Bill No. 16 entitled “An act relating to the  
4 creation of the School Discipline Advisory Council” be amended in Sec. 2,  
5 Task Force on Exclusionary Discipline Reform; report, by striking out  
6 subsection (d) in its entirety and inserting in lieu thereof the following:

7 (d) Powers and duties.

8 (1) The Task Force shall make recommendations to end suspensions and  
9 expulsions for all but the most serious student behaviors and, taking into  
10 account the Vermont Youth Risk Behavior Survey issued by the Department of  
11 Health, shall perform the following tasks:

12 (A) review in-school services and availability of these services in  
13 various supervisory unions, approved independent schools, and regions of the  
14 State that are available to support students who would otherwise face  
15 exclusionary discipline;

16 (B) recommend additional or more uniform in-school services that  
17 should be available to:

18 (i) students who are under eight years of age where expulsion is  
19 not permitted under 16 V.S.A. § 1162 as amended by this act; and

20 (ii) other students who would otherwise face exclusionary  
21 discipline;

1           (C) define the most serious behaviors that, after considering all other  
2 alternatives and supports, should remain eligible for suspension or expulsion;

3           (D) identify best practice procedures that minimize law enforcement  
4 contacts for students facing in-school or exclusionary discipline;

5           (E) compile, on a school-district and approved independent schools  
6 basis, the available data and the data collection processes regarding  
7 suspensions and expulsions and compile additional data necessary to inform  
8 the work of the Task Force, including:

9           (i) the total number of instances of expulsions and suspensions in  
10 each grade operated by the district or approved independent school;

11           (ii) the total number of students in each grade operated by the  
12 district or approved independent school who were expelled or suspended and  
13 the number of instances of expulsion or suspension, or both, for each student;

14           (iii) the duration of each instance of expulsion and suspension;

15           (iv) the infraction for which each expulsion and suspension was  
16 imposed;

17           (v) each instance of referral to local law enforcement authorities,  
18 the juvenile justice system, community justice center, State's Attorneys  
19 Offices, Department for Children and Families, or other juvenile justice-related  
20 authority;

1                    (vi) each instance in which a civil, criminal, or juvenile citation  
2                    was the consequence for a school-related infraction; and

3                    (vii) each instance in which an excluded student received  
4                    reeducational services, as well as the duration of reeducational services per  
5                    day, per week, and per month;

6                    (F) recommend changes to the types of data collected and the data  
7                    collection processes regarding suspensions and expulsions, as necessary, for  
8                    the collection of all appropriate data related to school discipline; and

9                    (G) review how other states address exclusionary discipline.

10                  (2) All data specified in subdivision (1)(E) of this subsection shall be in  
11                  disaggregated format by, at a minimum, the following subgroups and  
12                  categories to the extent permitted by federal and State privacy laws and to the  
13                  extent information is available:

14                  (A) White;

15                  (B) Black;

16                  (C) Hispanic;

17                  (D) American Indian/Alaskan Native;

18                  (E) Asian, Pacific Islander/Hawaiian Native;

19                  (F) low-income/free or reduced lunch;

20                  (G) Limited English Proficient or English Language Learner;

21                  (H) migrant status;

1 (I) students receiving special education services;

2 (J) students on educational plans under Section 504 of the

3 Rehabilitation Act of 1973;

4 (K) gender;

5 (L) sexual orientation;

6 (M) foster care status;

7 (N) homeless status; and

8 (O) grade level.

9 (3) All data specified in subdivision (1)(E) of this subsection shall be  
10 cross-tabulated by, at a minimum, the following subgroups and categories to  
11 the extent permitted by federal and State privacy laws and to the extent  
12 information is available:

13 (A) school;

14 (B) school district;

15 (C) race;

16 (D) low-income/free or reduced lunch;

17 (E) Limited English Proficient or English Language Learner;

18 (F) migrant status;

19 (G) students receiving special education services;

20 (H) students on educational plans under Section 504 of the

21 Rehabilitation Act of 1973;

- 1            (I) gender;
- 2            (J) sexual orientation;
- 3            (K) foster care status;
- 4            (L) homeless status;
- 5            (M) grade level;
- 6            (N) behavior infraction code;
- 7            (O) intervention applied, including restraint and inclusion; and
- 8            (P) educational services provided.