



Connecticut Association of Boards of Education, Inc.

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2011 LEGISLATIVE WRAP UP

PA 11-93 AAC THE RESPONSE OF SCHOOL DISTRICTS AND THE DEPARTMENTS OF EDUCATION AND CHILDREN AND FAMILIES TO REPORTS OF CHILD ABUSE AND NEGLECT.

This bill phases in the requirement that public school employee applicants for certified (by 7/1/11) and non-certified (by 7/1/12) positions submit to a child abuse and neglect registry check by DCF.

The bill adds steps to be followed when an alleged perpetrator of abuse or neglect is a school employee.

The bill requires DCF to provide mandated reporter training throughout the year to new school employees.

Upon request of a BOE for a receiving school, DCF shall provide the name, date of birth and school of origin for each child in its custody who has been placed in foster care and is attending a school under its jurisdiction.

EFFECTIVE DATE: July 1, 2011 except transportation coordination October 1, 2011.

HB 5326 AN ACT REQUIRING THE PRESENCE OF CARBON MONOXIDE DETECTORS IN ALL PUBLIC SCHOOLS.

This bill prohibits the building inspector from issuing a certificate of occupancy to any public or nonpublic school issued a building permit for new occupancy after January 1, 2012, unless the local fire marshal or building official certifies that the building is equipped with carbon monoxide (CO) detection and warning equipment complying with the Fire Safety Code. The bill requires the code to include specified standards for installing, testing, and maintaining the equipment.

The bill exempts municipalities, boards of education, and supervisory agents of nonpublic schools and their agents, employees, or officers, acting without malice, in good faith, and in the scope of their employment or official duties, from any damage resulting from the failure to detect CO within a public school building. In order to be immunized, the equipment must be installed and maintained in accordance with the manufacturer's published instructions and the regulations adopted under the bill.

EFFECTIVE DATE: July 1, 2011

CO EQUIPMENT INSTALLATION, MAINTENANCE, AND TESTING STANDARDS

The bill requires the fire safety code to:

1. provide requirements and specifications for testing and inspecting CO detection and warning equipment, including the frequency of testing and inspections in public and nonpublic schools;

2. require any CO detection equipment installed in such schools to meet or exceed the Underwriter's Laboratories Standard Number 2075;
3. require that any CO warning equipment meet or exceed the Underwriter's Laboratories Standard Number 2034;
4. require that installation and maintenance of CO detection and warning equipment comply with the manufacturer's instructions and with the National Fire Protection Association's standards; and
5. prohibit, for public and nonpublic school buildings issued a building permit for new occupancy on or after January 1, 2012, from installing any battery-operated CO warning equipment or plug-in CO warning equipment that has a battery as its back-up source.

HB 6103 AAC A REVIEW OF THE COST TO MUNICIPALITIES OF STATE-MANDATED SPECIAL EDUCATION REQUIREMENTS

The Commissioner shall conduct a comprehensive review of state-mandated special education requirements, including, but not limited to, examining who is best suited to bear the burden of proof in determining whether a student is eligible for special education services, and shall submit a report on or before February 1, 2012, to the education and planning and development committees. It shall identify each state-mandated special education requirement that exceeds the minimum required under federal law and the cost to municipalities of complying with each such mandate.

EFFECTIVE DATE: Upon passage

PA 11-58 AA ESTABLISHING THE CONNECTICUT HEALTHCARE PARTNERSHIP MUNICIPAL HEALTH PLANS

The bill requires the comptroller to offer employee and retiree coverage under "partnership plans" to nonstate public employers beginning January 1, 2012.

By October 1, 2011, and annually thereafter, the bill requires municipal employers of more than 50 people to electronically submit to the comptroller, in a form he prescribes, information for any fully-insured group health plan they sponsor for active employees or retirees covering (1) basic hospital expenses; (2) basic medical-surgical expenses; (3) major medical expenses; (4) hospital or medical services, including coverage under an HMO plan; and (5) single-service ancillary health coverage plans, including dental, vision, and prescription drug plans.

The required information is the percentage increase or decrease in group health insurance policy or plan costs in the immediately preceding two policy years. To calculate the percentage change, the employer must divide the total premium costs, including any premiums or contributions the employees or retirees paid, by the total number of covered employees and retirees.

Under the bill, the covered employers are towns, cities, boroughs, school districts, taxing districts, and fire districts.

EFFECTIVE DATE: July 1, 2011

HB 6318 AAC DONATIONS OF EQUIPMENT TO THE REGIONAL VOCATIONAL-TECHNICAL SCHOOL SYSTEM.

The bill indemnifies any person who makes a gift in excess of one thousand dollars to SDE or technical high school system. Under the bill, if any of the covered entities makes a donation of

property, and the entity is then sued, the state then becomes responsible for any costs brought about by the law suit. Any costs would be paid through the Adjudicated Claims account.

EFFECTIVE DATE: Upon passage

PA 11-17 AAC HIGH SCHOOL DIPLOMAS FOR KOREAN WAR VETERANS.

This bill expands a BOEs' authority to award high school diplomas to veterans who did not receive them because they left high school for military service. Currently, boards can do so for World War II veterans; the bill includes veterans of the Korean hostilities. The bill covers honorably discharged veterans who served actively from June 27, 1950 to October 27, 1953, in the United States Army, Navy, Marine Corps, Coast Guard, or Air Force or any of their reserve components, including the Connecticut National Guard.

EFFECTIVE DATE: July 1, 2011

HB 6325 AAC JUVENILE REENTRY AND EDUCATION.

This bill:

1. expands a student's right to re-enroll in his or her old school district after being sent to a juvenile detention center, the Connecticut Juvenile Training School, or another residential placement for committing an offense for which he or she could be expelled from school;
2. requires school districts to immediately enroll or re-enroll a student transferring from either of the unified school districts;
3. requires a school district to re-enroll such a student in his or her former school, if the student went to school in the district before attending in a USD and the former school has appropriate grades for the student;
4. establishes a deadline for a new school district or charter school to notify a transfer student's previous district or charter school of a student's enrollment, and extends to USD #2 the currently required deadline for a new school district or charter school to notify USD #1 of a student's transfer; and
5. requires school districts and charter schools to give credit for instruction received in USD #2 within 30 days after receiving the student's records.

EFFECTIVE DATE: July 1, 2011

PA 11-125 AAC THE NOTIFICATION OF MEDIATION AND ARBITRATION DECISIONS IN DISPUTES BETWEEN BOARDS OF EDUCATION AND TEACHERS BARGAINING UNITS.

This bill requires education arbitrators to send a copy of teacher or administrator binding arbitration awards to the legislative bodies of the towns involved as well as to the education commissioner, town clerk, board of education, and union. In the case of a town in which the legislative body is a town meeting or representative town meeting, the notice must be sent to the board of selectmen.

EFFECTIVE DATE: July 1, 2011

HB 6433 AAC ADULT EDUCATION

By law, an expelled student who is at least 16 years old may attend adult education as part of an alternative educational opportunity during the expulsion. This bill specifies that a student attending adult education during an expulsion period is not required to withdraw from regular public school in order to do so. Current law bars students who are enrolled in regular, full-time school programs from attending adult education classes without the approval of their school principals.

EFFECTIVE DATE: July 1, 2011

PA 11-130 AA EXEMPTING CERTAIN NEW SCHOOL BUSES FROM THE FIRST ANNUAL INSPECTION FOLLOWING THE REGISTRATION OF SUCH BUSES.

By law and regulation, DMV must inspect each new school bus before it is registered and at least once in each school year. This bill exempts any new school bus (1) registered between August 1 and the school year immediately following and (2) that has already been inspected, from further inspection until September of the next year. For example, a school bus registered August 15, 2011 and inspected before that date is exempt from regular annual inspections until September, 2012.

EFFECTIVE DATE: July 1, 2011

HB 6434 AAC NONPUBLIC SCHOOL TEACHING EXPERIENCE AND PROFESSIONAL CERTIFICATION.

This bill allows teachers to use or continue to use private school teaching and student teaching experience to obtain Connecticut certificates and allows certified teachers working at private schools to be cooperating teachers. The bill requires certified teachers in private schools to meet the state continuing education requirements.

EFFECTIVE DATE: July 1, 2011

HB 6449 AAC THE SAFETY OF PERSONS ENTERING OR EXITING A SCHOOL BUS.

This bill allows towns and school boards to install cameras on school buses to record motor vehicles that violate this law, requires police to issue a summons based on the recorded images, and allows the images to be used as evidence against vehicle owners.

The bill imposes a \$ 450 fine on first offenders. Current law imposes a fine of between \$ 100 and \$ 500 on these offenders. The penalty for a subsequent offense remains a fine of between \$ 500 and \$ 1,000, imprisonment for up to 30 days, or both.

The bill requires the state to remit 80% of the fines collected from violators to the municipalities in which the violations occur. Towns that have contracted with a private vendor to install, operate, and maintain a camera system must use these funds to pay the vendors. The state must distribute the remaining fine revenue into the Special Transportation Fund (12% of the total) and the General Fund (8% of the total.) It requires each Superior Court clerk or the chief court administrator or an official he or she designates to certify to the comptroller the amount of money due for the previous quarter to each town served by the clerk or official. The clerk or official must provide the certification annually by the 30th day of January, April, July, and October.

The bill also makes a conforming change regarding disposition of the fine revenue.

EFFECTIVE DATE: July 1, 2011

PA 11-135 AAC IMPLEMENTATION DATES FOR SECONDARY SCHOOL REFORM.

This bill delays by two years the implementation of the secondary school reform requirements enacted in 2010 that:

1. increase the number of credits required to graduate from high school,
2. require school districts to offer students support and alternative ways to meet the new graduation requirements, and
3. require SDE to develop end-of-course exams in various subjects.

It also:

1. eliminates a requirement that the state provide grants to help districts implement the new graduation requirements and instead requires SDE to offer technical assistance to districts wishing to start implementing them;
2. requires districts to establish a student success plan for each student starting in grade 6;
3. revises and delays by one year the start of biennial status reports on the implementation of the new graduation requirements;
4. exempts BOE with low-achieving schools that have only a single grade or that already have substantially similar school governance councils from the existing requirement to establish school councils according to the existing law;
5. reorganizes and clarifies the sequence and contents of required SDE reports on the implementation and effectiveness of school governance councils;
6. establishes a task force to address implementation issues arising from enhanced high school graduation requirements;
7. moves up the deadline to adopt guidelines for teacher evaluations to July 1, 2012 from July 1, 2013; and
8. for tenure purposes, requires that teachers whose employing boards enter cooperative arrangements to provide educational services retain their credited service with those boards if their employment is transferred to a committee administering the cooperative arrangement.

EFFECTIVE DATE: Upon passage, except for the new deadline for adopting teacher evaluation guidelines and the tenure provision for teachers working for cooperative arrangements, which are effective July 1, 2011.

PA 11-136 AAC MINOR REVISIONS TO THE EDUCATION STATUTES.

This act:

1. reclassifies American Sign Language and eliminates signed English from required public school instruction offerings;
2. adds genocide education and awareness to the subjects for which the State Board of Education (SBE) must provide curriculum materials and encourage school districts to offer courses for students and in-service training for certified personnel;
3. allows the education commissioner to permit an otherwise qualified teacher with an elementary education endorsement to teach a specialized subject in a K-8 school;

4. changes the schedules for filing various education-related reports generally, requiring them to be filed less frequently;
5. eliminates (a) a statutory deadline for filing expenditure reports from school districts participating in the school breakfast program and (b) the education commissioner's discretion over whether school districts that use their grants for unauthorized purposes must repay the grant;
6. gives school districts an extra month to notify nontenured teachers that their contracts for the following school year will not be renewed;
7. allows school superintendents or their designees to access the state's public school information system to obtain mastery test information about individual students enrolled in or transferring to their districts;
8. requires school districts to take additional measures to address truancy and report annually on their truancy reduction activities;
9. requires SBE to adopt uniform definitions of excused and unexcused absences for districts to use in implementing required truancy policies and filing truancy data reports; and
10. expands the types of courses school districts may offer to meet an existing requirement that, starting July 1, 2011, they offer an advanced placement course program that allows students to earn college credit in high school.

EFFECTIVE DATE: July 1, 2011, except for the technical corrections, which are effective on passage.

HB 6501 AAC DELAYS IN THE EVALUATION AND DETERMINATION PROCESS FOR STUDENTS SUSPECTED OF REQUIRING SPECIAL EDUCATION SERVICES.

This bill requires school districts to evaluate children without delay and according to state and federal special education laws and regulations to determine if they are eligible for special education and related services. Federal special education regulations require school districts to promptly request parental consent to evaluate a child and, once the consent is granted, complete the evaluation within 60 days. The bill also expands the membership of the Advisory Council for Special Education.

EFFECTIVE DATE: July 1, 2011 and upon passage for Advisory Council.

HB 6581 AN ACT MAKING REVISIONS TO MOTOR VEHICLE STATUTES

SCHOOL BUSES BARRED FROM DRIVING IN EXTREME LEFT LANE

The bill prohibits, on those sections designated by the State Traffic Commission (STC), school buses from driving in the extreme left lane of a divided limited access highway with more than two lanes for traffic traveling in the same direction. A violation is an infraction, punishable by an \$ 88 fine.

EFFECTIVE DATE: July 1, 2011

SCHOOL BUS DRIVERS WITH SUSPENDED LICENSES

By law, the DMV commissioner must report at least twice monthly to school boards and school bus operators on school bus and student transportation vehicle drivers whose license or school bus or student transportation vehicle endorsement has been suspended, revoked, or withdrawn. The boards

and operators must review these reports. Under current law, the school board or school bus operator has 10 days from reviewing such a report to remove a driver whose license or endorsement has been suspended, revoked, or withdrawn. The bill instead requires the board or operator to remove the driver within 48 hours of reviewing the report. By law, violators are subject to a civil penalty of \$ 2,500 for the first violation and \$ 5,000 for each subsequent violation.

EFFECTIVE DATE: July 1, 2011

SCHOOL BUS SIGNS AND SIGNALS

The bill eliminates a requirement that school buses used for an activity other than carrying children cover any lettering identifying the bus. By law, unchanged by the bill, a school bus that is not carrying children, must not use, or must disconnect, any special signals it uses when transporting children. Current law allows student transportation vehicles to display certain signs when, among other things, they carry only children, and anyone in charge of the children, to any non-school activity. Under the bill, these vehicles cannot display these signs if they are carrying anyone (presumably an adult) in charge of the children. It specifies that these legally required or permitted portable signs must be removed or covered when a vehicle is not being used for the purposes requiring or allowing them.

EFFECTIVE DATE: July 1, 2011

CHANGES IN THE CELL PHONE LAW

By law, certain offenses are considered "serious traffic violations," a conviction of two or more of which can disqualify a CDL holder from operating a commercial motor vehicle for specified periods of time.

Fines

The bill increases the fines for using a cell phone or texting while driving, as shown in the table below:

Table 1: Fines for Illegally Using or Texting from a Cell Phone While Driving

| Offense | Current Law | Under the Bill |
|----------------|--------------------|-----------------------|
| First | \$ 100 | \$ 125 |
| Second | \$ 150 | \$ 250 |
| Subsequent | \$ 200 | \$ 400 |

Current law imposes maximum \$ 100 fines, regardless of the number of offenses, for anyone driving while using a hand-held or hands-free cell phone or mobile electronic device who (1) is operating a moving school bus carrying passengers or (2) is under age 18. The bill eliminates these exemptions, subjecting these people to the above fines. It also applies these fines to drivers who text while driving a commercial motor vehicle or engage in distracted driving.

Current law also imposes a \$ 100 fine on a driver who commits a moving violation, such as speeding or reckless driving, while engaged in distracted driving. The \$ 100 fine is in addition to any fine imposed for the moving violation. The bill imposes the above fines on these offenders and applies them to individuals charged with illegally using or texting on a cell phone, including drivers (1) of

commercial motor vehicles; (2) of school buses carrying passengers; and (3) under age 18, who commit a moving violation. The additional fines for second and subsequent violations would apparently apply to the second and subsequent times a person commits a moving violation while illegally using or texting on a cell phone or otherwise engaged in distracted driving.

EFFECTIVE DATE: Upon passage, except a conforming change is effective July 1, 2011

HB 6618 AAC VARIOUS REVISIONS TO PUBLIC HEALTH RELATED STATUTES.

CHILHOOD VACCINE SCHEDULE

The bill allows physician assistants and APRNs to provide certification that a student has met immunization requirements. Currently, only a physician can do this.

The bill allows the DPH commissioner to issue a temporary waiver to the schedule for active immunization for any vaccine for which the federal Centers for Disease Control and Prevention recognizes a nationwide supply shortage.

EFFECTIVE DATE: October 1, 2011

SCHOOL-BASED HEALTH CENTER ADVISORY COMMITTEE

The bill replaces a committee on school-based health clinics (SBHCs) with a new SBHC advisory committee that must help the DPH commissioner develop recommendations for statutory and regulatory changes for improving health care through access to SBHCs. The committee includes the following: (1) the commissioners, or their designees, of public health, social services, DMHAS, and education and (2) three SBHC providers appointed by the board of directors of the Connecticut Association of School-Based Health Centers.

The committee must meet at least quarterly and report, by January 1, 2012 and annually afterwards, to the Public Health and Education committees. Administrative support for the advisory committee may be provided by the Connecticut Association of School-Based health Centers.

EFFECTIVE DATE: Upon passage

PA 11-48 AA IMPLEMENTING PROVISIONS OF THE BUDGET CONCERNING GENERAL GOVERNMENT

STATE FUNDS DISTRIBUTION TASK FORCE

The bill creates a 10-member task force to study the distribution of the following state funds to municipalities:

1. payment in lieu of taxes for certain local and property taxes,
2. the Mashantucket Pequot and Mohegan Fund,
3. education equalization grants, and
4. public and nonpublic school transportation grants or reimbursement.

The task force must evaluate the equity, efficiency, and continued viability of these funds' distribution and report its findings and recommendations to the Appropriations Committee by January 1, 2012. The task force terminates when it submits the report or January 1, 2012, whichever is later.

EFFECTIVE DATE: Upon passage

EDUCATION GRANT CAPS

For two more years, through June 30, 2013, the bill caps the following state education formula grants to school districts and regional education service centers (RESCs) at the amounts appropriated in the budget:

1. health services for private school students (§ 1);
2. transportation for public and private school students (§§ 2 & 9);
3. adult education (§ 3);
4. bilingual education programs (§ 4);
5. RESC operations (§ 5);
6. special education excess costs, except for students for whom no financially responsible district can be identified ("no-nexus students") (§§ 6 & 7); and
7. regular education costs for state-placed children educated by local and regional boards of education (§ 8).

Under the bill, if a grant appropriation is not sufficient to fully fund these grants, they must be proportionately reduced.

EFFECTIVE DATE: July 1, 2011

INTERDISTRICT MAGNET SCHOOL PER-PUPIL GRANTS

The bill freezes state per-pupil operating grants for certain interdistrict magnet schools for two years, through FY 13.

For magnet schools that help the state meet the requirements of the *Sheff v. O'Neill* settlement ("*Sheff* magnets"), the bill freezes per-pupil grants at:

1. \$ 13,054 for each student from outside Hartford who attends a school run by the Hartford school district ("Hartford host magnets") and
2. \$ 10,443 per pupil for those run by RESCs or other entities ("RESC magnets") that enroll less than 60% of their students from Hartford.

For host magnet schools run by school districts outside the *Sheff* region, the bill freezes per-pupil operating grants at \$ 6,730 for each enrolled student from outside the host town. The grant for each student who lives in the host town remains at \$ 3,000, as under current law.

EFFECTIVE DATE: July 1, 2011

TUITION AT HARTFORD HOST MAGNETS

The bill extends the prohibition against Hartford host magnets charging tuition to districts sending students to those schools for an additional two years, through FY 13.

EFFECTIVE DATE: July 1, 2011

UNIFORM SCHOOL CALENDAR & REGIONAL TRANSPORTATION STUDIES

The bill requires the RESC Alliance to study the feasibility of implementing uniform regional school calendars and transportation services and to report to the governor by October 15, 2011.

EFFECTIVE DATE: July 1, 2011

PLAN TO INTEGRATE CHILD DAY CARE AND SCHOOL READINESS SERVICES

The bill requires the education and social services commissioners to develop a plan to integrate the child day care and school readiness services offered as part of the school readiness program and report to the governor by July 1, 2012. The plans must address eligibility, slot rates, and program requirements.

EFFECTIVE DATE: July 1, 2011

EXCESS CHILD CARE FUNDS

Instead of lapsing, the bill requires any unused funds appropriated in the budget for FY 12 to SDE for child care services to continue to be available for school readiness programs in FY 13. It requires the excess funds to be distributed according to statutory requirements for distributing school readiness funds.

By law, priority and former priority school districts are eligible for school readiness program grants from SDE to provide spaces for children in accredited school readiness programs. When there are unexpended grant funds, the commissioner is authorized to distribute the unexpended money in a competitive grant program for eligible districts and, if there is still money unexpended, the commissioner may use it for a variety of purposes including: (1) assisting local school readiness programs in meeting accreditation, (2) providing training for student assessments, (3) developing best practices for parents in supporting preschool learning, and (4) other purposes.

EFFECTIVE DATE: July 1, 2011

OPEN CHOICE PROGRAM

Grants to Receiving Districts

Starting in FY 12 and within available appropriations, the bill increases state grants to school districts that enroll students from other districts under the interdistrict school attendance program known as Open Choice ("receiving districts"). It increases the grant to a receiving districts for each out-of-district student from a flat \$ 2,500 to:

1. \$3,000 per student for districts where Open Choice students are less than 2% of the district's total student population,

2. \$4,000 per student for districts with 2% to 3% Open Choice enrollment, or
3. \$6,000 per student for districts with Open Choice enrollment of at least 3% of total enrollment.

Supplemental Grants

The bill changes, from October 15 to March 1, the date by which the education commissioner must annually determine whether Open Choice enrollment is below the number for which funds were appropriated.

By law, when student enrollment in Open Choice is below the number for which funds are appropriated, the excess funds do not lapse but remain available for supplemental grants to receiving districts. Under current law and the bill, the commissioner must use the first \$ 500,000 of any such funds for supplemental grants to districts that have at least 10 Open Choice students attending the same school.

The bill allocates the next \$ 500,000 of any nonlapsing funds to supplemental pro rata grants to receiving districts that report to the commissioner before March 1 that they have enrolled more Open Choice students than they did the year before.

Finally, under the bill, the education commissioner must use any remaining excess funds to increase Open Choice enrollment instead of for interdistrict cooperative grants, as under current law.

Private School Students

The bill allows students who had been enrolled in private school to participate in the Open Choice program.

EFFECTIVE DATE: July 1, 2011

TASK FORCE TO STUDY THE ECS FORMULA AND OTHER SCHOOL FINANCE ISSUES

The bill establishes a 12-member task force to study the Education Cost Sharing (ECS) formula and related issues in light of state constitutional requirements. Although the task force must focus on the ECS formula, it must also consider (1) state grants to interdistrict magnet schools and regional agricultural science and technology centers and (2) special education costs for the state and municipalities.

Within 30 days of the bill's passage, the governor must appoint six and the six legislative leaders one each of the task force members, who may include legislators. The governor selects one co-chairperson from the executive appointees and the House speaker and Senate president pro tempore jointly select the other from among the legislative appointees. The chairpersons must schedule the first meeting, which must be held within 60 days after the bill's passage. The Education Committee administrative staff serves as the task force's administrative staff.

The task force must submit an initial report on its findings and recommendations by January 2, 2012 and its final report by October 1, 2012. Both reports go to the governor and the Education and Appropriations committees. The task force terminates when it submits its final report or on October 1, 2012, whichever is later.

EFFECTIVE DATE: Upon passage

MINIMUM BUDGET REQUIREMENT

For FY 12 and FY 13, unless their enrollment fell in the prior year or they have permanently closed one or more schools due to falling enrollment, the bill requires most towns to budget the same amount for education as they budgeted in the previous fiscal year. For FY 12, districts must budget at least the amount they budgeted in FY 11 plus any reduction made to offset federal money paid directly to their boards of education under the 2009 federal stimulus act (ARRA).

The bill allows most towns whose school districts had fewer students enrolled in the previous school year than in the year before to reduce their minimum budget requirement (MBR) by \$ 3,000 times the enrollment reduction. But, the total reduction cannot exceed 0. 5% of their prior year's budget appropriation.

To reduce its MBR for FY 12, a district must have fewer students in the 2011 school year than it had in 2010. An FY 13 MBR reduction may similarly reflect a drop in enrollment in 2012 compared to 2011. Thus, for example, if a district had 800 students enrolled in 2010 and 750 students in 2011, it could appropriate \$ 150,000 less ($\$ 3,000 \times 50$) in FY 12 than it did in FY 11 and still meet its MBR for FY 12, as long as \$ 150,000 was less than 0. 5% of its FY 11 appropriation (i. e., as long as its FY 11 budgeted appropriation for education was more than \$ 30 million.)

In addition, the bill allows the education commissioner to permit a town to reduce its MBR for FY 12 or FY 13 if it permanently closed one or more schools because of falling enrollment in the closed schools in FYs 11, 12, or 13. The bill requires the commissioner to determine the reduction amount. The bill bars any MBR reduction for districts that, as a whole, either (1) fail to make adequate yearly progress (AYP) in math or reading as required by the state accountability law and the federal No Child Left Behind (NCLB) Act, or (2) achieve AYP only through the alternate method allowed under NCLB known as "safe harbor".

EFFECTIVE DATE: July 1, 2011

STUDY OF VOCATIONAL-TECHNICAL SCHOOL SYSTEM

The bill establishes a 15-member task force, appointed by the governor and legislative leaders and representing various organizations and others, to study the finances, management, and enrollment structure of the vocational-technical (V-T) school system. The study must provide a cost-benefit analysis of (1) maintaining and strengthening the existing system; (2) developing stronger articulation agreements between the V-T schools and community colleges; (3) transferring control of schools to RESCs, local or regional school districts, or community colleges; and (4) maintaining or transferring V-T adult programs. It must also consider what effect maintaining the existing system or transferring control would have on the system's facilities, equipment, and personnel.

The task force members are the OPM secretary, the education and economic and community development commissioners, and the community-technical college system chancellor, or their designees, and the appointees shown in the table below.

| Appointing Authority | Number of Members | Representation or Other Qualification |
|-------------------------------|--------------------------|---|
| Governor | 1 | Regional workforce investment board |
| Senate president pro tempore | 2 | <ul style="list-style-type: none"> • Connecticut Education Association • Chief executive of a small manufacturer |
| House speaker | 2 | <ul style="list-style-type: none"> • American Federation of Teachers-Connecticut • Person with experience in a trade offered at, alumnus of, or educator at the V-T schools |
| Senate majority leader | 1 | RESC Alliance |
| House majority leader | 1 | Mayor or first selectman of a town with a V-T school |
| Senate minority leader | 1 | Connecticut Association of Boards of Education |
| House minority leader | 1 | Connecticut Association of Public School Superintendents |
| Education Committee co-chairs | 2 | Public |

The task force must report its recommendations to the governor and the Education Committee by January 15, 2012. It terminates on that date or when it submits its report, whichever is later.

EFFECTIVE DATE: Upon passage

EQUALIZED NET GRAND LIST ADJUSTMENT

The law requires the OPM secretary to compute each town's equalized net grand list (ENGL) annually. ENGL is an estimate of the market value of a town's taxable real and personal property, equalized to reflect taxation at 100% of fair market value. ENGL is a factor in state distribution formulas for various wealth-based grants to municipalities, including ECS grants, reimbursements for local school construction projects, and Mashantucket Pequot and Mohegan grants.

This bill requires OPM to adjust its ENGL calculation for towns opting to phase-in an increase in assessed values for real property after a revaluation. Under current law, by excluding part of a town's taxable net grand list from the ENGL calculation, such phase-ins can temporarily distort town wealth rankings and grant distribution formulas.

Under current law, towns do not have to submit data on real property transfers to OPM in the year a revaluation become effective. The bill requires them to do so if they are implementing a revaluation phase-in.

EFFECTIVE DATE: Upon passage

FUNDS FOR STATE SCHOOL READINESS PROGRAM ADMINISTRATION

The bill extends, through FY 13, SDE's authority to retain \$ 198,200 of the priority school district school readiness grant appropriation for coordination, program evaluation, and administration. Under current law, this administrative set-aside expires on June 30, 2011.

EFFECTIVE DATE: Upon passage

FUND TRANSFERS TO IMPLEMENT THE SHEFF SETTLEMENT

The bill gives the education commissioner authority to transfer funds appropriated for the *Sheff* settlement to (1) the V-T schools for programming and (2) grants for (a) interdistrict cooperative programs, (b) state charter schools, (c) the Open Choice program, and (d) interdistrict magnet schools.

EFFECTIVE DATE: Upon passage

SHEFF MAGNET SCHOOL TRANSPORTATION GRANTS

By law, magnet school operators that transport students to interdistrict magnet schools in a town other than the town where the students live are eligible to receive a grant for the cost of that transportation. For most school districts, such grants are limited to \$ 1,300 per student. But, for districts transporting such students to help meet *Sheff* goals, as determined by the education commissioner, the limit for FY 11 is \$ 2,000 per student. The bill extends these higher *Sheff* transportation grants for two more years, through June 30, 2013.

For FY 11, the bill also allows the education commissioner, within available appropriations, to provide supplemental transportation grants to RESCs to transport students to *Sheff* interdistrict magnet schools. Grants are payable only after a comprehensive financial review of all transportation activities as prescribed by the commissioner. In addition, the commissioner may require a RESC to provide an independent financial review to be paid for out of the supplemental grant.

Under the bill, up to 75% of the supplemental grant is payable by June 30, 2011 with the balance paid by September 1, 2011, on completion of the comprehensive financial review.

EFFECTIVE DATE: July 1, 2011 for the extension of the higher *Sheff* transportation grant for districts; upon passage for the supplemental grants for RESCs.

MAGNET SCHOOL DIVERSITY REQUIREMENTS

The bill allows an interdistrict magnet school that is not in compliance with the state magnet school minority enrollment requirements because of changes in the federal racial and ethnic reporting requirements to maintain its status as an interdistrict magnet school under state law and remain eligible for magnet school operating grants, if it submits a compliance plan to the education commissioner that he approves. Under the bill, noncompliance is based on student information data schools submit to the state public school information system on or before October 1 in 2011 and 2012.

The changes in the federal racial and ethnic reporting requirements are those described in the Federal Register of October 19, 2007.

The bill requires SDE to submit to the Education Committee, by January 1, 2013, its recommendations to amend the statutory racial minority enrollment requirements for interdistrict magnet schools to conform with changes in the federal law. The plan must reflect the regional demographics of the interdistrict magnet schools and the diverse racial, ethnic, and socio-economic needs of the student populations attending them.

EFFECTIVE DATE: Upon passage

STATE SCHOOL BREAKFAST GRANTS

The bill makes more schools eligible for state school breakfast grants by reducing an eligibility criterion. It makes schools eligible if at least 20%, rather than 40%, of the lunches they serve are free or at reduced prices. The current 40% threshold is fixed in federal law, which the statutes incorporate by reference (Child Nutrition Act of 1966, as amended) (see BACKGROUND). The bill places the 20% criterion in statute.

It also makes conforming changes.

EFFECTIVE DATE: July 1, 2011

CHARTER SCHOOL GRANT INCREASE

The bill increases the grant for students attending state charter schools from \$ 9,300 to \$ 9,400 per student per year, starting with FY 12.

EFFECTIVE DATE: July 1, 2011

SUPPLEMENTAL PRIORITY SCHOOL DISTRICT GRANT TO LARGEST DISTRICTS

The bill extends, through FY 13, an existing allocation of \$ 2,610,798 in supplemental priority school district (PSD) grants to the three largest school districts (Bridgeport, Hartford, and New Haven). By law, the State Board of Education must distribute shares of these supplemental funds to each district in proportion to its regular PSD grant. The money is in addition to all other PSD grants the districts receive.

EFFECTIVE DATE: July 1, 2011

VO-AG EDUCATION CENTER TUITION FREEZE

The bill extends the current \$ 9,687 foundation for the ECS formula for one year, from FY 12 to FY 13. ECS grants in the budget (PA 11-6) are set amounts that are appropriated and are not a result of the ECS formula. But local or regional school districts that operate regional vocational-agricultural technology education centers may charge sending districts a per-student tuition based on a percentage of the foundation figure. Thus, this provision freezes the maximum tuition a center can charge for another year.

EFFECTIVE DATE: July 1, 2011

VO-AG EDUCATION CENTER GRANTS

The bill requires SDE to allocate, for FYs 12 and 13, \$ 500,000 for grants to local and regional school districts operating vocational-agricultural technology education centers.

The money must be used for the following statutory grants: (1) \$ 500 per student for vo-ag centers with more than 150 out-of-district students attending the program, (2) a four-year phase-out grant for

vo-ag centers that no longer serve more than 150 out-of district students, and (3) \$ 60 per student for vo-ag centers that do not qualify under (1) or (2).

By law, if there are remaining funds after these grants are made, excess funding must be distributed as follows: \$ 100 per student and, if there are remaining funds, proportionate amounts, to districts whose vo-ag centers enroll more than 150 out-of-district students, based on their relative numbers of out-of-district students in excess of 150.

EFFECTIVE DATE: July 1, 2011

PA 11-51 AA IMPLEMENTING THE PROVISIONS OF THE BUDGET CONCERNING THE JUDICIAL BRANCH, CHILD PROTECTION, CRIMINAL JUSTICE, WEIGH STATIONS AND CERTAIN STATE AGENCY CONSOLIDATIONS.

This bill makes local and regional boards of education responsible for providing and paying for part of the cost of regular educational and special education and related services for students held in state- or community-run juvenile detention centers. It defines these as facilities operated by, or under contract with, the Judicial Department. (Bridgeport, Hartford and New Haven presentencing facilities)

EFFECTIVE DATE: July 1, 2011

State school construction projects

Under current law, SDE is responsible for the entire school construction grant process, including (1) reviewing and approving school building project grant applications from local and regional boards of education, (2) establishing priority categories, (3) making grant payments, and (4) auditing the projects. The bill divides these responsibilities between SDE and DCS. It generally makes DCS responsible for most of the process while maintaining the SDE commissioner's responsibility to evaluate projects for compliance with certain educational requirements. Additionally, it makes numerous changes to the projects' requirements and reimbursement rates.

EFFECTIVE DATE: July 1, 2011

PA 11-61 AA IMPLEMENTING THE REVENUE ITEMS IN THE BUDGET AND MAKING BUDGET ADJUSTMENTS, DEFICIENCY APPROPRIATIONS, CERTAIN REVISIONS TO BILLS OF THE CURRENT SESSION AND MISCELLANEOUS CHANGES TO THE GENERAL STATUTES.

VOCATIONAL-AGRICULTURAL CONSTRUCTION REIMBURSEMENT RATE

The bill changes the state reimbursement, from 95% to 80%, for construction, acquisition, renovation, and equipment of approved facilities for a regional vocational-agricultural science and technology center operated by a local or regional school district. The lower reimbursement applies to the eligible project costs for applications filed on or after July 1, 2011. Applications filed before that are eligible for the 95% reimbursement.

EFFECTIVE DATE: July 1, 2011

SCHOOL CONSTRUCTION

The bill modifies the changes to the school construction grant application process made in House bill PA 11-51. It requires applications to be submitted on the form provided and manner prescribed by

the construction services commissioner instead of by the education commissioner in consultation with the construction services commissioner.

Additionally, the bill requires Department of Construction Services rather than the State Board of Education to include reimbursement for reasonable lease costs that are required as part of a school building project grant.

EFFECTIVE DATE: July 1, 2011

ADDITIONAL APPOINTMENT TO VO-TECH TASK FORCE

PA 11-48 establishes a 15-member task force, appointed by the governor and legislative leaders and representing various organizations and others, to study the finances, management, enrollment structure of the vocational-technical (V-T) school system, and several other issues.

The bill expands the task force to 16 members by adding an additional member the governor appoints who is a parent of a student enrolled at a regional vocational-technical school.

EFFECTIVE DATE: Upon passage

WAIVER OF SCHOOL CONSTRUCTION PROJECT AUDIT DEFICIENCIES

The bill allows the Department of Construction Services (DCS) commissioner to waive any deficiencies found in an audit of a regular or interdistrict magnet school construction building project, when he or she determines such a waiver is in the state's best interest.

The bill applies to (1) the limited-scope audits the DCS must conduct when it has not completed a project audit within five years after receiving a notice that the project is complete, (2) audits of interdistrict magnet school project expenditures, and (3) any other audits required under the school construction law. By law, limited-scope audits review only (1) the total expenditures reported, (2) off-site improvements, (3) adherence to standard space specifications, (4) interest costs on temporary notes and bonds, and (5) any other matters the DCS commissioner considers appropriate.

The other changes in the sections are identical to those already enacted in HB 6650.

EFFECTIVE DATE: July 1, 2011

STATE SUPERVISION OF WINDHAM SCHOOL DISTRICT-*Special Master*

The bill requires the State Board of Education (SBE) to assign a special master to administer the Windham school district's educational operations and help it implement a plan to achieve AYP as a district in reading and math as required by NCLB. The bill requires the special master to:

1. collaborate with the Windham BOE and superintendent to implement the district's improvement plan developed under the state education accountability law;
2. manage and allocate the district's federal, state, and local funds; and
3. report regularly to the SBE on the (a) district's progress in implementing its improvement plan and (b) effectiveness of the Windham school board and superintendent.

By law, the SBE may take various actions to improve student performance in low-achieving schools and districts. The bill allows the Windham special master to take several of these actions in Windham. It authorizes the Windham special master to:

1. require an operations audit to identify possible program savings and an instructional audit to identify problems with the district's curriculum and instruction or learning environment;
2. provide incentives to attract highly qualified teachers and principals;
3. direct the assignment and transfer of teachers and principals;
4. require additional training and technical assistance for teachers, principals, and central office staff, and for parents and guardians of the district's students;
5. require implementation of model curriculum, including recommended textbooks, materials, and supplies approved by the State Department of Education (SDE);
6. direct the school board to develop and implement a plan to address deficits in achievement identified in the instructional audit;
7. assign a technical assistance team to guide school or district initiatives and report to the education commissioner on its progress;
8. establish instructional and learning environment benchmarks for the district to meet;
9. direct establishment of learning academies within schools that require teacher groups to continuously monitor student learning; and
10. require board of education members to (a) undergo training to improve its operational efficiency and effectiveness in leading the district's improvement plan and (b) submit an annual action plan to the education commissioner that outlines how and when their effectiveness is to be monitored.

The special master services at the SBE's pleasure. The special master's authority expires one year after the school year in which the Windham school district as a whole makes AYP in both reading and math.

The bill overrides the Freedom of Information Act and another law barring the disclosure of teacher evaluations to give the SBE and the special master access to all district records, facilities, communications, and meetings, including school board executive sessions that relate to the special master's authority under the bill.

Special Procedures for Reopening Collective Bargaining Agreements

The bill authorizes the SBE to require the Windham school board to ask the union representing a school district bargaining unit to reopen an existing contract. The sole purpose of the request must be to present proposed revisions in salary, hours, and employment conditions to implement the district's improvement plan. The bill gives the union five days to respond, with failure to respond considered a rejection. If the union agrees to reopen, the parties have 30 days to negotiate the revisions.

Any agreement the parties reach must be ratified by a majority vote of the union members employed by the Windham school board. If the parties fail to agree on one or more issues, or if the union members fail to ratify an agreement, the bill establishes an expedited arbitration process to resolve the dispute.

The parties must select a single neutral arbitrator, using the procedures specified in the Teacher Negotiations Act (TNA), no later than five days after they either reach impasse on one or more issues or the union members fail to ratify the agreement. Within 10 days after his or her selection, the arbitrator must hold a hearing in Windham at which the parties must submit their last best offers on

each issue in dispute. Within 20 days after the hearing closes, the arbitrator must issue a detailed written decision, which is final and binding.

In his or her decision, the arbitrator must give the highest priority to the state's educational interests as they relate to children of Windham. The arbitrator must also consider the TNA's statutory criteria in light of those interests. By law, TNA arbitrators must consider:

1. as a first priority (second under the bill), the public interest and the financial capability of the town or towns in the school district, including other demands on its capability;
2. the negotiations between the parties;
3. the interests and welfare of the employee group;
4. changes in the cost of living averaged over three years;
5. existing employment conditions of the employee group and those of similar groups; and
6. salaries, fringe benefits, and other employment conditions prevailing in the state labor market.

EFFECTIVE DATE: Upon passage

PLAN TO INTEGRATE CHILD DAY CARE AND SCHOOL READINESS SERVICES

The bill requires the education and social services commissioners to develop a plan to coordinate the child day care and school readiness services offered as part of the school readiness program and report to the Education and Human Services committees by July 1, 2012. The plan must address eligibility, slot rates, program requirements, and maintaining the integrity of the state-contracted child-care center program.

EFFECTIVE DATE: July 1, 2011

PA 11-85 AAC CLOSING THE ACADEMIC ACHIEVEMENT GAP.

This bill:

1. creates a task force, duties, and reporting requirements;
2. creates an interagency council for ending the achievement gap;
3. permits school boards with low-achieving schools to increase the number of school sessions each year and the number of school hours each day;
4. authorizes the education commissioner to conduct a best practices literacy pilot study;
5. changes laws regarding kindergarten reading assessments, school district student objectives, and elementary teacher certification;
6. requires SDE to approve and distribute model curricula and frameworks in reading and mathematics for grades prekindergarten to four; and
7. requires the SDE's School Reform Resource Center to provide professional development for teachers and develop strategies for students in danger of failing and culturally-relevant teaching methods for students' whose primary language is not English.

EFFECTIVE DATE: July 1, 2011, except the provision creating the achievement gap task force is effective upon passage.

PA 11-27 AAC SUBSTITUTE TEACHERS

This bill restores the commissioner's authority to waive the statutory requirement that substitute teachers employed by a BOE have at least a bachelor's degree. It allows the commissioner to waive the requirement for good cause at the request of a superintendent.

EFFECTIVE DATE: July 1, 2011

SB 1039 AAC EDUCATION ISSUES

This bill makes changes in education laws relating to (1) health professionals authorized to perform school health assessments; (2) mandates on RESCs; (3) school district reporting on efforts to address racial, ethnic, and economic isolation in schools; (4) the education commissioner's authority to renew international teacher permits; (5) the contents of annual school district expenditure reports; (6) the payment schedule for state interdistrict magnet school grants; (7) annual financial audits for interdistrict magnet schools; (8) Junior Reserve Officer Training Corps (JROTC) instructors and assistant instructors working in schools; (9) approving applications for, and funding, charter schools; and (10) a program allowing national corps of teachers' training program graduates to teach under special state-issued durational shortage area permits (DSAPs) in certain school districts.

EFFECTIVE DATE: Upon passage, except for the provisions concerning (1) annual financial audits for interdistrict magnet schools and (2) the national corps of teachers' training program graduates, which are effective July 1, 2011.

PA 11-60 AAC CHARTER SCHOOLS

This bill creates a charter school educator permit, and makes permit holders part of the union, and members of the Teacher Retirement System.

EFFECTIVE DATE: July 1, 2011

SB 1138 AAC THE STRENGTHENING OF SCHOOL BULLYING LAWS

This bill defines bullying, including cyberbullying. The bill (1) makes the school principal responsible for investigating or designating someone to investigate and address bullying whether it occurs in or out-of-school, if it affects the school or students in the school or school district and (2) requires all school employees, not just teachers and administrators, to report bullying incidents they see or that are reported to them to the principal or his or her designee.

It requires schools and school districts to adopt safe school climate plans, rather than policies, to address bullying. Policies are required to (1) establish deadlines for reporting, investigating; (2) prohibit retaliation against those who report bullying; and (3) require school officials to notify police when they believe bullying conduct constitutes a crime.

The bill requires certified and noncertified employees working in public schools to receive annual training in how to identify, intervene, and prevent bullying and youth suicide among students. It also requires beginning teachers and teacher candidates to complete training on these topics. It grants immunity to school boards, school employees, students, parents, and others against damage claims arising from good faith reports of bullying and responses to bullying in accordance with a district's safe school climate plan.

SB 1160 AAC THE DEVELOPMENT OF A MODEL TEACHER PERFORMANCE EVALUATION SYSTEM, AND TEACHER TENURE LAWS AND COOPERATIVE ARRANGEMENTS.

The bill provisions on evaluation were amended out of the final version. This bill makes two adjustments in the minimum budget requirement (MBR) for education for FYs 12 and 13 adopted in PA 11-48. By law, in order to receive an Education Cost Sharing (ECS) grant, towns must budget at least a minimum amount for education.

This bill (1) allows a town that has no high school and pays tuition for residents to attend high school in other districts to reduce its MBR within certain limits if it is paying tuition for fewer students than in the prior year and (2) bars a town from reducing its MBR below the amounts appropriated for education in the prior year if it has a poverty rate for school-aged children that exceeds 10%.

The bill also establishes a charter school educator permit and allows the education commissioner, starting in the 2011-12 school year, to waive state certification requirements and issue such a permit to a teacher or administrator who lacks certification and who is employed by a charter school, if the person meets the bill's qualifications. But, the bill limits the number of teachers and administrators who may hold permits in any year to no more than 30% of a charter school's teachers and administrators combined.

Under the bill, a charter school educator permit allows a person to work in a charter school as a teacher or administrator and, if working as an administrator, to supervise and evaluate anyone providing instructional or pupil services in the school that employs the administrator.

The bill makes anyone holding a charter school educator permit a member of the appropriate teachers' or administrators' unit for collective bargaining purposes. It also requires any permit holder who becomes certified to participate in the Teachers' Retirement System (TRS). By law, only certified teachers and administrators may participate in the TRS.

PA 11-44 AAC THE BUREAU OF REHABILITATIVE SERVICES AND IMPLEMENTATION OF PROVISIONS OF THE BUDGET CONCERNING HUMAN SERVICES AND PUBLIC HEALTH.

School-based child health program

Federal law requires local education agencies (LEAs) to identify all children with disabilities who need special education and related services. The LEAs must provide the related services and, for Medicaid-eligible students, bill DSS for their cost. DSS (1) bills the federal government for 100% of what the LEA spends, (2) keeps one-half of the reimbursement, and (3) passes the other half to the LEA. These services are diagnostic, evaluative, and rehabilitative in nature.

The bill requires the DSS commissioner to notify each LEA in writing of any change in policy or billing procedure within 30 days after the change's effective date.

EFFECTIVE DATE: Upon passage

PA 11-57 AA AUTHORIZING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS AUTHORIZING SPECIAL TAX OBLIGATION BONDS OF THE STATE FOR TRANSPORTATION PURPOSES AND AUTHORIZING STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS.

This is the annual school construction bill. It includes funds for vo techs and Sheff.

Diversity School Project Grants

The bill requires the Department of Construction Services (DCS) commissioner, in consultation with the education commissioner to provide special school construction grants for school districts that have one or more schools with minority enrollments that exceed the district-wide average for the same grades by more than 25%. The grant must reimburse such districts for 80% of the reasonable capital costs for diversity school construction projects, including purchase, construction, extension, replacement, leasing, major alteration of, or buying equipment for, diversity schools open to all students within the district. Under the bill, minorities are students whose race is defined as other than white or whose ethnicity is defined as Latino or Hispanic for purposes of the federal census.

To qualify for the grant, (1) the diversity school must be open to all students living in the district for the purpose of correcting the existing minority enrollment disparity and (2) the school board must demonstrate that it has made a good faith effort to correct the disparity, as determined by the education commissioner.

EFFECTIVE DATE: Upon passage