



Testimony in Opposition of S.B. 380, An Act Concerning School Discipline
Student Privacy Rights in Jeopardy due to
School Resource Officer (SRO) Required Reporting Processes

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Chairmen Currey and McCrory, and Ranking Members Berthel and McCarty, and Distinguished Members of the Education Committee:

Thank you for the opportunity to testify in opposition **of one problematic aspect** of S.B. 380, An Act Concerning School Discipline. My name is Dr. Scott Nicol and I have the honor and privilege of serving as superintendent for the Ellington Public Schools.

The following legally complex student privacy rights concerns, from a bill enacted in the 2003 session (Section 72 of PA 23-167), have been simplified for ease of understanding. A reputable Connecticut law firm has vetted these legal concerns.

[S.B. 380](#) may intend to address some noteworthy legal concerns but fails to address the student privacy rights issue. The concerns of interest are located in lines 123-159, specifically beginning with line 142.

S.B. 380 requires School Resource Officers (SRO) to submit individual reports (see statutory language relative to “such report”) on student behavioral incidents that are ultimately submitted to members of the Board of Education. In “such report” some of the required information that is problematic is outlined below:

- the date, time and location of such investigation or behavioral intervention
- the race, ethnicity, gender, age and disability status for each student involved in such investigation
- the reason for, nature of, and disposition of such investigation or behavioral intervention
- issued a citation or a summons, arrested, or detained, including the amount of time such student was detained

With “such reports” in possession of the Board of Education—they, as members of the community, **may be able to reasonably determine the student's identity**. This would likely constitute a violation of federal law—*The Family Educational Rights and Privacy Act (FERPA)*.

Of note, the new language proposed (lines 137-142) in S.B. 380 doesn't address the current issue, but does address a separate problematic aspect of the law.

For More Detailed Information

All Members of the Connecticut General Assembly, Boards of Education and Connecticut Superintendents received [Ellington Board of Education's Legislative Platform](#) in February 2024—which addresses this issue in detail.

Recommendation for Statutory Improvement

Direct the Superintendent (or designee) to create disaggregated SRO summary reports, which can then be shared with the Board of Education on not less than an annual basis to ensure student confidentiality.

It is important to emphasize that the goals of the 2003 legislation are commendable. Yet, these goals may be achieved with a modified process.

Please do not hesitate to contact me at snicol@ellingtonschools.net, should I be of further support for this important legislative matter.