




STATE OF CONNECTICUT
STATE DEPARTMENT OF EDUCATION



Series: 2012-2013
Circular Letter: C-2 REVISED

TO: Superintendents of Schools

FROM: Stefan Pryor, Commissioner of Education 

DATE: September 21, 2012

SUBJECT: Summary of Legislation Enacted in the 2012 Regular Session of the Connecticut General Assembly

The Connecticut General Assembly (CGA) has adjourned its 2012 Regular Session, as well as its special session to implement the budget. The Department would like to provide school districts with a comprehensive summary of all of the public acts passed during the regular session, as well the special session, that appear to be of general applicability and interest to school districts.

An Act Concerning Education Reform was a major focus of this legislative session, and a number of other acts affecting the State Department of Education (SDE) and local districts were also enacted.

In reviewing this summary, please keep the following in mind:

1. This document does not describe every 2012 public act affecting the operation of a school district or provide every detail of the acts that are summarized. Since this is only a summary of new legislation, the actual text of any act that may impact your district should be read. If this document is being viewed electronically, the text of the act can be accessed by clicking on the title on the index page.
2. The summaries are organized in four parts. The first part is a section-by-section summary of PA 12-116, *An Act Concerning Education Reform*. The second part includes newly enacted laws that primarily concern education. The third part includes budget and bond-related public acts affecting education. The final part involves the two bills that came out of the June 12 special session.
3. Following the table of legislation is a summary of each enacted bill, including the effective date. In some cases where only portions of a Public Act relate to education, only those sections of the act have been included in this summary.

If you have any questions, please contact Sarah Hemingway, Legislative Liaison, Connecticut State Department of Education, at 860-713-6493 or at sarah.hemingway@ct.gov.

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-Part One-

P.A. 12-116: An Act Concerning Education Reform

Sections 1-3: Early Childhood Education (*Effective from passage*)

- Creates 1,000 new school readiness program slots allocated as follows:
 - o 500 in educational reform districts;
 - o 250 in priority districts; and
 - o 250 in remaining competitive districts.
- Requires update of a 2008 study of the space and facilities needed to provide universal pre-school.
- Minor amendment to a requirement for the coordinated system of early care, education and child development, which will include a tiered quality rating and improvement system.

Sections 4-7: Early Literacy (*Effective July 1, 2012*)

- Continues the early literacy pilot program to in the 2012-13 school year;
- Requires the State Department of Education (SDE) to develop or approve a new reading assessment for Grades K-3 students by January 1, 2013;
- Starting July 1, 2014 this Public Act requires all certified elementary and early childhood teachers working in Grades K-3 to take a practice version of a reading instruction exam. Each local and regional board of education shall annually report these results to SDE;
- By July 1, 2013, SDE will establish a professional development program in reading instruction for teachers. This program will count towards professional development requirements, be based on student reading assessment data, provide differentiated and intensified training in teacher reading instruction, be used to identify mentor teachers, outline how model classrooms will be established, inform principals on how to evaluate classrooms and teacher performance, and will be job-embedded whenever possible. This will be reviewed annually by the Commissioner of Education; and
- The Commissioner shall annually asses such professional development and report to the General Assembly.

Sections 8 and 9: Child Health and Well-being (*Effective July 1, 2012*)

- For the 2012-13 school year, 10 new family resource center and 20 new school-based health clinics will be created in the alliance districts.
- 20 minutes of physical exercise during the regular school day is required for students in kindergarten through Grade 5. Previously, a length of time for physical exercise was not specified.

Section 10: Municipal Aid for New Teachers (MANE) Program (*Effective July 1, 2012*)

- Starting with fiscal year 2014, SDE will establish the MANE Program, which will provide grants up to \$200,000 to each of the 10 educational reform districts, as defined in section 34 of this Act, to hire 5 college seniors per year who are graduating in the top

10% of their classes from teacher preparation programs at Connecticut colleges and universities.

Section 11: School District Cost-Saving Grants (*Effective July 1, 2012*)

- School districts may apply to the Department of Education for grants to support districts in developing plans to implement significant cost-savings. The grants may be used for technical assistance or regional cooperation.

Section 12: Open Choice Program (*Effective July 1, 2012*)

- This Public Act provides an additional incentive for larger school districts to increase their participation in the Open Choice program. It does so by giving districts with more than 4,000 students the highest state Open Choice grant (\$6,000 for each out-of-district student) if they increase their Open Choice enrollment by at least 50% over the previous year. Previously, receiving districts qualify for the \$6,000-per-student grant only if the number of out-of-district students they enroll equals or exceeds 3% of their total enrollment.

Section 13: Exemplary Schools (*Effective July 1, 2012*)

- The bill allows SDE to publicly recognize exemplary schools and promote best practices used in those schools.

Section 14: Disseminating Information on School Options (*Effective July 1, 2012*)

- Previously, each local or regional board of education must provide its students full access to technical high schools, regional Agricultural Science and Technology Education Centers, interdistrict magnet schools, charter schools, and interdistrict student programs for recruitment purposes (other than recruiting for interscholastic athletic competition). This Public Act also requires each board of education to post information about these school options, as well as about alternative high schools, on its website.

Section 15 and 16: Uniform System of Accounting and Chart of Accounts (*Effective from passage*)

- SDE will develop and implement a uniform system of accounting for school revenues and expenditures that includes a chart of accounts for use at the school and school district level, which includes but is not limited to, all amounts and sources of revenue that a board of education, regional education service center (RESA), charter school, or charter management organization receives and cash or real property donations to a school district or school totaling an aggregate of \$500 or more;
- Starting with FY 15, each board of education, RESA and state charter school must implement the system by filing annual financial reports using a chart of accounts that meets the requirements of Section 10-227 of the Connecticut General Statutes requiring boards of education to (1) annually submit receipts, expenditures, and statistics to the education commissioner and (2) have the information certified by an independent public accountant selected to audit municipal accounts;

- The Office of Policy and Management (OPM) may annually audit the financial reports submitted by districts; and
- SDE shall submit the Chart of Accounts to the General Assembly by July 1, 2013.

Section 17: Study of Small District Issues (*Effective from passage*)

- SDE will study issues related to districts with fewer than 1,000 students, including financial disincentives, financial incentives for district consolidation, the ECS regional grant bonus, and the minimum budget requirement. The findings of the study will be reported to the General Assembly’s Education Committee.

Section 18: School Performance Indices and Actions Regarding Low-Achieving Schools (*Effective from passage*)

- The Public Act creates a measurement called the School Performance Index (SPI) to gauge school performance. The school’s SPI is calculated based on its students’ weighted performance on the statewide assessments.
- Based on the SPI, and other factors, schools are ranked into 5 categories:

Category	School Description
5	Ranked having the lowest performance as indicated by factors that may include SPI, change in SPI over time, student achievement growth, and high school graduation and dropout rates overall and for subgroups of students.
4	Ranked having the lowest performance other than Category 5 schools based on factors that may include the four factors listed above for Category 5.
3	Ranked having performance higher than category 4 and 5 but lower than 1 and 2 based on the same factors listed above.
2	Ranked having performance higher than category 3, 4 and 5 but lower than 1 based on the same factors listed above.
1	Ranked having the highest performance of any schools based on the same factors listed above.

- SDE may impose certain requirements on schools based on their categories. Individual districts will be contacted once rankings for this year have been completed, when test scores are available in mid-August. This will allow for appropriate follow-up and individual district communication.
- The Public Act also makes changes regarding reconstituting local boards of education. The changes involve notice to local officials regarding the electoral process when a reconstitution starts and when it concludes.

Sections 19-22: Commissioner's Network Schools (*effective from passage*)

- The Public Act establishes a Commissioner's Network to turn around up to 25 of the state's lowest performing schools over the next 3 years.
- On or before July 1, 2014, the Commissioner may select not more than 25 schools that have been classified as a category 4 or 5 school based on current data.
- The process (simplified for this document) is as follows:
 - o Turnaround Committee established at each school;
 - o An "operations and instructional audit" is conducted by SDE in consultation with the Turnaround Committee;
 - o Following the audit, the committee develops a turnaround plan;
 - o If consensus is reached, the plan is submitted to the State Board of Education for approval;
 - o If the local committee does not submit or develop a plan, or if it is deficient, the Commissioner may develop or modify the plan; and
 - o State Board of Education must approve or reject a turnaround plan before it may be implemented.

Section 23: School Governance Councils (*Effective July 1, 2012*)

- The Public Act requires boards of education that have jurisdiction over schools designated as low-achieving to establish a School Governance Council (SGC) for each such school and allows boards with schools designated as "in need of improvement" to create them. It defines SGC's responsibilities and makes exceptions to the requirement for SGCs for schools with only one grade. Exceptions are also made for SGCs that were already in place when the new governance council law was enacted, if they involve teachers, parents, and others.
- After July 1, 2012, the Public Act requires all school boards that have category four and five schools (see section 18) to establish councils for each of those schools.

Sections 24-28: Make Conforming and Technical Changes

Sections 29 – 33: Charter Schools (*Effective July 1, 2012*)

- The Public Act increases the state's annual per-student grant to state charter schools over three years as follows:
 - o 2012-13: \$10,500 per student;
 - o 2013-14: \$11,000 per student; and
 - o 2014-15 and each year thereafter: \$11,500 per student.
- Increases funding for local charter schools begins in FY 2014
 - o SDE may award up to \$500,000 in start-up funds and grants of up to \$3,000 per student; and
 - o Local board must implement staffing flexibility in consultation with bargaining unit to qualify for consideration for this funding.
- The SBE may grant approvals for charter schools that are in a district with at least one school in the Commissioner's Network, or to schools in districts designated as low-achieving

- At least 2 of the next 4 charter schools approved by 2017 must specialize in dual language programs or language acquisition for English language learners
- When approving charter schools, the SBE previously gave preference to schools located in priority districts, or districts that are 75% minority. Now, preference must also be given to schools whose primary purpose is:
 - o Serving students:
 1. With a history of low performance or behavioral and social difficulties;
 2. Receiving free or reduced lunch;
 3. Requiring special education;
 4. Who are English Language Learners, or
 5. Who are of a single gender, or
 6. Improving the academic performance of an existing school.
- SDE will conduct a study of opt-out enrollment in Charter Schools and report to the General Assembly.

Section 34: Alliance Districts (*Effective July 1, 2012*)

- This Public Act allows the Education Commissioner to hold back Education Cost Sharing (ECS) grant increases to towns with the lowest-performing school districts and establish conditions for release of these funds. The school districts subject to this conditional funding are called “alliance districts”. Importantly, the Public Act requires any balance of the conditional ECS funds allocated to each alliance district that remains unspent at the end of any fiscal year to be carried over and remain available to the district, subject to SDE approval, for the following fiscal year.
- Designating the Districts
 - o An alliance district is a town whose school district is among those with the lowest academic performance as measured by a district performance index (DPI) the bill establishes. For FY 13, the Public Act requires the education commissioner to designate 30 alliance districts. Districts keep the designation for five years.
 - o The Public Act also establishes a subcategory of alliance districts called “educational reform districts,” which are the 10 districts with the lowest DPIs.
- District Performance Index
 - o A town's DPI is its students' weighted performance on the statewide mastery tests in reading, writing, and mathematics given in Grades 3-8 and 10, and science in Grades 5, 8 and 10. The index is calculated by:
 1. Weighting student scores in each of these subjects as follows: zero for below basic (the lowest score), 25% for basic, 50% for proficient, 75% for goal, and 100% for advanced;
 2. Adding up the weighted student scores for each subject;
 3. Multiplying the aggregate student results in each subject by 30% for math, reading, and writing and 10% for science; and
 4. Adding up the weighted subject scores.
 - o The weightings produce the lowest indexes for districts with the lowest test scores.
- District Improvement Plan

- Alliance districts must use their conditional ECS funding to improve local achievement and offset other local education costs the commissioner approves. To be eligible to receive the funds, a district must submit an application to the commissioner. The application must contain objectives and performance targets as well as an improvement plan.

Section 35: Expanded Experience for Teacher Preparation Programs (*Effective July 1, 2012*)

- Starting July 1, 2015, the Public Act requires teacher preparation programs to require, as part of their curricula, that students have classroom clinical, field, or student teaching experience during four semesters of the program.

Sections 36-38: Teacher Certification (*Effective July 1, 2012*)

- Starting July 1, 2016, the Public Act raises the qualifications for a professional certificate by requiring applicants to hold a master's degree rather than, as current law requires, successfully completing 30 credits of coursework beyond a bachelor's degree. The master's degree must be in a subject appropriate to the person's certification endorsement, as determined by SBE.
- The Public Act eliminates the requirement that professional certificate holders complete 90 CEUs every 5 years (see section 39), but continues to make the professional certificate renewable every 5 years.
- The Public Act makes two exceptions to the requirement that all candidates successfully complete the Teacher Education and Mentoring (TEAM) program. It exempts applicants who have taught:
 - Under an appropriate certificate from another U.S. state, territory, or possession, the District of Columbia, or Puerto Rico for at least three years; or
 - 3 years in a non-public schools approved by SBE in the past 10 years.
- The Public Act also creates a “Distinguished Educator” designation for a person who:
 - Holds a professional educator certificate;
 - Has taught successfully for at least five years in a public school or SBE-approved private special education facility;
 - Has advanced education in addition to a master's degree from a degree or non-degree-granting institution that can include training in mentorship or coaching teachers; and
 - Meets performance requirements established by SDE.

Section 39: Professional Development (*Effective July 1, 2012*)

- Professional development will no longer be based on CEU credits
 - Professional development will focus on individual needs, as informed by the evaluation results, and delivered in small-groups, through mentors and coaching, in a job-embedded approach
 - Districts must offer at least 18 hours of professional development to certified employees, the majority of which must be in small group or individual settings and:

1. Improve integration of (a) reading instruction, (b) literacy and numeracy enhancement, and (c) cultural awareness, and include strategies to improve English language learner instruction into teacher practice;
 2. Be used to improve teacher and administrator practice based on general results and findings from teacher evaluations reported by the school superintendent or designee;
 3. Foster collective responsibility for improved student performance;
 4. Be comprehensive, sustained, and intensive enough to improve teacher and administrator effectiveness in raising student achievement;
 5. Focus on refining and improving effective teaching methods shared among educators and fostering collective responsibility for improving student performance;
 6. Be (a) aligned with state student academic achievement standards, (b) conducted among educators at the school, and (c) facilitated by principals, coaches, mentors, distinguished educators, or other appropriate teachers;
 7. Occur frequently for teachers individually or in groups, within their jobs, and as part of a continuous improvement process; and
 8. Include a repository of teaching best practices developed by each school's educators which is continuously available to them for comments and updates.
- The Public Act maintains that superintendents and administrators complete at least 15 hours of professional development every 5 years in teacher evaluation and support.

Sections 40-50 Make Conforming Changes

Section 51-56: Teacher Evaluation and Support Program (*Effective July 1, 2012*)

- Prior legislation required the Department, in consultation with the Performance Evaluation Advisory Council (PEAC), to present evaluation and support program guidelines to the SBE for consideration and adoption by July 1, 2012;
- SDE must pilot the evaluation model in 8-10 districts during the 2012-13 school year
- Neag School of Education at UConn will evaluate the pilot program;
- Evaluators will receive training in the evaluation system, and all teachers will receive an orientation to the evaluation system; and
- Upon full implementation, SDE will conduct an audit of several districts each year to ensure effective evaluations.

Section 57: Teacher Tenure and Termination (*Effective July 1, 2014*)

- The Public Act requires school superintendents to incorporate evaluations into decisions about granting tenure and gives local and regional boards of education an additional ground to terminate a teacher for cause. It streamlines and shortens teacher termination notice and hearing requirements and clarifies that most deadlines in the process must be counted in calendar days. Under both current law and the Public Act, the tenure and termination provisions apply to all certified professional school board employees below the rank of school superintendent who are defined collectively as “teachers.”

- Granting Tenure
 - Prior to this law, to attain tenure in a particular school district, a certified employee must (1) have completed a specified period of continuous service with the school and (2) be offered a contract to return the following year. With this Public Act, a probationary teacher will achieve tenure status only when the teacher is employed for the specified period and the school superintendent offers the teacher a the contract of employment for the following school year on the basis of effective practice as informed by the teacher's performance evaluations.
- Grounds for Teacher Termination
 - Under current law, a teacher can be dismissed only for specified reasons. In addition, a superintendent can notify a non-tenured teacher, in writing, by May 1st of any school year that his or her contract will not be renewed for the following year.
 - On or after July 1, 2014, this bill explicitly allows a district to terminate a teacher on the grounds that he or she is ineffective as long as that determination is based on evaluations that comply with SBE guidelines for evaluating teachers.
 - With this Public Act, a teacher may also still be terminated for:
 1. Inefficiency or incompetence, as determined by an evaluation that complies with the SBE's evaluation guidelines;
 2. Insubordination against reasonable board of education rules;
 3. Moral misconduct;
 4. Disability proven by medical evidence;
 5. Elimination of the position to which the teacher was appointed or loss of a position to another teacher, as long as there is no other position for which the teacher is qualified and subject to the applicable provisions of a collective bargaining agreement or school board policy; or
 6. Other due and sufficient cause.
- Termination Hearing Requirements and Procedures
 - Under current law, tenured and non-tenured teachers are entitled to a hearing before being terminated for cause. Non-tenured teachers are also entitled to a hearing when their contracts are not renewed for any reason other than elimination of the teacher's position or loss of the position to another teacher ("bumping"), provided that the nonrenewal decision will be affirmed unless it is arbitrary and capricious.
 - The bill makes several changes to streamline the process for these hearings. It:
 1. Eliminates the maximum 14 days currently allowed for a tenured teacher who receives a termination notice to file a written request for the reasons and the superintendent to provide written reasons and instead requires the superintendent to state the reasons in the written termination notice;
 2. For a non-tenured teacher, establishes a three-day deadline after receiving notice of termination or nonrenewal to request the reasons and reduces the deadline for the superintendent to supply written reasons from seven to four days after receiving the teacher's request;
 3. Shortens the deadline for a teacher to request a hearing from 20 to 10 days after he or she receives a termination or nonrenewal notice;

4. Eliminates the teacher's or board's option to choose a hearing before a three-member impartial hearing panel while maintaining existing options for a hearing before (a) an impartial hearing officer chosen by the teacher and the school superintendent, or (b) the full board of education or a three-member subcommittee;
5. Requires hearings on terminations for incompetence or ineffectiveness to address whether the teacher's performance ratings were (a) determined in good faith according to the required evaluation procedures and (b) reasonable in light of the evidence presented;
6. Limits termination hearings for incompetence and ineffectiveness to a total of 12 hours of evidence and testimony, six for each side, while allowing the board, board subcommittee, or hearing officer to extend the time for good cause shown; and
7. Requires a board subcommittee or hearing officer to submit findings and recommendations on the case to the board of education within 45, rather than 75, days after the hearing request, unless the parties mutually agree to a maximum 15-day extension.

The table compares the current and proposed teacher termination processes. The bill specifies that all the days in the process are calendar days.

<i>Action</i>	<i>Previous Deadlines</i>	<i>Deadline Changes Under the Bill</i>
Superintendent notifies teacher in writing that termination of his/her contract is under consideration or, only for a nontenured teacher, that his or her contract will not be renewed	<ul style="list-style-type: none"> ● Termination notice: Anytime ● Nonrenewal notice: By May 1 annually 	No change
Teacher files written request asking the board to state its reasons for the action	Tenured teacher: 7 days after receiving notice Nontenured teacher: No time limit	<ul style="list-style-type: none"> ● Termination: Not applicable (bill requires termination notice to state reasons) ● Nonrenewal: Within three days after receiving the notice
Board notifies teacher in writing of reasons.	7 days after board receives request.	<ul style="list-style-type: none"> ● Termination: Not applicable ● Nonrenewal: Within four days after the board receives the request
Teacher files written request for a hearing	Within 20 days after teacher receives	Within 10 days after the teacher receives the notice

	termination or nonrenewal notice.	
Hearings begin (Hearings may be public at the teacher's request or if designated by the board or hearing officer. The teacher may appear and be represented by counsel.)	Within 15 days after the board receives the hearing request; parties may mutually agree to extend this deadline for a maximum of 15 days	Specifies calendar days
Time limits on testimony and evidence	None	<ul style="list-style-type: none"> ● Six hours for each side; 12 hours total ● Board, board subcommittee, or hearing officer may extend the time for good cause
Impartial hearing plan, board subcommittee or hearing officer submits written findings and recommendations to the full board concerning the case and sends a copy to the teacher	Within 75 days after the hearing request unless the parties agree to extend for a maximum of 15 days	<p>Within 45 calendar days after the hearing request unless the parties agree to extend for a maximum of 15 calendar days</p> <p>Impartial hearing panel option eliminated</p>
Board gives teacher its written decision	Within 15 days of receiving the recommendations or, if the hearing takes place before the full board, within 15 days after the close of the hearing.	Specifies calendar days.
Maximum Time From Notice to Termination	125 Days	85 Days

Under both current law and the Public Act, once the board issues its written decision, a teacher has 30 days to appeal that decision to Superior Court. The bill specifies that this 30-day period be counted in calendar days.

- Other Calendar-Day Provisions
 - o In addition to the deadlines described above, the bill specifies that the following periods are to be counted in calendar days:
 1. The minimum 90-day period of required work for a board of education before a teacher is covered by the law's tenure and for-cause termination provisions; and
 2. The maximum 35-day period within which a school board that has not delegated final hiring authority to the school superintendent must accept or reject a school superintendent's candidates for teaching positions in schools under the board jurisdiction.

Sections 59-61: ECS Grants (*Effective July 1, 2012*)

- The Public Act increases FY 13 ECS grants to 136 towns by various amounts listed in the Public Act itself. The grant increases for FY 13 total \$ 50 million in the aggregate. The bill makes no changes in the ECS formula, although it imposes conditions for alliance districts to receive their grant increases.
- The Public Act also requires the state to add each state or local charter school's state grant amounts for FY 13 to the ECS grants paid to towns where the schools are located. It requires each town to pay the amount designated by the education commissioner to the fiscal authority for the charter school.

Section 62: Minimum Budget Requirement (*Effective July 1, 2012*)

- Each town's MBR for the upcoming year is the amount they budgeted for education in FY 12
- Current law allows a qualifying town to reduce its MBR for FY 12 and FY 13 if (1) its school district enrollment falls compared to the prior year, by up to \$3,000 times the drop in enrollment or (2) it has no high school and is paying tuition for fewer students to attend high school in another district compared to the prior year, by the per-student tuition rate times the drop in enrollment. Previously, both of these reductions were limited to 0.5% of the district's budgeted appropriation for education for the prior fiscal year.
 - o This Public Act:
 1. For both FY 12 and FY 13, allows a district with no high school and that is paying for fewer students to attend high school outside the district to reduce its budgeted appropriation for education by the full amount of its lowered tuition payments;
 2. Allows a town to reduce its MBR for FY 13 by up to 0.5% of its FY 12 budgeted appropriation for education to reflect half of any new savings from (a) a regional collaboration or cooperative arrangement with one or more other districts or (b) increased efficiencies within its school district,

- as long as the savings can be documented and the education commissioner approves; and
3. Permits a district to use only one of the allowable MBR reduction options.

Sections 63 and 64: Grant Increases for Non-Sheff Magnet Schools (*Effective July 1, 2012*)

- Beginning in FY 13, this Public Act increases the annual state per-pupil operating grants for Non-Sheff Magnet Schools and Agricultural Science and Technology Education Centers as detailed in the table below.

<i>Type of Interdistrict Magnet School</i>	<i>Per-Student Grant</i>	
	<i>Current Law</i>	<i>Public Act</i>
Operated by local school district (“host magnet”)	\$6,730	\$7,085
Operated by RESC (“RESC magnet”) with less than 55% of its students from a single town	\$7,620	\$7,900
RESC magnet with 55% or more of its students from a single town (“dominant town”) – with one exception (see below)	For each student from outside the dominant town: \$6,730 For each student from the dominant town: \$3,000	For each student from outside the dominant town: \$7,085 For each student from the dominant town: \$3,000
RESC magnet with between 55% and 80% of students from a dominant town	For each student from outside the dominant town: \$6,730 For each student from the dominant town: \$3,833	For each student regardless of originating town: \$8,180
Agricultural Science and Technology Education Centers	\$1,355 per student	\$1,750 per student

Sections 65 and 66: Phase Outs of Grants (*Effective July 1, 2012*)

- Previously, priority school districts received state grants for (1) summer school and weekend programs and (2) extending school hours to provide academic enrichment and support and recreation programs for students in the district. Starting with FY 14, this Public Act requires these grants to phase out over three years once a district is no longer designated a priority district rather than ending them all at once. Under the Public Act, a former priority district receives grants of 75%, 50%, and 25% of its final grant as a priority district in the three years following loss of eligibility.

Section 67: Students in DMHAS Facilities (*Effective July 1, 2012*)

- The Department of Mental Health and Addiction Services (DMHAS) must provide regular and special education services to eligible residents in its facilities. The Public Act transfers the responsibility for paying for these costs from SBE to DMHAS. It also makes a conforming change to eliminate a requirement that SBE pay for the costs in two installments.

Section 68: Bloomfield Magnet School Exemption (*Effective from passage*)

- The Public Act extends for an additional year, through FY 12, an exemption for the Big Picture Magnet School, an approved interdistrict magnet school operated by Bloomfield, from statutory student diversity requirements for interdistrict magnet schools. These requirements (1) limit the number of students from any of the school's participating towns to 75% of its total enrollment and (2) specify that students of racial minorities must comprise at least 25% but no more than 75% of a school's student body.
- The Public Act's exemption allows the school to continue receiving a state magnet school operating grant in FY 12. Starting July 1, 2012, the school must reopen as The Global Experience Magnet School under an operation plan approved by the education commissioner. For purposes of meeting diversity requirements for interdistrict magnet schools, the Public Act specifies that the school is considered to have begun operating as of that date, thus, by law, giving it until its second year of operation to meet the desegregation requirements of the *Sheff v. O'Neill* settlement. The education commissioner can grant an extension for one additional year

Sections 69-87: Technical High School System (*Effective July 1, 2012*)

- Creates a new 11-member governing board for the regional vocational-technical system
 - o 4 Executives of Connecticut-based employers appointed by the Governor;
 - o 5 members appointed by the SBE; and
 - o Commissioners of Economic and Community Development and the Department of Labor Governor appoints the Chairperson, who serves as a nonvoting ex-officio member of the SBE, increasing SBE membership to 14.
- Requires the governing board and the Commissioner to make a joint recommendation to the SBE for appointment of the CTHSS Superintendent.
- Changes the name of the regional vocational-technical (V-T) schools to the Connecticut Technical High School System (CTHSS).

Section 88: SDE Website Information (*Effective July 1, 2012*)

- The Public Act requires SDE to annually make the following information available on its website:
 - o the statewide performance management and accountability plan required by the amended school accountability law;
 - o a list of schools ranked from lowest to highest by SPI;
 - o the formula and method the department used to calculate each school's SPI; and
 - o The alternative versions of the formula used to calculate school subject indexes for non-elementary grades.

Section 89: Intensive Reading Instruction Program (*Effective July 1, 2012*)

- The commissioner will develop an intensive reading instruction program focused on improving student literacy in Grades K-3.
- The commissioner will select 5 elementary schools that are (1) located in an educational reform district, (2) among the lowest 5% of elementary schools in school performance indices, or (3) participating in the Commissioner's Network to participate in the reading program this school year, with additional schools added in subsequent years

Section 90: Minority students in special education (*Effective July 1, 2012*)

- The Public Act requires SDE to identify school districts that disproportionately and inappropriately identify minority students as requiring special education due to reading deficiencies. It requires these districts to submit annual reports to SDE describing their plans to reduce the misidentification of minority students by improving reading assessments and interventions for Grades K-3 students.
- The Public Act also requires SDE to study the plans and strategies the districts use that demonstrate improvement in this area. The SDE study must examine the correlation between improvements in teacher training in the science of reading and the reduction in misidentification of students requiring special education services.

Section 91 – 96: Early Literacy (*Effective July 1, 2012*)

- By July 1, 2013, SDE will develop a coordinated statewide reading plan for student in Grades K-3. The plan will include:
 - o the alignment of reading standards, instruction, and assessments for Grades K-3 students;
 - o teachers use of student progress data to adjust and differentiate instruction to improve student reading success;
 - o the collection of information about each student's reading background, level, and progress for teachers to use to assist in a student's transition to the next grade level;
 - o an intervention for each student who is not making adequate reading progress to help the student read at the appropriate grade level;
 - o enhanced reading instruction for students reading at or above their grade level;
 - o reading instruction coordination between parents, students, teachers, and administrators at home and school;
 - o school district reading plans;
 - o parental involvement by providing parents and guardians with opportunities to help teachers and school administrators to (a) create an optimal learning environment and (b) receive updates on their student's reading progress;
 - o teacher training and reading performance tests to be aligned with teacher preparation courses and professional development activities;
 - o incentives for schools that demonstrate significant student reading improvement;
 - o research-based literacy training for early childhood care and education providers and instructors working with children birth to age five; and

- Reading instruction alignment with the common core state standards that the SBE sets.
- Starting in 2013, all certified teachers with the comprehensive special education or remedial reading and language arts endorsements must pass the reading instruction test
- The Public Act also requires the Commissioner to establish an incentive program for schools that increase by 10% the number of students who meet reading goals on Connecticut mastery tests, and demonstrate the methods and instruction the school used to achieve those results
- The Public Act also requires SDE to work with the Board of Regents for Higher Education to design a preliteracy course
- The Public Act also requires SDE to collaborate with the Governor's Early Care and Education Cabinet to develop an information-sharing system between preschool and kindergarten programs about children's proficiency in oral language and pre-literacy

Section 97 – Repeals obsolete provisions of current law (*Effective July 1, 2012*)

-Part Two-
Other Public Acts Affecting Education

P.A. 12-40: An Act Concerning College Readiness and Completion *(effective July 1, 2012)*

- Requires institutions defined in statute as “public institutions of higher education”, beginning by the 2014 fall semester, to offer certain students remedial support embedded with the corresponding entry level course in a college-level program.
- Requires public high schools and public institutions of higher education to align their curricula by the fall semester of 2016. The alignment must enable the successful completion of high school mathematics and language arts curricula, as described in Connecticut's Common Core State Standards, to be the indicator of college readiness. Public institutions of higher education may use available evaluation instruments to assess the college readiness of adults enrolling in higher education after spending time in the workforce.
- Beginning by the 2014-15 school year, the Act requires the Board of Regents for Higher Education (BOR), in consultation with the P-20 Council, to ensure that public institutions of higher education work with the state Department of Education and local and regional school districts to use available evaluation methods to assess eighth and tenth grade students' college readiness and share the results with students, parents or legal guardians, and schools.

P.A. 12-43: An Act Concerning FMLA for certain Municipal Employees *(effective upon passage)*

- This Public Act reduces the number of work hour's school paraprofessionals in educational settings need to qualify for family and medical leave benefits.
- The Act requires boards of education to provide benefits equal to those provided by the federal FMLA to paraprofessionals who have been employed by the board for at least 12 months and worked at least 950 hours for the board during the 12 months prior to taking the benefit. This is a reduction from the 1,250 currently required. It similarly reduces the work requirement, from 1,250 to 950 hours, for the paraprofessionals to request leave to serve as an organ or bone marrow donor.
- The Act requires the labor commissioner to adopt implementing regulations and specifies that the paraprofessionals cannot begin accruing the necessary 950 hours before then.

P.A. 12-50: An Act Concerning Requirements for Early Childhood Educators *(Effective July 1, 2012)*

- Prior to this legislation, educators could meet early childhood requirements by, among other things, earning a degree or credential in certain programs from an institution accredited by the BOR. The Public Act instead requires institutions to be accredited by BOR or the SBE and to be regionally accredited.
- Under the law, individuals who hold bachelor's degrees and are who, on or before June 30, 2015, are employed as teachers in applicable programs and meet the qualification

- requirements in effect until June 30, 2015, are exempt from the requirements that take effect on July 1, 2015, and July 1, 2020.
- The Public Act provides that any individual who terminates employment with an early childhood program and accepts a teaching position at another early childhood education program accepting state funds for spaces associated with such program's child day care program or school readiness program shall submit documentation of his/her progress toward meeting the staff qualification requirements for early childhood educators.
 - The current law allows the education commissioner to use up to \$500,000 in unexpended school readiness funds from each fiscal year in the subsequent fiscal year to help early childhood education programs' staff members meet the qualification requirements. The Act requires individual staff members, rather than school readiness programs, to apply for unexpended funds and requires the education commissioner to determine the manner of application. It also requires SDE, rather than the local school readiness program, to provide the assistance to staff members. In awarding assistance, SDE must give preference to staff members attending a BOR- or SBE-accredited institution that is also regionally accredited.

PA 12-59: An Act Concerning Technical Revisions to the Education Statutes *(effective upon passage)*

- Makes technical revisions to the education Statutes.

PA 12-63: An Act Concerning Teacher Certification *(effective July 1, 2012)*

- This Act changes the elementary education endorsement. Endorsements granted on or after July 1, 2013 will be for Grades 1-6, rather than Grades K-6. To teach kindergarten, a teacher must obtain an early childhood nursery through grade three endorsements. Elementary education endorsements issued before that date continue to be valid for teaching kindergarten.
- Generally, under the Act, elementary education endorsements issued on or after July 1, 2013 are valid only for grades one through six. However, endorsements issued between July 1, 2013 and July 1, 2017, will be valid for K-6, provided the recipient successfully completes a teacher preparatory program for elementary education to which he/she was admitted no later than the start of the fall 2012 semester.

P.A. 12-83: An Act Concerning Payment of Wages for Employees of a Private School in the State *(effective upon passage)*

- This Public Act permits three specific private institutions to negotiate with their respective employee unions for a different wage payment schedule than the weekly payment required under previous legislation. The institutions referred to as "state-aided institutions," are the American School for the Deaf, Connecticut Institute for the Blind, and Newington Children's Hospital.
- The Public Act adds these institutions to an existing provision that allows boards of education to negotiate different payment schedules.

P.A. 12-88: An Act Concerning the Reporting of Children Placed in Seclusion *(effective July 1, 2012)*

- Prior to this legislation, each local or regional school board, institution, and facility that provides direct care, education or supervision to persons at risk must record each instance when physical restraint or seclusion is used on a child and the nature of the emergency that necessitated the action; and include the information in an annual compilation for the state. This Act maintains these requirements for institutions or facilities providing direct care, education or supervisions of persons at risk, but imposes additional requirements on Boards of Education. Specifically, boards of education must now specify whether the use of seclusions was in accordance with an individualized education program or whether the use of physical restraint or seclusions was an emergency. The nature of any such emergency must be specified as well.
- Under this Act, the entities utilizing restraint or seclusion are also required, rather than given the option, to report to the SBE any instance in which the use of a restraint or seclusion results in the person's physical injury.
- The Public Act requires, rather than allows, the SBE to review these compilations and provide annual summaries identifying the frequency with which restraints and seclusion were used. Such summary must now specify, among other things, whether the use of seclusion was in accordance with an IEP or whether the physical restraint or seclusion was an emergency.
- The SBE must submit the summary report, by February 15, 2013, and by December 15 of each year thereafter, to the select committee of the General Assembly having cognizance of matters relating to children.

P.A. 12-107: An Act Concerning Benefits for Surviving Spouses Under the Teachers' Retirement System *(effective upon passage and applicable with respect to members who died on or after January 1, 2008)*

- Expands the benefit options available to the surviving spouse of a teacher in the Teachers' Retirement System (TRS) who did not name his or her spouse as the sole designated beneficiary.
- The Public Act allows the surviving spouse of a TRS member to choose the following options in the settlement of the retirement account if the member at the time of death was eligible for a retirement benefit, and had not filed a waiver of the co-participant option:
 - o Monthly 100% co-participant benefit; or
 - o Lump sum refund of the member's accumulated contributions plus credited interest.
- The Act allows the surviving spouse of a teacher who failed to name his or her spouse as the sole designated beneficiary the same benefit options available to those surviving spouses who were named sole designated beneficiary.

P.A 12-114: An Act Concerning Domestic Violence *(effective October 1, 2012)*

- The Public Act requires court clerks, at a domestic violence victim's request, to send a copy of a restraining order, including those issued ex parte (without a court hearing) or

its contents to any educational institution the victim attends, including a public or private elementary or secondary school; regional vocational technical school; or institution of higher education, including its president and any special police force. *(Section 1)*

P.A. 12-120: An Act Concerning Minor Revisions to the Education Statutes

- requires regional education service centers (RESCs) that arrange for criminal background checks of school personnel to retain fingerprints and other identifying information for four years; *(effective from passage)*
- limits enhancement grants to youth service bureaus (YSBs) to the amount appropriated for the grants and requires proportional grant reductions if the total youth service bureau grants for a given year exceeds the amount appropriated for such grants for such year; *(effective July 1, 2012)*
- updates and broadens the duties of school medical advisors; *(effective July 1, 2012)*
- allows Three Rivers Community College to operate an interdistrict magnet school and receive state magnet school grants; *(effective July 1, 2012)*
- gives the Hartford school district, as the successor operator of Great Path Academy magnet school on behalf of Manchester Community College (MCC), the same state operating grants and allows it to charge sending districts the same tuition as its predecessor; *(effective from passage)*
- makes changes to conform with laws enacted or taking effect in 2011, including those relating to school construction, responsibility for early childhood programs, school breakfast program eligibility, and an increase in the high school dropout age; *(effective from passage)*
- expands and revises the membership of the Special Education and Head Start advisory councils; *(effective from passage)*
- changes deadlines and other requirements for certain education-related reports;
- expressly requires the State Department of Education (SDE) to administer the Even Start Family Literacy Program; *(effective from passage)* and
- makes other minor and technical changes and eliminates obsolete language *(effective from passage)*

P.A. 12-154: An Act Concerning Manufacturing Internships *(effective July 1, 2012)*

- The Public Act allows minors to work in hazardous duty jobs while participating in a manufacturing or mechanical internship in any manufacturing or mechanical establishment. It defines an internship as supervised practical training of a high school student or recent high school graduate that includes curriculum and workplace standards approved by the departments of Labor (DOL) and Education (SDE).

P.A. 12-173: An Act Concerning Individualized Education Programs and Other Issues Related to Special Education *(effective July 1, 2012)*

- Notification and Information Prior to PPT Meeting
 - o The Public Act requires a school district responsible for providing special education to offer to meet with the student's parent, guardian, pupil or surrogate

- parent (“parent”) upon the parents' request, after the student has been assessed for possible placement in special education and before the PPT meets. The sole purpose of the meeting is to discuss the PPT process and any concerns the parent has about the student.
- The Public Act specifies that the parents must be given the opportunity to meet with a PPT member designated by the school board before the referral PPT meeting at which the student's assessments and evaluations will be discussed for the first time. This applies to students under evaluation for possible placement in special education.
 - The Public Act also requires school boards, upon the request of parents, to provide them with copies of the assessment and evaluation results used to determine special education eligibility at least three school days before the referral PPT meeting at which the assessments will be first discussed.
 - The Public Act requires the school district to provide parents with any SDE information and resources relating to IEPs as soon as a child is identified as requiring special education.
- Teacher Certification and Training Requirements for Special Education
 - The Public Act requires teacher certification preparation, in-service training, and professional development programs to include expanded instruction and training regarding implementing IEPs. It requires:
 1. certification preparation programs to include instruction on implementing IEPs as they relate to special education and related services;
 2. districts, as part of required in-service training options for certified personnel, to offer information on implementing student IEPs; and
 3. special education teachers, as part of their required 90 hours of professional development every five years, to complete at least 10 hours of training on implementing student IEPs and communicating IEP procedures to parents or guardians of special education students.
 - Special Education Excess Cost Grant
 - The Public Act requires that, starting with FY 13, the state special education excess cost grant for the child goes to the district in which the child would otherwise be attending school (i.e., the “nexus district”), if the nexus district pays the child’s tuition to the local or regional board of education of the school of origin. The excess cost grant also goes to the nexus district in cases where that district placed the child in a private school or regional education special education facility before DCF removed the child from his or her home and the child continues to attend the prior placement. The excess cost grant goes to the district where the student is living if the nexus district cannot be identified (which may be the case when a child is new to Connecticut).
 - Deaf and Hearing Impaired Students (*effective from passage*)
 - The Public Act requires any IEP for a child identified as deaf or hearing impaired to include a language and communication plan developed by the child's PPT.
 - It requires the plan to address:
 1. The child's primary language or mode of communication;

2. Opportunities for direct communication between the child and his or her peers and professional personnel in the child's primary language or mode of communication;
3. Educational options available to the child;
4. The qualifications of teachers and other professional personnel administering the plan for the child, including their proficiency in the child's primary language or mode of communication;
5. The accessibility of academic instruction, school services and extracurricular activities to the child;
6. Assistive devices and services for the child; and
7. Communication and physical environment accommodations for the child.

P.A. 12-197: An Act Concerning Various Revisions to Public Health Statutes (*effective October 1, 2012*)

- Previously, students had to submit a certificate from a physician to be excused from a physical exercise requirement. Under this Act, that certification may now come from an Advanced Practice Registered Nurse (APRN). An APRN may also now certify that a student has received appropriate vaccinations. (*Sections 22 and 23*)

P.A. 12-198: An Act Concerning the Administration of Medicine to Students with Diabetes, the Duties of School Medical Advisors, the Inclusions of CPR and AED Training on the Public School Curriculum and Physical Exercise During the School Day (*July 1, 2012, except for the provisions relating to students with diabetes and plans for students with glycogen storage disease, which are effective on passage*)

- Students with Diabetes
 - o Blood Glucose Self-Testing
 1. Previously, school boards were required to let diabetic students test their own blood glucose levels in school if a physician's or APRN's written order states the student needs to self-test and is capable of doing so.
 2. This Public Act eliminates the authority of an APRN to give the written order, and provided the child has a note from a parent and physician's written order, bars a school district from limiting the times when, and locations where, such a student on school grounds can carry out the tests.
 - o Administering Emergency Glucagon
 1. The Public Act requires a school nurse or school principal to select a qualified school employee to, under certain conditions, give a glucagon injection to a student with diabetes who may require prompt treatment to protect him or her from serious harm or death. The nurse or principal must have written authority from the student's parent or guardian and a written order from the student's Connecticut-licensed physician. Under the Public Act, such injections are given through an injector or injectable equipment used to deliver an appropriate dose of glucagon as emergency first aid response to diabetes.

2. Under the Public Act, the school nurse or principal may select any of the following as qualified school employees: a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by the school board, coach, or school paraprofessional. Such employees may administer the injections only if the:
 - School nurse is absent or unavailable;
 - Employee has completed any annual training in how to administer glucagon injections that the school nurse and medical advisor require;
 - Nurse and medical advisor attest, in writing, that the employee has done so; and
 - Employee voluntarily agrees to the selection.
 3. The school nurse must provide general supervision to the qualified employee.
 - The Public Act also addresses immunity to civil damages as a result of these cases.
- Students with Glycagon Storage Disease
 - SDE, in conjunction with the Department of Public Health (DPH) must develop guidelines for managing students with life-threatening food allergies and make them available to boards of education. This Public Act extends the guidelines to cover glycogen storage disease. It requires the departments to make the additional guidelines available to school districts by July 1, 2012.
 - The additional guidelines must include:
 1. education and training for school personnel on managing students with life-threatening glycogen storage disease, including training in how to provide food or dietary supplements; and
 2. the process for developing individualized health care and glycogen storage disease action plans for every student with the disease that include provision of food or dietary supplements to a student with the disease by (a) the school nurse or (b) any school employee approved by the nurse.
 - Such plans must allow the student's parent or guardian or any person they designate to provide food or dietary supplements to a student with the disease on school grounds during the school day.
 - By August 15, 2012, school boards must implement a plan, based on the guidelines, for students with glycogen storage disease enrolled in schools in their jurisdictions.
 - The Public Act also covers immunity from liability for parties involved in these cases.
 - The Public Act also updates the duties of a school medical advisor.
 - It eliminates requirements that advisors (1) examine referred students, teachers, and other school staff; (2) make sanitary inspections of school buildings; (3) help enforce the Public Health Code or town sanitary regulations by deciding when students and school staff who are, or are suspected to be, sick must be excluded from, or may return to, school; and (4) interpret to school nurses and teachers factors relating to controlling communicable diseases.

- Instead, it requires advisors to work with their appointing school boards and the local boards of health or health departments for their school districts to:
 1. Plan and administer each school's health program,
 2. Advise on school health services,
 3. Consult on school health environments, and
 4. Perform other duties as agreed between the advisor and his or her appointing school board.
- The Public Act also establishes a requirement that all students Grades K-5 be provided with 20 minutes of physical exercise during the school day.
- The Public Act also requires the SBE to make available curriculum and other material to help school districts offer training to students in cardiopulmonary resuscitation (CPR) and the use of automatic external defibrillators (AEDs)

P.A 12-206: An Act Concerning the use by State Employees of Services Provided by CT Technical High School System Students *(effective July 1, 2012)*

- With certain exceptions, the state Code of Ethics prohibits public officials, state employees, their immediate family members, and businesses with which they are associated from entering into a state contract valued at \$100 or more, unless the contract is awarded under standard and transparent bidding procedures.
- This Public Act authorizes public officials, state employees, their immediate family members, and businesses with which they are associated to contract with the regional vocational-technical (V-T) school system for its students to perform services in conjunction with their vocational, technical, or technological education and training. It requires the superintendent of the regional V-T system to establish an open and transparent process for reviewing any such contract.

Special Act 12-3: An Act Concerning Teacher Preparation *(effective July 1, 2012)*

- The SBE, in consultation with the BOR and the University of Connecticut, shall study issues concerning teacher preparation and report to the General Assembly not later than April of 2013.
- Issues to study include, but are not limited to, requiring
 - student teaching in the first year of a preparatory program, including work with special education and gifted students,
 - any candidate entering a program of teacher preparation to possess a minimum cumulative grade point average of 3.00,
 - students to meet academic requirements in the subject area they plan to teach, and
 - institutions of higher education annually providing each candidate with information regarding subject and geographic areas in which a teacher shortage exists.

-Part Three-

Budget and Bond-Related Public Acts Affecting Education

P.A. 12-104: An Act Making Adjustments to State Expenditures and Revenues for the Fiscal Year ending June 30, 2013 *(effective July 1, 2012)*

- Makes general fund appropriations to state agencies and programs, including SDE, for 2012-13 fiscal years. Sections 17 and 35 affect the SDE.
- The budget also includes significant money to support the education reform legislation:

State Department of Education (SDE) New Funding Initiatives	Amount \$ (in millions)
Education Cost Sharing (ECS)	50.0
Charter Schools	8.1
Commissioner's Network	7.5
Early Childhood (School Readiness Slots)	6.8
Magnets	4.7
Talent Development	3.5
School Readiness Quality Enhancement	3.0
K-3 Reading	2.7
Various Initiatives	2.2
Sheff	2.0
Family Resource Centers	1.9
Vocational Agriculture	1.4
TOTAL	93.8

- Various Initiatives includes the following: \$455,000 for a Grades K-8 science program; \$450,000 for wrap-around services; \$100,000 for regional cooperation; \$200,000 for new or replicated schools; \$500,000 for a Bridges to Success program; \$42,000 for youth service bureaus; \$200,000 for a school health coordinator pilot; and \$250,000 for a parent university.

(Source: OFA Budget Highlights)

P.A. 12-179: An Act Concerning the Authorization of State Grant Commitments for School Building Projects *(effective from passage)*

- This Public Act includes the school construction priority list as developed by the Department of Construction Services

P.A. 12-189: An Act Authorizing and Adjusting Bonds of the State for Capital Improvements, Transportation and Other Purposes *(effective July 1, 2012)*

- The Public Act includes bond authorizations to SDE for the following purposes (*section 9*):

Grants for <i>Sheff</i> magnet school program start-up costs: Purchasing a building or portable classrooms, leasing space, and purchasing equipment, including computers and classroom furniture, provided that title to any such building that ceases to be used as an interdistrict magnet school may revert to the state as the education commissioner determines.	13,645,000
Grants for expanding the availability of high quality school models: Alterations, repairs, improvements, technology, equipment, acquisition, and capital start-up costs.	25,000,000
Grants for low-performing schools in targeted local and regional school districts: Alterations, repairs, improvements, technology, and equipment.	16,000,000
Grants to towns and tax-exempt organizations for facility improvements and minor capital repairs to licensed school readiness programs and state-funded day care centers operated by such towns and organizations.	10,000,000

-Part Four-
Portions of Special Session Public Acts Affecting Education

June 12 Special Session P.A. 12-1: An Act Implementing the State Budget for the Fiscal Year Beginning July 1, 2012 (*Various Effective Dates, included by section*)

Section 96: School-Based Health Center Communications Agreement (*effective upon passage*)

- The Public Act requires, by July 1, 2013, each school-based health center (SBHC) that receives operational funding from the Department of Public Health to enter into an agreement with the school's local or regional board of education concerning the establishment of minimum standards for the frequency and content of communications between the SBHC and the school's nurses or nurse practitioners.
- The agreement must comply with state laws on municipal employees (C.G.S. Chapter 113).
- It also requires the person or entity operating the SBHC to submit a copy of the agreement to the public health commissioner.

Section 118 & 119: College Transition Pilot Programs (*effective upon passage*)

- The Public Act delays, from October 1, 2012, to October 1, 2013, the date by which the education and higher education commissioners must report to the Education and Higher Education committees on the results of the two college transition pilot programs established by PA 11-48.

Section 222: Loan Forgiveness for Teaching Bilingual Education or English Language Learners (*effective July 1, 2012*)

- The Public Act establishes a loan reimbursement program for up to 20 educators who teach bilingual education or English language learners. Under the Public Act, borrowers of federal or state education loans who meet the program's criteria may receive reimbursements of up to \$5,000 per person, per year for a maximum of five years.
- To be eligible for the program, a person must, on or after May 1, 2012:
 - o graduate from an in-state teacher preparation program and complete the state's teaching certification requirements or hold a teaching certificate and complete an in-state program to obtain an endorsement in bilingual education or teaching English to speakers of other languages;
 - o obtain such an endorsement if he or she has not already done so;
 - o be employed at a Connecticut public school in a teaching position that requires such an endorsement; and
 - o make a written commitment to remain employed in such a position at a Connecticut public school for at least five years following receipt of the endorsement
- The Public Act requires the Office of Financial and Academic Affairs for Higher Education (OFAAHE) to administer the program from within available appropriations and allows the office to adopt regulations for this purpose. It requires OFAAHE's executive director to seek repayment of the reimbursement from any recipient who does not fulfill the five-year employment requirement. Under the Public Act, for each year that the person does not meet the employment requirement, he or she must repay at least 20% of the reimbursement

(e.g., a recipient who only teaches for three years must repay at least 40% of the reimbursement). The executive director must determine the manner of repayment.

Section 224: Common Core Curricular Alignment (*effective July 1, 2012*)

- The Public Act requires local and regional boards of education, in collaboration with the BOR and the UConn Board of Trustees, to develop a plan to align Connecticut's common core state standards with college-level programs at Connecticut public higher education institutions. The standards and programs must be aligned within one year of Connecticut's implementation of the standards.

Section 225: Common Core Pilot Program (*effective upon passage*)

- The Public Act requires SDE, by July 1, 2013, in collaboration with BOR and the UConn Board of Trustees, to develop a pilot program to incorporate the common core standards into priority school district curricula. The program must also, for the 2013-14 through the 2017-18 school years, align the districts' curricula with college-level programs at Connecticut public and independent higher education institutions.
- Under the pilot program, the local or regional board of education for a priority school district must partner with BOR, the UConn Board of Trustees, and independent institutions' governing boards, as appropriate, to evaluate and align curricula, test Grade 10 or Grade 11 students using a college readiness assessment developed or adopted by SDE, use the results to assess college readiness, and offer a support plan for Grade 12 students found to be unready for college. The local or regional board must annually report the test results to SDE, BOR, UConn, and the OFAAHE.

Section 226-229: School Construction Projects (*effective upon passage*)

- The Public Act exempts specified school construction projects from various statutory and regulatory requirements to allow them to qualify for state grants. These exemptions are referred to as “notwithstanding” provisions.
 - o New Haven – new construction at Bowen Field;
 - o Brooklyn – Middle School extension and alteration;
 - o Manchester – Elisabeth M. Bennett Academy off-site chiller system for air conditioning; and
 - o Wethersfield – extension and alteration project at Wethersfield High School.

Section 230: Youth Service Bureau (YSB) Grants (*effective upon passage*)

- The Public Act effectively increases the number of YSBs eligible for SDE grants. It does so by making any YSB eligible for state grants starting in FY 13 if it applied by June 30, 2012, rather than by June 30, 2007, after receiving approval for its town's matching contribution. The grants are \$14,000 each, with any excess funds distributed among YSBs that received grants of more than \$15,000 in FY 95.

Section 231: Coordinated School Health Pilot Program (*effective July 1, 2012*)

- For FY 13, the Public Act requires the education commissioner to establish a pilot program to provide grants to two educational reform districts the commissioner selects to coordinate school health, education, and wellness and reduce childhood obesity.
- Pilot programs must enhance student health, promote academic achievement, and reduce childhood obesity by bringing together school staff, students, families, and community members to assess health needs; establish priorities; and plan, implement, and evaluate school health activities. They must include at least the following:
 - o school nutrition services;
 - o physical education;
 - o a healthy school environment;
 - o staff health and wellness;
 - o family and community involvement;
 - o health education and services;
 - o school counseling; and
 - o school psychological and social services.
- The commissioner must establish program implementation guidelines for the selected districts to use and provide technical assistance and resources to the districts on implementing the programs. He must make a final report on the program by October 1, 2013 to the governor and the Education and Appropriations committees.

Section 232: Wraparound Services Grant Program *(effective July 1, 2012)*

- The Public Act requires the education commissioner, within available appropriations, to establish a program to provide grants to educational reform districts for:
 - o social-emotional behavioral supports;
 - o family involvement and support;
 - o student engagement;
 - o physical health and wellness;
 - o social work and case management; and
- It allows an educational reform district's school board to apply for a grant when and how the commissioner prescribes.

Section 233: Parent University Pilot Program *(effective July 1, 2012)*

- For FY 13, the Public Act requires SDE to provide grants for a parent university pilot program in two educational reform districts the education commissioner selects. Each parent university must provide educational opportunities for parents both district-wide and for those whose children attend certain schools and who live in certain neighborhoods.
- The Public Act allows an educational reform district's school board, or such a board's nonprofit organization partner, to apply for a grant when and how the commissioner prescribes. It also allows SDE to accept private donations for the program as long as they do not limit the scope of the grants.

Section 234: Educational Reform District Science Grant Program *(effective July 1, 2012)*

- The Public Act requires the education commissioner to establish a grant program, within available appropriations, for educational reform districts to improve the academic

performance of students in kindergarten through 8th grade in science, reading, and numeracy. It allows an educational reform district's school board to apply for a grant when and how the commissioner prescribes. In awarding grants, the commissioner must prioritize programs partnering with schools with a record of low science performance and after-school elementary programs with a record of improving science performance.

Section 235: Achievement Gap Task Force Reporting Deadlines (*effective upon passage*)

- The Public Act delays, from July 1, 2012, to January 15, 2013, the deadline for the task force to submit a master plan to eliminate the academic achievement gaps. It also changes the schedule for the task force's annual progress reports from annually starting January 1, 2013, to annually starting July 1, 2013.

Section 236: Per-Student Grant for Agricultural Science and Technology Education Centers (*effective July 1, 2012*)

- P.A. 12-116 increases the annual state grant for each student attending an Agricultural Science and Technology Education Center from \$1,355 to \$1,750. It also prohibits local and regional boards of education that operate centers from using any increase in state funding to supplant local education funding for FY 13 or any subsequent fiscal year.
- For FY 13, this Public Act allows a local or regional school board to receive and spend the increased per-student grants for its Agricultural Science and Technology Education Center program even if that spending causes it to exceed the total budgeted amount for education for FY 13 approved by its municipality or regional school district. It thus temporarily overrides statutes limiting the total amount a local or regional board of education may spend without additional authorization to the total specified in the town's or regions approved budget for the year.

Section 237: Foodcorps in Connecticut Fund Transfer (*effective July 1, 2012*)

- Under the Public Act \$27,000 that the budget appropriated for the Department of Education for Other Expenses is transferred to UConn's Cooperative Extension Service to coordinate FoodCorps in Connecticut for FY 2013. FoodCorps is a national organization that sponsors young adults dedicating a year of public service to help bring healthy food education and choices to schoolchildren.

Section 238: School Nutritional Rating Pilot Grant Program (*effective July 1, 2012*)

- The Public Act requires the education commissioner to establish a school nutritional rating system pilot grant program to be implemented in school districts for the school years commencing July 1, 2012, and July 1, 2013.
- The program must provide grants of up to \$50,000 to eligible applicants the commissioner selects in accordance with the bill to adopt and implement a nutritional rating system to be used in at least one elementary, one middle, and one high school in the school district that:
 - o Provides information on the nutritional value of food provided to students in the school cafeteria to guide student food choices; and
 - o Assists local and regional boards of education in food service procurement decisions.

- Eligible Applicants
 - o Under the Public Act, an eligible applicant can apply to the commissioner for a grant at a time and in a manner as the commissioner prescribes. It defines an “eligible applicant” as a local or regional board of education submitting an application on its own or a group of boards of education submitting an application together that has at least one elementary school, one middle school, and one high school located in the school district or districts.
 - o An eligible applicant receiving a grant under this section must monitor and report to the commissioner on whether the development or adoption of the nutritional rating system affected student food-purchasing patterns.
- Applicant Selection
 - o The commissioner must select at least three but not more than five applications submitted by eligible applicants pursuant to the Public Act. The commissioner must select at least one eligible applicant from each of the following resident student population groups:
 - fewer than 1,000 students
 - at least 1,000, but fewer than 10,000
 - at least 10,000
- Donations and Reporting
 - o The commissioner may accept private donations for purposes of the nutritional rating system grant program, provided the donations do not limit the scope of the pilot program grants under the Public Act.
 - o The commissioner must submit a report by October 1, 2014, assessing this program to the Education Committee of the General Assembly. The report must include any recommendations relating to the program's expansion. The commissioner must consult with the participating school district food service directors in developing the report and recommendations.

Section 239: Statewide School Nutritional Food Procurement Guide (*effective July 1, 2012*)

- The Public Act requires the education commissioner to submit to the Education Committee, by July 1, 2013, a report and recommendations relating to the establishment of a statewide food procurement guide for use by local and regional boards of education. The report must contain nutritional rating information for food items most commonly procured by boards of education. The commissioner must consult with food service directors for school districts throughout the state in developing the report and recommendations.

Section 282: Sheff Magnet School Supplemental Transportation Grants (*effective July 1, 2012*)

- The Public Act authorizes the education commissioner, within available appropriations, to provide supplemental transportation grants for FY 12 to regional education service centers (RESCs) that transport students to Sheff interdistrict magnet schools. The state also provided such supplemental grants for FY 11.
- Financial Review Requirement
 - o Previously, the supplemental grants were payable only after a comprehensive financial review of all transportation activities as prescribed by the education commissioner. In addition, the commissioner may require a RESC to provide an

independent financial review to be paid for out of its supplemental grant. When the commissioner opts to require the latter review, this provision also requires him to select an auditor to perform it.

- Supplemental Grant Payments
 - o The Public Act changes the supplemental grant payment schedule to hold back more of the funds pending the financial review. For FY 11, up to 75% of the supplemental grant was payable by June 30, 2011 with the balance paid by September 1, 2011, on completion of the comprehensive financial review. For FY 12, the Public Act reduces the initial payment, payable by June 30, 2012, to 50% of the grant. It requires the balance to be paid by September 1, 2012.

Sections 283-285: Education Department Funds Carried Forward (*Section 283 effective from passage; Section 284-285 effective July 1, 2012*)

- Instead of allowing them to lapse at the end of FY 12, the Public Act carries forward SDE appropriations in several accounts for various uses in FY 13.

Section 286: Unexpended School Readiness Funds (*effective July 1, 2012*)

- Prior to this legislation, the education commissioner was able to use up to \$500,000 in unexpended school readiness funds from each fiscal year in the subsequent fiscal year to help early childhood education programs' staff members meet the qualification requirements.
- The Public Act specifies that the funds may also be available for the provision of early childhood professional development offered by a professional development and program improvement system within the Connecticut State University System. The law requires SDE to give a preference to staff members attending a Board of Regents- or State Board of Education-accredited institution that is also regionally accredited.

Sections 287 & 288: Minimum Local Funding Requirements for Alliance Districts (*effective July 1, 2012*)

- For FY 13, the Public Act requires alliance districts to maintain a minimum level of annual local funding for education and establishes a separate MBR for such districts.
- Under this Public Act, each alliance district's budgeted appropriation for education for FY 13 must at least equal the sum of its budgeted appropriation for education for FY 12 and the amount necessary to meet its local education funding percentage for the year. Under the Public Act, the minimum local funding percentage is 20% for FY 13, 21% for FY 14, 22% for FY 15, 23% for FY 16, and 24% for FY 17.
- The education commissioner can allow an alliance district town to reduce its FY 13 appropriation for education if it can demonstrate that its local contribution for education for FY 13 has increased compared to the local contribution used to determine its local funding percentage under the bill.

Section 289: Education Loan to Bridgeport (*effective July 1, 2012*)

- The Public Act allows the education commissioner, with the OPM secretary's approval, to loan up to \$3.5 million to Bridgeport. The city must include the money in its budgeted appropriation for education for FY 12 and use it to cover education expenses incurred during that year.
- The Public Act carries forward a total of \$3.5 million from the following FY 12 appropriations to SDE and makes it available for the loan during FY 13: (1) \$2.3 million for Personal Services, (2) \$700,000 for Sheff Settlement, and (3) \$500,000 for the Open Choice Program.
- As conditions of the loan, the education commissioner:
 - o Must require the selection of the school district's superintendent or chief financial officer from a pool of up to three candidates approved by the commissioner; and
 - o May require the district to include additional process or outcome targets in its alliance district improvement plan required under P.A. 12-116.
- The city must repay the loan by June 30, 2015, but the education commissioner may:
 - o Allow repayment through reductions in Bridgeport's equalization aid grant in each year of the loan's three-year term; and
 - o With the OPM secretary's approval, forgive all or part of the loan if the city complies with the loan conditions and the commissioner has approved its alliance district improvement plan.

June 12 Special Session P.A. 12-2: An Act Implementing Certain Provisions Concerning Government Administration (*Various Effective Dates, included by section*)

Sections 14 and 15: Commissioner's Network Schools (*effective upon passage*)

- The Public Act changes the definition of an "approved not-for-profit educational management organization," which under P.A. 12-116 can be chosen to manage a network school. The Public Act removes the restriction that a not-for-profit organization with experience and a record of success in improving student achievement for low-income or low-performing students must be located out of the state, thus allowing in-state organizations with the same record of success to be eligible to manage a network school. The Public Act leaves unchanged the authorization for a non-profit that currently operates a state charter school in the state to manage a network school.
- P.A. 12-116 requires the commissioner to develop a turnaround plan for one school for the school year beginning July 1, 2012. The Public Act permits the commissioner to approve a turnaround plan for another network school for the same school year that assigns the school management, administration or governance to an approved not-for-profit organization. It also requires the commissioner to negotiate matters related to the plan in accordance with collective bargaining procedures detailed in P.A. 12-116.
- The Public Act reduces the number, from five to four, of school turnaround plans for school years 2013 and 2014 that can choose a not-for-profit organization to manage the school. But if the commissioner does not exercise the option of approving a turnaround plan for the 2012 school year that includes using a not-for-profit management organization, then he can still choose five of such plans to be implemented over the 2013 and 2014 school years.

Sections 16 and 17: Collective Bargaining and Turnaround Plans (*effective upon passage*)

- P.A. 12-116 requires the local school board and the teachers' or administrators' union to negotiate on any matters in an approved turnaround plan or a plan developed by the commissioner that conflict with provisions of an existing union contract. It sets out two detailed tracks for these negotiations, one for turnaround plans agreed to at the local level and approved by the State Board of Education (SBE) and another when (1) there is no consensus on the local plan, (2) the commissioner deems the local plan deficient, or (3) no local plan is developed. For the track regarding non-consensus or no sufficient plan, a bargaining referee must determine whether the matters that conflict with the existing agreement are to be negotiated under existing bargaining parameters or through impact bargaining.
- The Public Act specifies when the 30-day period for negotiations begins. If the board of education and the teachers' or administrators' union agree on all or certain components of the turnaround plan, the 30-day negotiation period begins when the turnaround plan is presented to the board and the union, rather than beginning when the agreement is reached by the turnaround committee.
- If the board and the union do not agree and the components are sent before the bargaining referee, then the 30-day period begins when the referee makes a determination on the type of bargaining, rather than when the agreement is reached by the turnaround committee.

Section 18: Educational Management Organizations *(effective upon passage)*

- P.A. 12-116 bans a not-for-profit educational management organization chosen to manage a network school from employing the school's principal, administrators, and teachers. The Public Act expands this to prohibiting them from employing any person who works at the school.

Sections 19-21 & 25-27: State Charter Schools Grants Paid through Towns *(effective July 1, 2012)*

- P.A. 12-116 requires the state to pay certain grants for state and local charter schools to the town where each school is located as an addition to the town's Education Cost Sharing (ECS) grant, and requires the towns to pay the amounts the education commissioner specifies to each charter school's fiscal authority.
- The Public Act delays the deadlines for the initial payments of the per-student grants. It requires the state to make the first payment to the towns by July 15, rather than July 1, and requires towns to pay the charter schools by July 20 rather than July 15. The first payment is 25% of the grant based on the charter school's estimated enrollment on May 1. The payment deadline changes apply to annual per-student grants for (1) state charter schools of \$10,500 for FY 13, \$11,000 for FY 14, and \$11,500 for FY 15 and thereafter and (2) qualifying local charter schools of up to \$3,000 starting in FY 14.
- The Public Act also removes a requirement in P.A. 12-116 that startup grants for new state charter schools that help the state meet the desegregation goals of the 2008 Sheff settlement agreement ("Sheff charters") be paid through ECS grants to the towns where they are located. Instead, it maintains the existing requirement that the state pay this grant directly to the Sheff charter school's governing authority.

Section 22: Payment of ECS Grant Increases for Alliance Districts *(effective July 1, 2012)*

- P.A. 12-116 requires the state comptroller to hold back any ECS grant increase payable to an “alliance district” town in FY 13 or any subsequent fiscal year and transfer the money to the education commissioner. Under the Act, the commissioner pays the funds on condition that they are spent according to the district's approved district improvement plan and any guidelines the SBE adopts.
- The Public Act specifies that, when the funds are paid to an alliance district town, the town must pay them to its board of education to implement the improvement plan.

Sections 23 & 24: Teacher Evaluation and Support Program (*effective upon passage*)

- Deadline to Implement District Evaluation Programs
 - o Prior legislation required the SBE to adopt guidelines for a model evaluation and support program for teachers and school administrators by July 1, 2012. P.A. 12-116 requires the evaluation programs used by local school districts to be consistent with the new guidelines, unless SBE waives the requirement for a district that already has a program that substantially complies.
 - o Unless they receive a waiver, this Public Act requires all school districts to develop and implement programs consistent with the guidelines by September 1, 2013.
- Pilot Program Requirements
 - o For the 2012-13 school year, P.A. 12-116 requires the education commissioner to administer a teacher evaluation pilot program based on new SBE guidelines as of July 1, 2012, and select between eight and 10 districts to participate in the pilot. This Public Act allows groups of districts to participate as consortia and allows the commissioner to count each such consortium as one district for purposes of the pilot program.
 - o P.A. 12-116 also requires the pilot evaluation programs to, among other things, provide training to teachers being evaluated. This Public Act requires the programs to instead provide orientation to such teachers.

Sections 28 & 29: Technical High School Budgets (*effective July 1, 2012*)

- P.A. 12-116 creates a new technical high school system board to govern regional technical high schools. It gave the board the authority to approve or disapprove system budgets without modification as proposed by the technical high school system superintendent. The Public Act authorizes the board to amend and approve the budget. It requires the board to submit the approved budget to the State Board of Education and the Office of Policy and Management following existing agency budget procedures. The Public Act eliminates the provision that if the technical system board disapproves the budget, it must adopt an interim budget that remains in effect until the superintendent submits and the board approves a modified budget.

Section 138: Teacher Professional Development and IEPs (*effective July 1, 2012*)

- The Public Act adds additional types of professional development that local and regional boards of education are required to offer their certified employees regarding special education students. It requires boards to offer professional development that includes training in the implementation of student individualized education programs (IEPs) and the

communication of IEP procedures to parents or guardians of students who require special education and related services. This training must be offered to certified employees with an endorsement in special education who hold a position requiring this endorsement.

This Public Act also makes several technical changes.