

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, including
9 recommendations on the types of data collected and data collection processes
10 to reflect the contribution of social determinants to instances of suspensions
11 and expulsions; and

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

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

17 (A) White;

18 (B) Black;

19 (C) Hispanic;

20 (D) American Indian/Alaskan Native;

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

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

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

3 (H) migrant status;

4 (I) students receiving special education services;

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

6 Rehabilitation Act of 1973;

7 (K) gender;

8 (L) sexual orientation;

9 (M) foster care status;

10 (N) homeless status; and

11 (O) grade level.

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

16 (A) school;

17 (B) school district;

18 (C) race;

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

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

21 (F) migrant status;

- 1 (G) students receiving special education services;
- 2 (H) students on educational plans under Section 504 of the
- 3 Rehabilitation Act of 1973;
- 4 (I) gender;
- 5 (J) sexual orientation;
- 6 (K) foster care status;
- 7 (L) homeless status;
- 8 (M) grade level;
- 9 (N) behavior infraction code;
- 10 (O) intervention applied, including restraint and inclusion; and
- 11 (P) educational services provided.