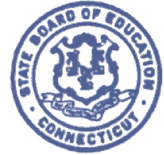




STATE OF CONNECTICUT
STATE DEPARTMENT OF EDUCATION



Series: 2011-2012

Circular Letter: C-2

TO: Superintendents of Schools

FROM: George A. Coleman, Acting Commissioner of Education

A handwritten signature in blue ink that reads "George A. Coleman".

DATE: August 15, 2011

SUBJECT: Summary of Legislation Enacted in the 2011 Regular Session of the Connecticut General Assembly

The Connecticut General Assembly (CGA) has adjourned its 2011 Regular Session and, depending on whether there is an agreement with the State Employee Bargaining Agent Coalition (SEBAC), the CGA might call itself into Special Session by August 31st to approve or amend the Governor's [budget balancing plan](#). The Department will advise school districts if there is no agreement with the SEBAC and if additional education-related budget changes are enacted in a special session. In the interim, the Department would like to provide school districts with a comprehensive summary of all of the public and special acts to date that appear to be of general applicability and interest to school districts.

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

1. While comprehensive, this document does not describe every 2011 public or special act affecting the operation of a school district or provide every detail of the acts that are summarized. Consequently, 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 reviewed electronically, the text of the act can be accessed by clicking on the title.
2. The summaries are organized in two parts. The first part contains those newly enacted laws that primarily concern education. The second part contains those newly enacted laws that concern the budget and bond related public acts affecting education.
3. Each narrative entry is followed by the section number of the act that has been summarized and the effective date of that section. In some cases only sections of an act have been included.

If you have any questions, please contact Jessica Andrews, the Connecticut State Department of Education's Legislative Liaison, at 860-713-6582 or at jessica.andrews@ct.gov.

GAC:ja

Attachment

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-Part One-
2011 PUBLIC AND SPECIAL ACTS AFFECTING EDUCATION

Special Act 11-9, [AN ACT CONCERNING A REVIEW OF THE COST TO MUNICIPALITIES OF STATE-MANDATED SPECIAL EDUCATION REQUIREMENTS](#) (effective upon passage)

- Requires the Commissioner of Education to conduct a comprehensive review of state-mandated special education requirements and to submit a report to the General Assembly by February 1, 2012 (Section 1).

Public Act 11-17, [AN ACT CONCERNING HIGH SCHOOL DIPLOMAS FOR KOREAN WAR VETERANS](#) (effective July 1, 2011)

- Expands local or regional school boards' authority to award high school diplomas to veterans who did not receive them because they left high school for military service, to include veterans of the Korean hostilities (Section 1).

Public Act 11-27, [AN ACT CONCERNING SUBSTITUTE TEACHERS](#) (effective July 1, 2011)

- Gives the Commissioner of Education authority to waive a statutory requirement that substitute teachers employed by local and regional boards of education have a bachelor's degree. The commissioner may do so for good cause at the request of a school superintendent (Section 1).

Public Act 11-54, [AN ACT CONCERNING REQUIREMENTS FOR EARLY CHILDHOOD EDUCATORS](#) (effective July 1, 2011)

- Makes the following changes to the required qualifications for early childhood educators:
 - Specifies that, on and after July 1, 2015, the staff qualification requirements apply to all programs accepting state funds, including school readiness or childcare service funds and funds from the Department of Social Services (DSS).
 - With certain exceptions, it delays, from July 1, 2015 until July 1, 2020, the requirement that programs have a person in each classroom with a teaching certificate or bachelor's degree in certain fields. It instead requires:
 - at least 50% of early childhood educators with primary responsibility for a classroom to meet this requirement by July 1, 2015; and,
 - the remaining individuals to have an associate's degree.
 - Specifies that for each fiscal year, up to \$500,000 in unexpended school readiness funds may be used in the subsequent fiscal year to help staff meet the degree requirements (Section 1).
- Requires the Department of Higher Education (DHE), in consultation with the Connecticut State Department of Education (CSDE) and other agencies and institutions, to develop a plan to meet the bachelor's degree and teaching certificate requirements, including strategies for retaining individuals who do not meet them (Section 2).

Public Act 11-55, [AN ACT CONCERNING DISCRIMINATION](#) (sections 8, 9 & 22, effective October 1, 2011)

- Requires public schools to give all children an equal opportunity to participate in the activities, programs, and courses of study the schools offer without discrimination on account of gender identity or expression. It also prohibits boards of education from discriminating on the basis of gender identity or expression in employing or paying teachers.
- Under current law, it is a discriminatory practice for anyone to deprive another person of any rights, privileges, or immunities, secured or protected by Connecticut or federal laws or constitutions, or cause such a deprivation, because of religion, national origin, alienage, color, race, sex, sexual orientation, blindness, or physical disability. The act adds gender identity or expression to this list.

Public Act 11-58, [AN ACT CONCERNING HEALTHCARE REFORM](#) (Section 10, *effective July 1, 2011*)

- By October 1, 2011, and annually thereafter, the act requires employers that sponsor fully-insured group health insurance policies to electronically submit to the Comptroller, in a form he prescribes, information regarding the percentage increase or decrease in policy or plan costs.
- Under the act, the covered employers are towns, cities, boroughs, school districts, taxing districts, and fire districts, employing more than 50 people.

Public Act 11-66, [AN ACT CONCERNING CHILDREN AFFECTED BY DISASTER AND TERRORISM](#) (*effective upon passage*)

- Requires the Commissioner of the Department of Emergency Management and Homeland Security (DEMHS), in consultation with CSDE and other agencies, to amend the state's civil preparedness plan and program to include planning and activities specifically for children and youth in the event of natural or man-made disasters and terrorism. Starting by January 1, 2012, the DEMHS commissioner must annually report to the General Assembly on homeland preparedness and emergency response plans and activities for children.

Public Act 11-70, [AN ACT CONCERNING THE KIRKLYN M. KERR PROGRAM, A STRATEGIC PLAN FOR HIGHER EDUCATION, CHEFA, THE TRACKING OF UNIQUE IDENTIFIERS BY INSTITUTIONS OF HIGHER EDUCATION AND TECHNICAL REVISIONS TO THE HIGHER EDUCATION STATUTES](#)

- Requires DHE to require each public institution of higher education and each independent institution of higher education that receives state funding to track the unique identifiers or CSDE assigned student identifiers, for all in-state students enrolled at the institution until the student graduates or terminates enrollment (Section 14, *effective August 31, 2011*).
- Requires CSDE to require school districts to include unique identifiers or state-assigned student identifiers on student transcripts (Section 15, *effective August 31, 2011*).

Public Act 11-85, [AN ACT CONCERNING CLOSING THE ACADEMIC ACHIEVEMENT GAP](#) (*effective July 1, 2011, except creation of taskforce, which is effective upon passage*)

- Establishes an 11-member task force to address academic achievement gaps between Connecticut students and consider effective approaches to closing the achievement gaps in elementary, middle, and high schools (Section 1).
- Establishes a nine-member Interagency Council for Ending the Achievement Gap that must assist the achievement gap task force in the development of the achievement gap master plan and implement the provisions of the plan (Section 2).
- Specifically permits local or regional boards of education for schools designated as low achieving under state law to increase the number of school days each year and the number of school hours each day (Section 3).
- Makes the following changes to the law that requires all priority school districts to provide a summer reading program for kindergarten students, reading assessments of young students, and individual reading plans to improve literacy (Section 4):
 - Starting with the 2011-12 school year, the act requires each local and regional board of education for a priority school district to assess the reading level of students enrolled in:
 - kindergarten at the end of the school year; and,
 - Grades 1-3 at the beginning, middle and end of the school year.
 - It changes the criterion for kindergarten students to go into the summer reading program from the teacher's determination to the school's determination that the student is substantially deficient in reading based on measures established by the State Board of Education (SBE).

- It requires priority school district's students in grades kindergarten through grade three to attend summer school if determined to be substantially deficient in reading at the end-of-the-year assessment.
- When a student is determined to be reading deficient, the school must develop an individual reading plan and requires that the plan include assessment results and applicable federal requirements.
- The act adds the requirement that school literacy teams monitor each student's individual reading plan. It requires the literacy team to include, at a minimum, teachers, school reading specialists, internal or external reading consultants, the school principal, and the provider of the additional instruction.
- By law, decisions to promote students to the next grade who have individual reading plans because they were found to be deficient in reading must be based on documented progress. The current law applies this standard to students in Grades 1-3. The act extends this standard to kindergarten and expands the applicability to all educational and instructional decisions, not just the decision to promote to the next grade.
- Authorizes the Commissioner of Education to conduct a pilot study to promote best practices in early literacy and closing academic achievement gaps and identify schools to participate in the study. The pilot study may use various assessment tools, including those used in the summer reading program, and may assess students more frequently than twice a year. CSDE must report the pilot study's findings to the Education Committee of the General Assembly (Section 5).
- Requires local and regional boards of education to now annually establish student objectives as part of their statement of educational goals, pursuant to Section 10-220(b) of the C.G.S. (Section 6).
- Requires that anyone seeking a teacher certification in elementary education must achieve a satisfactory evaluation on the appropriate CSDE-approved math assessment (Section 7).
- Requires CSDE, by July 1, 2012, to approve and make available model curricula and frameworks in reading and math for Grades PK-4 (Section 8).
- Requires the State Education Resource Center (SERC) to expand the program of professional development activities to teachers; and develop strategies for assisting students who are in danger of failing and culturally-relevant methods for educating students whose primary language is not English (Section 9).

Public Act 11-93, [AN ACT CONCERNING THE RESPONSE OF SCHOOL DISTRICTS AND THE DEPARTMENTS OF EDUCATION AND CHILDREN AND FAMILIES TO REPORTS OF CHILD ABUSE AND NEGLECT AND THE IDENTIFICATION OF FOSTER CHILDREN IN A SCHOOL DISTRICT](#) (effective July 1, 2011, except the provisions concerning the Department of Children and Families (DCF) plan for implementing the requirement for school position applicants to submit to the child abuse registry are effective upon passage, and the provision requiring DCF to provide school boards information about foster children is effective October 1, 2011)

- Requires local and regional boards of education to require applicants for any position in the district's public schools to submit to a check of DCF's abuse and neglect registry before they can be hired. Specifically, starting July 1, 2011, boards must require applicants for positions requiring a state certificate, authorization, or permit to submit to a check and beginning July 1, 2012, boards must require applicants for positions not requiring state certification to submit to the checks before the boards can hire them (Section 1).
- Requires the SBE to require each applicant for a new or renewed teaching certification, authorization, or permit to submit to a check of the abuse and neglect registry. If the SBE receives notice that the applicant is listed as an abuse or neglect perpetrator, it must deny the application or may revoke the certification, authorization, or permit of a teacher it has already approved (Section 1).
- Allows disclosure of DCF records without the person's consent to include those on the DCF child abuse and neglect registry that pertain to nondisclosure of findings of responsibility for abuse and

neglect; and, requires the DCF, when requested, to promptly provide records without consent to the superintendent of schools for any school district for the purpose of determining the suitability of someone to be employed by the district (Section 2).

- Expands list of mandated reporters to include school employees, as defined in the Connecticut General Statutes (C.G.S.) Section 53a-65 (Section 3).
- Requires DCF, within available appropriations, to provide an educational training program and refresher training program for accurate and prompt reporting of abuse and neglect to all new school employees (Section 3).
- By October 1, 2011, requires DCF, in consultation with CSDE, to develop a model mandated reporter policy for use by school boards (Section 3).
- Establishes additional steps to be followed when the alleged perpetrator of the abuse or neglect is a school employee, including notification of certain school employees and CSDE. (Section 4)
- Establishes a February 1, 2012, deadline for the requirement in current law that school boards adopt written policies regarding mandated reporting. It requires the policy, which must be in accordance with the act's model reporting policy, to be distributed annually to the school board's employees. Boards must document that employees have received the policy and completed the training and refresher training programs (Section 4).
- Requires all school employees hired by school boards on or after July 1, 2011, to complete the training program. All employees must complete the refresher program no later than three years after completing the initial training and at least once every three years after that (Section 4).
- Employees hired before that date must complete the refresher training program by July 1, 2012, and must retake it once every three years after that (Section 4).
- Requires the law's mandatory in-service training program for school districts to include the requirements and obligations of mandated reporters (Section 5).
- Requires all school boards to maintain in a central location all records of allegations, investigations, and reports that a child has been abused or neglected by an employee of the school district. These records must include any reports made to DCF. The act grants CSDE access to these records (Section 6).
- If the DCF commissioner suspects or knows that a mandated reporter employed by a school district has failed to make a required report within the prescribed time period, she must record the delay, develop and maintain a database of these records, and investigate the delay (Section 7).
- Requires the DCF commissioner to develop a policy for investigating delayed reports by mandated reporters (Section 7).
- Applies the current penalty and mandatory education and training requirements to reporters who fail to report within the law's prescribed timeframes. Requires the DCF commissioner to promptly notify the chief state's attorney when there is reason to believe that a mandated reporter has failed to make a required report or makes a late report (Section 8).
- Requires DCF to send a copy of a mandated reporter's written report of suspected abuse or neglect directly to CSDE, rather than the person in charge of the school. Also, requires DCF, rather than the mandated reporter himself, to send a copy of a mandated reporter's written report directly to an "executive head of the state licensing agency" (Section 9).
- Requires that if the DCF commissioner receives a report of suspected abuse or neglect from someone who is not designated as a mandated reporter, the DCF commissioner must send a copy to the Commissioner of Education (Section 10).
- Specifies that the person in charge of a school includes the school or institution's principal, headmaster, or executive director. When the suspected perpetrator works for a public school, the act requires the DCF commissioner to also notify the school superintendent (Section 11).
- Requires school boards to provide the DCF commissioner, upon her request and for the purpose of investigating suspected child abuse or neglect by a teacher the board employs, any records the board

maintains or keeps on file, regardless of the provisions of section 10-151c of the C.G.S. that provides the records of teacher performance or evaluation kept by school boards generally are not public records and therefore not subject to disclosure under the Freedom of Information Act. This must minimally include supervisory records; competence, personal character, and efficiency reports kept in the teacher's personnel file with reference to evaluation of performance as a professional employee of the board; and misconduct records (Section 12).

- Requires school boards to permit and give priority to any child abuse or neglect investigation that DCF or local law enforcement is conducting. The board must conduct its own investigation and take disciplinary action in accordance with the law when it receives notice from the DCF commissioner or the law enforcement agency that the board's investigation will not interfere with either of the other entity's investigations (Section 13).
- Requires DCF, at least annually, to conduct random quality assurance reviews of reports and investigations of abuse and neglect involving school employees. If, as a result of the review, DCF discovers any issues in the report or investigation, it must take any necessary action to correct or satisfy such problem or issue. DCF must use these reviews to assess the investigations' conduct and quality (Section 14).
- Requires DCF, at least annually, to review with CSDE all records and information relating to these investigations that DCF has in its possession to ensure that both are being shared properly. The departments must address and correct any omissions or other problems in their records and information-sharing process (Section 14).
- The additional requirement that all oral and written reports contain, if known, the reasons the reporter believes the person or persons are suspected of causing the child's injuries, maltreatment, or neglect and any information concerning any prior cases in which the alleged perpetrator has been suspected of causing the child harm (Section 15).
- If an alleged perpetrator of abuse or neglect is a school employee, it requires DCF to notify CSDE or other pertinent licensing agencies of DCF's report and investigation. (Section 16).
- Requires anyone reporting abuse or neglect, including nonmandated reporters, to provide an authorized investigator with all information that he/she possesses related to the investigation, except information that state or federal law expressly prohibits (Section 17).
- Requires DCF to develop the plan for implementing the new registry requirement for applicants for any school positions by January 1, 2012 (Section 20).
- Requires DCF, when asked by receiving school boards, to provide information about foster children attending schools in the boards' jurisdiction (Section 21).

Public Act 11-109, [AN ACT REQUIRING AN ANNUAL RESULTS-BASED ACCOUNTABILITY REPORT CARD EVALUATING STATE POLICIES AND PROGRAMS IMPACTING CHILDREN](#)

(effective July 1, 2011)

- The Legislature's Children's Committee, in consultation with the offices of Fiscal Analysis and Legislative Research and the Commission on Children, must maintain an annual "report card" that evaluates state policies and programs that impact children. The Children's Committee must consult with a working group to develop this "report card."

Public Act 11-114, [AN ACT CONCERNING DONATIONS OF EQUIPMENT TO THE REGIONAL VOCATIONAL-TECHNICAL SCHOOL SYSTEM](#) *(effective upon passage)*

- Allows the Commissioner of Education to indemnify those who donate certain tangible personal property to CSDE or CTHSS for instructional purposes. The donated property must have a fair market value of more than \$1,000.

Public Act 11-115, [AN ACT CONCERNING JUVENILE REENTRY AND EDUCATION](#) (effective July 1, 2011)

- Requires school districts to immediately enroll or re-enroll a student transferring from either of the unified school districts (USDs) run by the Departments of Correction and Children and Families (USD #1 and USD #2, respectively); and, requires a school district to re-enroll such a student in his or her former school, if the student went to school in the district before attending USD #1 or #2 and the former school has appropriate grades for the student (Section 1).
- Establishes a deadline of not later than two business days for a new school district or charter school to notify a transfer student's previous district or charter school of a student's enrollment, and extends to USD #2 the currently required deadline for a new school district or charter school to notify USD #1 of a student's transfer; and, requires school districts and charter schools to give students credit for instruction received in USD #2 within 30 days after receiving the student's records, as they must already do for instruction received in USD #1 (Section 2).
- Changes the law regarding students who commit an expellable offense and are subsequently committed to a juvenile detention center, the Connecticut Juvenile Training School (CJTS), or any other residential placement for such offense.
 - Such students may be expelled by the local or regional board of education, but the period of expulsion must run concurrently with the period of commitment to a juvenile detention center, the CJTS, or any other residential placement.
 - Students who committed an expellable offense, seek to return to their school district after having been in a juvenile detention center, the CJTS, or any other residential placement, and were not expelled by the local or regional board of education, pursuant to Section 10-233d(l)(1) of the C.G.S., must be permitted to return to home district and may not be expelled for additional time for the underlying offense.

Public Act 11-125, [AN ACT CONCERNING THE NOTIFICATION OF MEDIATION AND ARBITRATION DECISIONS IN DISPUTES BETWEEN BOARDS OF EDUCATION AND TEACHERS BARGAINING UNITS](#) (effective July 1, 2011)

- Requires arbitrators in matters held pursuant to Section 10-153f of the C.G.S. to send a copy of teacher or administrator binding arbitration awards to the legislative bodies of the towns involved as well as to the Commissioner of Education, town clerk, board of education, and union (Section 1).

Public Act 11-126, [AN ACT CONCERNING ADULT EDUCATION](#) (effective July 1, 2011)

- Specifies that a student attending adult education during an expulsion period is not required to withdraw from regular public school.

Public Act 11-127, [AN ACT CONCERNING NONPUBLIC SCHOOL TEACHING EXPERIENCE AND PROFESSIONAL CERTIFICATION](#) (effective July 1, 2011)

- Eliminates the provision that starting July 1, 2012, only public school teaching experience may be used to qualify for a professional certificate (Section 1).
- Requires certified teachers in nonpublic schools to complete the same continuing education (CEU) requirements as certified public school teachers (Section 1).
- Requires operating authorities of nonpublic schools approved by the SBE, to determine whether their certified teachers have completed the CEU requirements and to attest that fact to the SBE, just as local and regional school boards already do (Section 1).
- Allows student teaching in nonpublic schools to count towards the preparation and eligibility requirements for initial teaching certificates. To qualify, the student teaching must be at a nonpublic school approved by SBE, offered through a teacher preparation program at a higher education institution, and completed through the state's cooperating teacher program (Section 2).

- Allows certified teachers working in nonpublic schools to participate in the cooperating teacher program as long as they pay for their own participation and nonpublic schools receive no state funds for cooperating teacher professional development activities (Section 3).

Public Act 11-130, [AN ACT EXEMPTING CERTAIN NEW SCHOOL BUSES FROM THE FIRST ANNUAL INSPECTION FOLLOWING THE REGISTRATION OF SUCH BUSES](#) (effective July 1, 2011)

- By law and regulation, the Department of Motor Vehicles must inspect each new school bus before it is registered and periodically thereafter. This act exempts for a specified period of time any new school bus that is registered between August first and the start of the next succeeding school year and is inspected prior to such registration.

Public Act 11-133, [AN ACT CONCERNING THE ALIGNMENT OF POSTSECONDARY EDUCATION AND EMPLOYMENT](#)

- Requires CSDE to electronically distribute information on teacher shortage areas for at least the previous five-year period. This information must be distributed annually, by March 1, to the president of every higher education institution in Connecticut that offers teacher preparation programs (*Section 1, effective July 1, 2011*).
- Requires the Office of Workforce Competitiveness (OWC), in consultation with CSDE and other agencies, every two years, to identify and report on the sectors or subsectors in which workforce shortages exist, the workforce skills needed in those sectors or subsectors, and which career pathways should be established. The OWC must submit the report to the Board of Governors of Higher Education (*Section 2, effective October 1, 2011*).

Public Act 11-135, [AN ACT CONCERNING IMPLEMENTATION DATES FOR SECONDARY SCHOOL REFORM, EXCEPTIONS TO THE SCHOOL GOVERNANCE COUNCIL REQUIREMENT AND THE INCLUSION OF CONTINUOUS EMPLOYMENT IN A COOPERATIVE ARRANGEMENT AS PART OF THE DEFINITION OF TEACHER TENURE](#) (effective upon passage, except for the new deadline for adopting teacher evaluation guidelines and the tenure provision for teachers working for cooperative arrangements, which are effective July 1, 2011)

- Postpones for two years the effective dates of the following Secondary School Reform (SSR) requirements:
 - achievement of 25 credits in order to graduate;
 - end-of-year examinations in five subjects; and,
 - completion of a senior demonstration project to graduate from high school.
- It requires the increased high school graduation requirements to take effect with the class of 2020 instead of the class of 2018 and requires school districts to provide support and remedial services for 7th graders starting in 2014-15 rather than 2012-13 (Section 1).
- For the school year commencing July 1, 2012, it requires districts to create a student success plan for each student, starting in Grade 6. The plans must include the student's career and academic choices in 6th through 12th grade (Section 2).
- Requires CSDE, within available appropriations, to provide technical assistance in FY 12 and FY 13 to boards of education that begin to implement the new high school graduation requirements and student support services (Section 3).
- By November 13, 2013, requires biennial status reports to CSDE on SSR from those districts that receive the technical assistance and eliminates the requirement that a district explain in each report why it needs funds for the next biennium to implement the new standards and supports (Section 3).
- Postpones until February 1, 2014, the start of biennial implementation reports from CSDE to the Education Committee of the General Assembly (Section 3).

- Delays the requirement that CSDE develop or approve end of year exams from July 1, 2014 to July 1, 2016 (Section 4).
- Exempts certain schools from the statutory school governance council requirements.
- Details the elements to be included in the CSDE's reports to the General Assembly on matters involving School Governance Councils (Section 6).
- Establishes a task force to address implementation issues arising from enhanced high school graduation requirements (Section 8).
- Moves up from July 1, 2013 to July 1, 2012, the deadline for the State Board of Education (SBE), in consultation with the Performance Evaluation Advisory Council (PEAC), to adopt guidelines for teacher evaluations (Section 9).
- Addresses matters related to tenure for teachers employed by boards of education that enter into cooperative arrangements (Section 10).

Public Act 11-136, [AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES](#) (effective July 1, 2011)

- Changes the designation of "foreign language" to "world language." It classifies American Sign Language as a world language instead of as an optional subject within language arts. It also eliminates a school district's option to offer signed English under the category of language arts (Section 1).
- Requires the SBE to make available curriculum and other materials on genocide education and awareness (Section 1).
- Within available appropriations, requires the SBE to assist and encourage local school districts to include genocide education and awareness in their instructional programs for students and in-service training programs for certified teachers, administrators, and other pupil personnel (Section 1 and 2).
- Authorizes the Commissioner of Education, at a school board's request, to allow a certified teacher who holds an elementary education endorsement to teach a specialized course, such as computer and information technology, in a K-8 school in the district. The teacher must be otherwise qualified to teach the specialized course and must be employed by the school board making the request (Section 3).
- Changes the submission deadline, from October 1 to December 1, for a biennial report from the CSDE to the Education Committee of the General Assembly on performance outcomes for entities receiving after-school program grants (Section 4).
- Changes, from annual to biennial, the schedule for CSDE to submit to the General Assembly a report on diverting children from the court system to youth service bureaus (Section 5 and 6).
- Changes, from annual to biennial, the schedule for CSDE to submit to the Education Committee of the General Assembly a report on the operations of charter schools (Section 7).
- Changes the schedule, from twice a year to once every two years, for local school readiness councils' report to CSDE on certain specified issues (Section 8 and 9).
- Changes, from biennial to triennial, the schedule for school districts to report to CSDE and CSDE to the Education Committee of the General Assembly on the condition of school facilities and actions taken to implement each district's long-term school building, indoor air quality, and green cleaning programs (Section 10).
- Reduces, from quarterly to annually, the schedule for the School Paraprofessional Advisory Council to advise the Commissioner of Education of, and report to the Education Committee on, training needs and the effectiveness of the content and delivery of current training for school paraprofessionals. It requires the council to meet at quarterly (Section 11).
- Requires each local and regional board of education participating in the school breakfast program to file financial statements of their expenditures annually and in manner the commissioner requires (Section 12).

- Requires each local and regional board of education to repay any school breakfast program grant funds not spent for allowable purposes (Section 12).
- Delays, from April 1 to May 1, the annual deadline for a school district to notify teachers who do not have tenure that their contracts will not be renewed for the following year (Section 14).
- Requires the Commissioner of Education to give school superintendents or their designees' access to mastery test information in the state's public school information system (Section 15).
- Makes changes to the law regarding student truancy, including the following:
 - Requiring school personnel or volunteers to notify the parent of a child's absence by mail as well as by phone;
 - Specifying that the required notice sent to parents that two unexcused absences in a month or five in a year could lead the school superintendent to file a Family with Service Needs (FWSN) complaint; and,
 - Requires the superintendent to file a FWSN complaint within 15 days after a parent fails to attend the meeting with school officials or otherwise fails to cooperate in addressing his or her child's school absences. Current law imposes no deadline for filing the FWSN complaint (Section 16).
- Requires superintendents to include, in the narrative part of the school district profiles, a description of their school board's actions to reduce truancy in the district (Section 17).
- By July 1, 2012, requires the SBE to define an “excused” and “unexcused” absence and requires school boards to use the definitions to report required truancy data on school profiles and to implement required truancy policies and procedures (Section 18).
- Defines the term “advanced placement course program” to mean a program approved by the State Board of Education that provides college or university-level instruction as part of a course for which credit is earned at the high school level (Section 21).

Public Act 11-150, [AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PAPERLESS TASK FORCE AND THE TASK FORCE TO STUDY THE REDUCTION OF STATE AGENCY PAPER AND DUPLICATIVE PROCEDURES](#)

- Makes several changes to reduce state agencies' paper usage.

Public Act 11-157, [AN ACT CONCERNING JUVENILE JUSTICE](#) (Effective October 1, 2011)

- In the case of a student confined pursuant to court order to a state-operated detention facility or community detention facility, the act requires the local or regional board of education of the town where the student attends school or the charter school that the student attends to provide, upon request of the detention facility, the student's educational records to the facility and without the parent's written permission. If the records are supplied without parental permission, the school must notify the parent or guardian at the same time it releases the records. These records may not be further disclosed without a court order or the written consent of the student's parent or guardian. The facility can use the records only to provide the student with educational services. This provision incorporates, with some limitations, the juvenile justice exception to the Family Educational Rights and Privacy Act regarding the disclosure of educational records without prior authorization from the parents (Section 20).

Public Act 11-177, [AN ACT CONCERNING A PILOT TRUANCY CLINIC IN WATERBURY](#)

(effective upon passage)

- Gives statutory authorization for the probate court administrator to establish a pilot truancy clinic in Waterbury, within available appropriations. The Waterbury Regional Children's Probate Court Administrative Judge must administer the clinic. The purpose of the clinic is to identify and resolve the systemic causes of absenteeism using nonpunitive procedures (Section 1).

- Requires the truancy clinic to establish participation protocols and programs and relationships with schools and other individuals and organizations in the community to provide support services to clinic participants (Section 1).
- The probate court administrator must establish implementation policies and procedures and measure effectiveness. The clinic administrator must report to the probate court administrator, by September 1, 2012, and annually after that, on the clinic's effectiveness. By January 1, 2015, the probate court administrator must report on the clinic's effectiveness to the Judiciary and Education Committees of the General Assembly (Section 1).

Public Act 11-179, [AN ACT CONCERNING EDUCATION ISSUES](#) (*effective upon passage, except for the provisions concerning (1) annual financial audits for interdistrict magnet schools and (2) the national corps of teachers' training program graduates, which are effective July 1, 2011*)

- Allows legally qualified practitioners of medicine, advanced practice registered nurses (APRNs) and physician assistants stationed on military bases to perform required health assessments for students attending public schools (Section 1).
- Eliminates requirements that each Regional Educational Service Center (RESA) spend at least 6.25% of their annual state operating grant to help school boards implement SBE-established educational goals and objectives and support data collection and analysis on school district efforts to reduce racial, ethnic, and economic isolation (Section 2-3).
- Requires districts to report directly to the Commissioner of Education, instead of to the RESAs, on programs and activities to reduce racial, ethnic, and economic isolation. It also changes the filing deadline for the district reports from July 1 to October 1 biennially, starting October 1, 2011 (Section 2-3).
- Allows the Commissioner of Education to renew a temporary international teacher permit in a subject shortage area pursuant to Section 10-8b of the C.G.S., as long as, at the time of the renewal, the international teacher maintains a valid J-1 visa (Section 4).
- Eliminates a provision providing that districts may adjust reported debt service expenditures to amortize principal payments according to a CSDE-approved schedule based on substantially equal installment payments over the life of the debt (Section 5-7).
- Adjusts the payment structure for state magnet school operating grants (Section 8).
- Requires all interdistrict magnet schools, not just those operated by RESAs, to file annual financial audits with the Commissioner of Education (Section 9).
- Allows boards of education to employ as an instructor or assistant instructor of a Junior Reserve Officer Training Corps (JROTC) program, any person certified by the United States Armed Forces to be a JROTC instructor or assistant instructor (Section 10).
- Extends, from 75 to 90 days after CSDE receives an application to establish a new charter school, the deadline for the SBE to vote on the application (Section 11).
- Modifies the criteria that the SBE must consider in funding charter schools (Section 12).
- Extends, from July 1, 2011 to July 1, 2015, the sunset date for a program allowing qualified graduates of a national teacher corps training program to work under special durational shortage area permits (DSAPs) issued by CSDE in certain school districts (Section 13).

Public Act 11-181, [AN ACT CONCERNING EARLY CHILDHOOD EDUCATION AND THE ESTABLISHMENT OF A COORDINATED SYSTEM OF EARLY CARE AND EDUCATION AND CHILD DEVELOPMENT](#) (*effective July 1, 2011*)

- Changes the membership of the Early Childhood Education Cabinet and expands it from 17 to 20 (Section 1).
- Creates, by July 1, 2013, a coordinated system of early care and education and child development and sets forth its statutory obligations. By July 15, 2011, the Governor must, in consultation with the Early

Childhood Cabinet, appoint a planning director, to develop a plan to implement the new system (Section 2-3).

- For the purposes of the planning and development of the coordinated system of early care and education and child development, it requires the early childhood cabinet, the director of the Connecticut Head Start Collaboration Office, the Head Start advisory committee, and the Accreditation Facilitation Project of Connecticut Charts-A-Course to be based in the CSDE (Section 4).
- Eliminates the CSDE's Office of Early Childhood Planning, Outreach, and Coordination and all of its duties (Section 5).

Public Act 11-213, [AN ACT MAKING REVISIONS TO MOTOR VEHICLE STATUTES](#) (effective July 1, 2011)

- Prohibits, on those sections designated by the State Traffic Commission (STC), school buses from driving in the extreme left lane of a divided limited access highway with more than two lanes for traffic traveling in the same direction (Section 38).
- By law, the Commissioner of Motor Vehicles must report at least twice monthly to school boards and school bus operators on school bus and student transportation vehicle drivers whose license or school bus or student transportation vehicle endorsement has been suspended, revoked, or withdrawn. The boards and operators must review these reports. Under current law, the school board or school bus operator has 10 days from reviewing such a report to remove a driver whose license or endorsement has been suspended, revoked, or withdrawn. The act instead requires the board or operator to remove the driver within 48 hours of reviewing the report (Section 41).
- Eliminates a requirement that school buses used for an activity other than carrying children cover any lettering identifying the bus (Section 42).
- Current law allows student transportation vehicles to display certain signs when, among other things, they carry only children, and anyone in charge of the children, to any nonschool activity. Under the act, these vehicles cannot display these signs if they are carrying anyone (presumably an adult) in charge of the children. It specifies that these legally required or permitted portable signs must be removed or covered when a vehicle is not being used for the purposes requiring or allowing the use of such signs as specified by the act (Section 42).

Public Act 11-228, [AN ACT CONCERNING MISREPRESENTATION AS A BOARD CERTIFIED BEHAVIOR ANALYST](#) (effective October 1, 2011)

- Makes it a crime for anyone to represent himself/herself as a "board certified behavior analyst" (BCBA) or a "board certified assistant behavior analyst" (BCABA) unless certified by the Behavior Analyst Certification Board (Section 1).

Public Act 11-232, [AN ACT CONCERNING THE STRENGTHENING OF SCHOOL BULLYING LAWS](#) (effective July 1, 2011)

DEFINITION REVISIONS (Section 1)

- Expands the definition of bullying to cover repeated written, oral, and electronic communications by one or more students directed at or referring to another student and physical acts and gestures by one or more students that are repeatedly directed against another student and that:
 - cause the student physical or emotional harm or damage his or her property;
 - put the student in reasonable fear of harm or property damage;
 - create a hostile school environment for the student;
 - infringe on the student's rights at school; or
 - substantially disrupt the education process or a school's orderly operation.

- The act defines a “hostile environment” as one in which bullying among students is so severe or pervasive that it alters the school’s climate. It also specifies that the student against whom the bullying is directed must be attending school in the same district as the students engaged in the bullying.
- In defining bullying, the act explicitly includes conduct targeting a student’s actual or perceived possession of, or association with others possessing or perceived as possessing, any differentiating characteristic based on: race; color; religion; ancestry; national origin; gender; sexual orientation; gender identity or expression; socioeconomic or academic status; physical appearance; or mental, physical, developmental, or sensory disability.
- The act expands bullying to include “cyberbullying,” which it defines as acts of bullying carried out through mobile electronic devices or electronic communications, the Internet, interactive and digital technologies, or cell phones.
- Under the act, an “electronic communication” is any transfer of signs, signals, writing, sounds, images, data, or other intelligence wholly or partly by wire, a radio, or an electromagnetic, photoelectronic, or photo-optical system. A “mobile electronic device” is any portable device that can send data between or among users. Examples include text messaging and paging devices, personal digital assistants, laptops, video gaming devices, digital video disk players, and digital cameras.
- Under the act, “school climate” encompasses the character of an entire school and the quality of the relationships among and between its students and adults.
- The act expands the responsibilities of school employees other than teachers and school administrators to respond to school bullying incidents. It also requires annual training for all school employees.
- Under the act, the term “school employee” is defined very broadly and includes, among others, coaches, paraprofessionals, substitute teachers, teachers and administrators.

SCHOOL DISTRICT SAFE SCHOOL CLIMATE PLANS (Section 1)

- Prior law required each local and regional board of education to develop and implement a policy to address bullying in its schools. The act adds several required elements and renames the policies as “safe school climate plans.”

Prohibited Conduct (Section 1)

- The act requires district plans to prohibit bullying both in and outside of school. Schools must address bullying taking place:
 - at a school-sponsored or school-related activity on or off school grounds;
 - at a school bus stop;
 - on a school bus or any other vehicle the school board owns, leases, or uses; or
 - through an electronic device the school board owns, leases, or uses.
- Schools must also address bullying that occurs outside the school setting if:
 - it creates a hostile environment for a student at school;
 - infringes on a student’s rights at school; or
 - substantially disrupts the education process or the school’s orderly operation.

Reports, Investigations, and Meeting with Parents (Section 1)

- District plans must establish certain deadlines for filing reports of, investigating, and holding meetings with involved parents regarding, bullying incidents and notifying parents of actions taken to prevent further incidents.
- The act eliminates a requirement that a school district’s bullying policy identifies appropriate school personnel responsible for taking and investigating reports of bullying. Instead, it assigns the responsibility for these duties to a safe school climate specialist in the school, who must be either the school’s principal or his or her designee (see below).

- The act requires the safe school climate plan to enable students to make anonymous reports to any school employee and require students' parents and guardians, as well as the students themselves, to be notified every year of the process by which students may make such reports.
- The act requires a school employee who witnesses bullying or receives a report of bullying to notify either the school climate specialist or, if that person is not available, another school administrator, orally within one school day. The employee must follow up with a written report within two school days after providing oral notice.
- The act requires the specialist, rather than any school administrator, to investigate, or supervise an investigation of, the report. After the specialist receives the written report, he or she must complete the investigation promptly. The specialist must also review any anonymous reports.
- The act requires, within 48 hours after completing the investigation, the school to notify and invite to a meeting the parents of a student who commits a verified act of bullying and those of the target of the activity. The act further specifies information about the content of the meeting itself.

Other Plan Requirements (Section 1)

- The act also requires the district plan to:
 - prohibit retaliation or discrimination against those who report or help investigate bullying;
 - develop plans addressing what the school will do to protect the targeted student from further bullying; and
 - require a school principal or his or her designee to notify the police when they suspect that an act of bullying constitutes a crime.

Records (Section 1)

- In addition to existing requirements for each school to maintain a publicly available list of the number of verified bullying incidents, the act requires district plans to establish procedures for schools to document and maintain records of bullying investigations. It continues to require schools to report annually to the CSDE the number of verified bullying incidents at the school, but eliminates the provision that it be done within available appropriations.

Adoption, Posting, and Submission to CSDE (Section 1)

- The act requires school boards to approve their plans by January 1, 2012, and submit them to CSDE. It also requires school boards, within 30 calendar days after adopting their plans, to post them on the board's and each school's Web site. Boards must also ensure that the plan is included in the school district's publication of rules, procedures and standards of conduct, and in all student handbooks.

Model School Climate Plan (section 3)

- Prior law required CSDE to develop model policies to school districts to use to address bullying in Grades K-12. The act instead requires CSDE to develop or recommend a single safe school climate plan to districts for Grades K-12.

SCHOOL CLIMATE ASSESSMENTS (Sections 2 and 3)

- Every two years, starting July 1, 2012, the act requires each school to assess its school climate using assessment instruments, including surveys, approved and disseminated by CSDE in collaboration with the Connecticut Association of Schools.
- Districts must collect and report the school assessments to CSDE. CSDE must use the assessments to monitor bullying prevention efforts over time and compare districts' efforts to statewide trends.
- Under prior law, CSDE had to report to the Education and Children's committees of the General Assembly by February 1, 2010, on its school climate improvement and anti-bullying efforts and recommend additional activities and funding to enhance them. The act makes the report biennial and adds a requirement that it include the number of verified acts of bullying in the state and an analysis of

school district responses. It eliminates requirements that CSDE analyze school districts' bullying policies and examine the relationship between bullying, school climate, and student outcomes.

STATEWIDE SAFE SCHOOL CLIMATE RESOURCE NETWORK (Section 4)

- The act requires CSDE to consult with the SERC, the Governor's Prevention Partnership, and the Commission on Children to establish a statewide safe school resource network for identifying, preventing, and educating people about school bullying in Connecticut. The network must make resources, information, and training materials available to schools to improve their climate and reduce bullying. CSDE must establish the network within available appropriations and may seek state, municipal, and federal funds and accept private funds to administer the network.

ALLOWABLE BULLYING PREVENTION STRATEGIES (Section 2)

- Adds student peer training, education, and support to the existing prevention and intervention strategies districts may use to address bullying. It also eliminates school surveys and establishment of bullying prevention teams from these optional strategies.

TRAINING REQUIREMENTS FOR TEACHERS AND OTHER SCHOOL EMPLOYEES

- Requires all school employees, not just those who are certified, to complete annual training on identifying, preventing, and responding to school bullying and youth suicide.

In-Service Training for Certified Employees (Section 5)

- Under prior law, school districts had to offer their certified employees in-service training on bullying prevention. The act expands the scope of this training to include identifying and responding to bullying and preventing and responding to youth suicide.
- Under prior law, districts were not required to offer in-service training regarding bullying if they implement an evidence-based model approach to the problems. The act preserves the existing exception, but only if the approach is approved by CSDE.

Training for Noncertified School Employees (Section 6)

- Requires CSDE, within available appropriations, to provide annual training to noncertified school employees. The training may include:
 - developmentally appropriate methods to prevent and effectively intervene to stop bullying;
 - information about the relationship and interaction among bullies, targets, and witnesses;
 - research findings, including types of students who are at-risk of being bullied in school;
 - information about cyberbullying or Internet safety as it relates to cyberbullying; or
 - information on the incidence of youth suicide, how to identify at-risk students, and strategies for effectively intervening to prevent it.
- Required training can be presented in various ways, including in person via mentors, online, or through statewide workshops.

Training for Beginning Teachers (Section 7)

- By law, beginning teachers must complete five training modules, one of which deals with classroom management and climate. The act requires that module to include training in preventing, identifying, and responding to school bullying and preventing and responding to youth suicide.

Teacher Preparation Programs (Section 8)

- The act requires, rather than encourages, teacher candidates to complete a component on school violence, bullying, suicide prevention, and conflict resolution as part of their teacher preparation program.

IMMUNITY FOR SCHOOL EMPLOYEES, BOARDS OF EDUCATION, AND OTHERS (Section 10)

- Bans damage claims against school employees who, in accordance with a school district safe school climate plan, report, investigate, or respond to bullying. It extends the same protection to:
 - a local or regional board of education that implements a safe school climate plan and reports, investigates, or responds to bullying and
 - parents, students, and others who report bullying incidents to a school employee according to a safe school climate plan.
- To be immune, these parties must act in good faith and, in the case of a school employee or board of education, within the scope of their duties. The immunity does not cover gross, wanton, reckless, or willful misconduct.

SAFE SCHOOL CLIMATE COORDINATORS, SPECIALISTS, AND COMMITTEES

- Establishes a hierarchy of people within schools and school districts, including a Safe School Climate Coordinator, a Safe School Climate Specialist, and a Safe School Climate Committee, to be responsible for developing and implementing the safe school climate plans, biennial school climate assessments, and the act's reporting requirements.

Public Act 11-234, [AN ACT CONCERNING REVISIONS TO THE STATUTES REGARDING THE MINIMUM BUDGET REQUIREMENT AND CHARTER SCHOOL EDUCATOR PERMIT](#) (effective July 1, 2011)

Minimum Budget Requirement (Section 1)

- See summary under Public Act 11-48, as amended by Public Act 11-234.

Charter School Educator Permit (Section 2-4)

- Establishes a charter school educator permit and allows the Commissioner of Education, starting in the 2011-12 school year, to waive state certification requirements and issue such a permit to a teacher or administrator who lacks certification and who is employed by a charter school, if the person meets certain specified requirements.
- Limits the number of teachers and administrators who may hold permits in any year to no more than 30% of a charter school's teachers and administrators combined.
- The charter school educator permit allows a person to work in a charter school as a teacher or administrator and, if working as an administrator, to supervise and evaluate anyone providing instructional or pupil services in the school that employs the administrator.
- The act makes anyone holding a charter school educator permit a member of the appropriate teachers' or administrators' unit for collective bargaining purposes. Charter school permit holders are not allowed to participate in the Teachers' Retirement System (TRS).

Public Act 11-235, [AN ACT CONCERNING DELAYS IN THE EVALUATION AND DETERMINATION PROCESS FOR STUDENTS SUSPECTED OF REQUIRING SPECIAL EDUCATION SERVICES AND THE MEMBERSHIP OF THE ADVISORY COUNCIL FOR SPECIAL EDUCATION](#)

- Requires school districts to evaluate children without delay and according to state and federal special education laws and regulations to determine if they are eligible for special education and related services (Section 1, *effective July 1, 2011*).
- Expands the membership of the Advisory Council for Special Education by adding one representative each from the following entities: (1) Office of Protection and Advocacy for Persons with Disabilities; (2) Commission on Children's Parent Leadership Training Institute; and (3) Department of Social Services' Bureau of Rehabilitation Services (Section 2, *effective upon passage*).

Public Act 11-242, [AN ACT CONCERNING VARIOUS REVISIONS TO PUBLIC HEALTH RELATED STATUTES](#)

Childhood Vaccine Schedule (Section 13, effective October 1, 2011)

- Allows physician assistants and APRNs to provide certification that a student has met immunization requirements.
- Allows the Commissioner of Public Health to issue a temporary waiver to the schedule for active immunization for any vaccine for which the federal Centers for Disease Control and Prevention recognizes a nationwide supply shortage.

School-Based Health Center Advisory Committee (Section 44, effective upon passage)

- Replaces a committee on school-based health clinics (SBHCs) with a new SBHC advisory committee that must help the Commissioner of Public Health develop recommendations for statutory and regulatory changes for improving health care through access to SBHCs. The committee includes the following: (1) the commissioners, or their designees, of public health, social services, Department of Mental Health and Addiction Services (DMHAS), and education; and (2) three SBHC providers appointed by the board of directors of the Connecticut Association of School-Based Health Centers.
- The committee must meet at least quarterly and report, by January 1, 2012 and annually afterwards, to the Public Health and Education Committees of the General Assembly. Administrative support for the advisory committee may be provided by the Connecticut Association of School-Based health Centers.

Public Act 11-248, [AN ACT REQUIRING CARBON MONOXIDE DETECTORS IN ALL PUBLIC AND NONPUBLIC SCHOOLS](#) (effective July 1, 2011)

- Prohibits the building inspector from issuing a certificate of occupancy to any public or nonpublic school issued a building permit for new occupancy after January 1, 2012, unless the local fire marshal or building official certifies that the building is equipped with carbon monoxide (CO) detection and warning equipment complying with the Fire Safety Code.
- Exempts municipalities, boards of education, and supervisory agents of nonpublic schools and their agents, employees, or officers, acting without malice, in good faith, and in the scope of their employment or official duties, from any damage resulting from the liability for failure to detect CO within a public school building. In order to be immunized, the equipment must be installed and maintained in accordance with the manufacturer's published instructions and the regulations adopted under the act.

Public Act 11-255, [AN ACT CONCERNING THE SAFETY OF PERSONS ENTERING OR EXITING A SCHOOL BUS](#) (effective July 1, 2011)

- Allows towns and school boards to install cameras on school buses to record motor vehicles that violate the law that states that drivers must stop at least 10 feet from a school bus displaying flashing red signal lights. Requires police to issue a summons based on the recorded images and allows the images to be used as evidence against vehicle owners. Imposes a \$450 fine on first offenders.
- Requires the state to remit 80% of the fines collected from violators to the municipalities in which the violations occur. Towns that have contracted with a private vendor to install, operate, and maintain a camera system must use these funds to pay the vendors. The state must distribute the remaining fine revenue into the Special Transportation Fund (12% of the total) and the General Fund (8% of the total.)

-Part Two-

2011 BUDGET AND BOND RELATED PUBLIC ACTS AFFECTING EDUCATION

Public Act 11-6, [AN ACT CONCERNING THE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2013, AND OTHER PROVISIONS RELATING TO REVENUE](#)

- Makes general fund appropriations to state agencies and programs, including CSDE, for 2011-12 and 2012-13 fiscal years. The following section numbers of the act affect CSDE: 35-38; 41; 43; 54; 57-63; 68-73 (*effective July 1, 2011*).

Public Act 11-44, [AN ACT CONCERNING THE BUREAU OF REHABILITATIVE SERVICES AND IMPLEMENTATION OF PROVISIONS OF THE BUDGET CONCERNING HUMAN SERVICES AND PUBLIC HEALTH](#)

Child Care and School Readiness Programs Transferred from DSS to CSDE (Sections 97-101, *effective July 1, 2011*)

- Currently, DSS, in consultation with CSDE, provides direct subsidies to providers for child care slots and awards grants to school readiness programs for quality enhancements. The act eliminates DSS' role in these programs and permits, instead of requires, the Commissioner of Education to model its direct provider subsidy on the DSS child care subsidy program identified in the act. The act requires the Commissioner of Education, effective July 1, 2011, to pay funds under the quality grant program to providers on a prospective basis.
- Makes the Commissioner of Education responsible for:
 - coordinating the development of a range of alternative programs to meet the needs of all children;
 - fostering partnerships between school districts and private organizations;
 - providing information and assistance to parents in selecting school readiness programs; and,
 - working to ensure that such programs allow open enrollments.
- Makes the Commissioner of Education, instead of the Commissioner of Social Services, responsible for administering the child care facilities loan guarantee program and the child care facilities direct revolving loan program.

School-Based Child Health Program (Section 105, *effective upon passage*)

- Requires the Commissioner of Social Services, in consultation with the Commissioner of Education, to submit to the Centers for Medicare and Medicaid services an amendment to the State Medicaid plan concerning school-based child health services provided to Medicaid enrolled children receiving special education services in an individualized education plan.
- Requires Commissioner of Social Services to notify school districts in writing of any change in policy or billing procedure within 30 days after the effective date of such change

Public Act 11-48, [AN ACT IMPLEMENTING PROVISIONS OF THE BUDGET CONCERNING GENERAL GOVERNMENT](#)

Implements provisions of the FY 12-13 biennial budget relating to education and higher education as follows:

- Continuation of grant caps for the certain specified state education formula grants to school districts and RESCs health services for private school students; transportation for public and private school students; adult education; bilingual education programs; RESC operations; special education excess costs; and regular education costs for state-placed children educated by local and regional boards of education (Sections 174-182, *effective July 1, 2011*).

- Extends, through June 30, 2013, the Magnet school per-pupil operating grant reimbursement (Section 183, *effective July 1, 2011*).
- Extends, until July 1, 2012, the prohibition against Hartford host magnets charging tuition to sending districts (Section 184, *effective July 1, 2011*).
- Requires the RESC Alliance to study the feasibility of implementing uniform regional school calendars and transportation services and to report to the Governor by October 15, 2011 (Section 185, *effective July 1, 2011*).
- Requires any unused funds appropriated in the budget for FY 12 to CSDE for child care services to continue to be available for school readiness programs in FY 13 (Section 187, *effective July 1, 2011*).
- Open Choice: Grants to Receiving Districts (Section 188, *effective July 1, 2011*)
 - Starting in FY 12 and within available appropriations, the act increases state grants to school districts that enroll students from other districts under the interdistrict school attendance program known as Open Choice (“receiving districts”). It increases the grant to a receiving districts for each out-of-district student from a flat \$2,500 to:
 - \$3,000 per student for districts where Open Choice students are less than 2% of the district’s total student population,
 - \$4,000 per student for districts with 2% to 3% Open Choice enrollment, or
 - \$6,000 per student for districts with Open Choice enrollment of at least 3% of total enrollment.
- Open Choice: Supplemental Grants (Section 188, *effective July 1, 2011*)
 - The act changes, from October 15 to March 1, the date by which the Commissioner of Education must annually determine whether Open Choice enrollment is below the number for which funds were appropriated.
 - In addition to the first \$500,000 in Open Choice excess funds that can go to districts that have at least 10 Open Choice students attending the same school, the act allocates the next \$500,000 of any nonlapsing funds to supplemental pro rata grants to receiving districts that report to the commissioner before March 1 that they have enrolled more Open Choice students than they did the year before.
 - The Commissioner of Education must use any remaining excess funds to increase Open Choice enrollment instead of for interdistrict cooperative grants, as under current law.
- Open Choice: Private School Students (Section 188, *effective July 1, 2011*)
 - The act allows students who had been enrolled in private school to participate in the Open Choice program. Under current law, only students enrolled in public school may do so.
- Establishes a 12-member task force to study the Education Cost Sharing (ECS) formula and related issues in light of state constitutional requirements. Although the task force must focus on the ECS formula, it must also consider: (1) state grants to interdistrict magnet schools and regional agricultural science and technology centers; and (2) special education costs for the state and municipalities (Section 189, *effective upon passage*).
- Minimum Budget Requirement (MBR) (Section 190, as amended by Public Act 11-234, *effective July 1, 2011*)
 - The 2011-12 MBR shall equal the 2010-11 budgeted appropriation(s) to the board of education plus any applicable reductions concerning the 2010-11 federal State Fiscal Stabilization Funds (SFSF) that supported the Education Cost Sharing (ECS) grant.
 - Under certain circumstances, the act provides for potential reductions to the MBR:
 - If a district’s October 2010 resident student count is less than the October 2009 count, the MBR is reduced by \$3,000 for each such reduced count. However, the maximum reduction under this provision cannot exceed one-half of one percent of the 2011-12 base MBR.
 - If a district does not operate a high school and is not a member of a regional school district and the October 2010 designated high school students have decreased from the

prior year, the MBR is reduced by the 2010-11 tuition rate for each such reduced count. However, the maximum reduction under this provision is one-half of one percent of the 2011-12 base MBR.

- If a district falls under both of the above reduction options, the MBR is reduced up to one percent.
- The reduction options do not apply to the following districts:
 - those that are in the third year or more of being identified as in need of improvement under Section 10-223e of the C.G.S.;
 - those that are in safe harbor;
 - those identified as in need of improvement and have a Title I poverty rate of at least 10 percent; and
 - those districts having the 2011-12 budgeted appropriation already approved at or above the 2011-12 base MBR level.
- It provides the opportunity for districts to request of the Commissioner of Education a reduction to the MBR as a result of closing schools due to declining enrollment. The Commissioner has sole discretion as to approving such requests.
- Establishes a 15-member task force to study the finances, management, and enrollment structure of the Connecticut Technical High School System (CTHSS) (Section 191, *effective upon passage*).
- Extends, through FY 13, CSDE's authority to retain \$198,200 of the priority school district school readiness grant appropriation for coordination, program evaluation, and administration (Section 194, *effective upon passage*).
- Gives the Commissioner of Education authority to transfer funds appropriated for the *Sheff* settlement to certain areas specified in the act (Section 195, *effective upon passage*).
- Extends higher *Sheff* transportation grants for two more years, through June 30, 2013. Also, for FY 11, the act allows the Commissioner of Education to provide supplemental transportation grants to RESCs to transport students to *Sheff* interdistrict magnet schools (Section 196 and 210, *effective July 1, 2011 for the extension of the higher Sheff transportation grant for districts; upon passage for the supplemental grants for RESCs*).
- Allows an interdistrict magnet school that is not in compliance with the state magnet school minority enrollment requirements because of changes in the federal racial and ethnic reporting requirements to maintain its status as an interdistrict magnet school under state law and remain eligible for magnet school operating grants, if the magnet school submits a compliance plan to the Commissioner of Education and the plan is approved. It also requires CSDE to report by January 1, 2013, its recommendations to amend the statutory racial minority enrollment requirements for interdistrict magnet schools to conform to changes in the federal law (Section 197, *effective upon passage*).
- Makes more schools eligible for state school breakfast grants by reducing an eligibility criterion to at least 20%, rather than 40%, of the lunches they serve are free or at reduced prices (Section 198, *effective July 1, 2011*).
- Increases the grant for students attending state charter schools from \$9,300 to \$9,400 per student per year, starting with FY 12 (Section 200, *effective July 1, 2011*).
- Extends, through FY 13, an existing allocation of \$2,610,798 in supplemental priority school district (PSD) grants to the three largest school districts (Bridgeport, Hartford, and New Haven) (Section 201, *effective July 1, 2011*).
- Extends, through June 30, 2013, the ECS Foundation (Section 202, *effective July 1, 2011*)
- For FYs 12 and 13, an additional \$500,000 is allocated for grants to local and regional school districts operating vocational-agricultural technology education centers (Section 203, *effective July 1, 2011*).
- Requires the Commissioner of Education, in consultation with the Commissioner of Higher Education, to establish or apply for funding to establish specified college transition pilot programs (Sections 204-205, *effective July 1, 2011*).

- Transfers from OPM to CSDE, the administration of the neighborhood youth center and the Leadership, Education, and Athletics in Partnership (LEAP) grant programs (Section 206-207, *effective July 1, 2011*).
- Transfers authority for approving applications for, and renewals of, private occupational schools as well as revising or revoking school operating authority to Office of Financial and Academic Affairs for Higher Education (OFAAHE) and the SBE, respectively. It makes several conforming changes to carry out this transfer (Sections 232-269, *effective July 1, 2011*).
- Transfers the responsibility for licensing and accrediting private higher education institutions and their programs and for granting such entities authority to award academic degrees to the SBE (Sections 232-269, *effective July 1, 2011*).

Public Act 11-51, AN ACT IMPLEMENTING THE PROVISIONS OF THE BUDGET CONCERNING THE JUDICIAL BRANCH, CHILD PROTECTION, CRIMINAL JUSTICE, WEIGH STATIONS AND CERTAIN STATE AGENCY CONSOLIDATIONS (*Effective date: July 1, 2011*)

Responsibility for Educating Students in Juvenile Detention Centers (Sections 28-29)

- Formalizes the provision of educational services to children held in state or community operated detention centers consistent with current state practice.
- The board of education for the school district where a state or community detention facility is located is responsible for the provision of general education and special education and related services to children detained in the facility. The board may provide these services directly or may contract out for them.
- The board serving the school district where the detention facility is located may charge tuition to the school board in the district where the child would otherwise be enrolled.
- The board of education under whose jurisdiction the child would otherwise be attending school or if no such district can be identified (i.e., for a “no nexus” student), the board serving the district where the detention center is located becomes financially responsible up to the limit of its average per pupil cost for the previous year. The CSDE must pay, on a current basis, any costs in excess of this amount. To be paid, districts must apply to the state for a grant in accordance with statutory requirements.
- Makes the home district financially responsible even if it has suspended or expelled the student or the student has withdrawn, dropped out, or otherwise terminated enrollment from school. The student's home district must reenroll the child upon receiving notice from the educational service provider for the juvenile detention facility. If no home school district is identified, the notice must go to the school district where the detention center is located and that district must enroll the student.
- Provides for an assessment of academic credit the child may earn through receiving instruction at the detention facility and requires the board of education providing the instruction to issue its own academic credit. Such credit must be accepted by the school district where the child continues his/her education after discharge from the facility.

Establishes the Department of Construction Services (DCS) and divides the responsibilities between CSDE and DCS for state school construction projects (Sections 45, 90, & 114-132)

Division Between CSDE and DCS

- The act requires towns or regional school districts to submit school construction grant applications to the Commissioner of Education, on a form provided and manner prescribed by the Commissioner of Construction Services (*as amended by Section 93 of Public Act 11-61*). The Commissioner of Education must review the application to determine if it complies with educational requirements, consider building projects on the basis of the categories established by the SBE, and determine whether the projects assist the state in meeting the requirements of the 2008 stipulation and order in the *Sheff* settlement.

- The act requires the Commissioner of Education to send the applications to the Commissioner of Construction Services by August 31 of each fiscal year. The Commissioner of Construction Services reviews the applications on the basis of school construction standards established by regulations adopted by DCS in consultation with CSDE and, under the act, is responsible for approving the applications. It requires the Commissioner of Construction Services to consult with the Commissioner of Education before approving a grant application to remedy fire and catastrophe damage, correct code violations, replace roofs, remedy air quality emergencies, or purchase and install portable classroom buildings if such an application is made after the deadline.

Other Duties Requiring Consultation

- The act transfers several existing CSDE duties to DCS, but requires DCS to fulfill these duties in consultation with CSDE. For instance, the act generally makes the Commissioner of Construction Services responsible for the part of the process relating to construction, including: (1) adopting regulations concerning per-square-foot costs for school construction; (2) determining reasonable lease costs must be part of a school construction grant (*as amended by Section 94 of Public Act 11-61*); and (3) requiring renovation projects to meet the same state and federal codes and regulations required for alteration projects. However, the Commissioner of Construction Services must consult with the Commissioner of Education in deciding whether to modify standard space specification requirements for projects in districts that have fewer than 150 students in Grades K-8. Additionally, the Commissioner of Construction Services, in consultation with the Commissioner of Education, is responsible for collecting, publishing, and distributing information on: (1) procedures for school building committees; (2) building methods and materials suitable for school construction; and (3) relevant educational methods, requirements, and materials. The Commissioner of Construction Services, in consultation with the Commissioner of Education, must also:
 - provide advisory services to local officials and agencies on long range school plant planning and educational specifications;
 - review the sketches and preliminary plans and outline specifications for school building projects and the educational programs which they are designed to house; and
 - advise boards of education and school building committees on the suitability of such plans on the basis of educational effectiveness, sound construction, and reasonable economy of cost.
- If a building ceases to be used as an interdistrict magnet school, the Commissioner of Construction Services must determine, in consultation with the Commissioner of Education, whether title to the building and any legal interest in related land revert to the state and the district must reimburse the state. The Commissioner of Construction Services may also request that the Commissioner of Education withhold the amount owed from the district's education cost-sharing grant.

Regulations

- The act provides that the SBE current regulations continue in force until the Commissioner of Education, in consultation with the Commissioner of Construction Services, determines which regulation should be transferred to DCS and either DCS or the SBE amends the regulations to affect the transfer. It requires the Commissioner of Construction Services, in consultation with the Commissioner of Education, to adopt regulations by June 30, 2013, to apply to projects for which an application is submitted on or after July 1, 2013.

Grant Requirements

- In addition to the changes in the grant process and the transfer of most responsibilities to DCS, the act also makes several changes in the requirements and reimbursement rates for state school construction projects, including the following:

1. For applications made on or after July 1, 2011, it reduces reimbursement rates for building a new or replacement school to 10% to 70% of the eligible cost, unless a district can show that new construction is less expensive than renovating or remodeling an existing school. Reimbursement rates for renovations, extensions, major alterations, remedying code violations, and replacing roofs on existing schools continue to be reimbursed on the 20% to 80% reimbursement scale.
2. For applications made on or after July 1, 2011, it reduces the state reimbursement rate for building new interdistrict magnet schools from up to 95% to up to 80% of the eligible cost.
3. Starting with the December 2011 list, it requires the Commissioner of Construction Services to include with the annual school project priority list that is submitted to the legislative school construction review committee a report on the Commissioner of Education's review of enrollment projections for each project on the list.
4. Starting July 1, 2012, it bars previously approved projects from requesting more than one legislative reauthorization for a change in cost of scope greater than an amount determined by the CSDE or Commissioner of Construction Services as appropriate (current law allows two reauthorizations). As under current law, CTHSS projects are exempt from this requirement. A district may submit a second reauthorization only if can demonstrate exigent circumstances.
5. The act requires the Commissioner of Construction Services to set a per-square-foot cost for school construction by county and authorizes him/her to reject any application for a project that exceeds that cost for the county where it is located.
6. The act requires Commissioner of Construction Services to submit a plan for providing school building project grants for the purchase or replacement of a heating, ventilation or air conditioning system that would provide greater energy efficiency or reduce heating fuel costs for a town or district to various committees of the General Assembly.
7. Starting with project applications filed on or after July 1, 2011, the act eliminates grant eligibility for projects at the Connecticut Science Center. Under current law, science center projects are considered interdistrict magnet school projects and reimbursed at 95% of their eligible cost.
8. Starting with the list submitted in December 2011, the act requires school construction priority lists submitted to the legislative review committee to include the OPM secretary's comments and recommendations on the listed projects. Such recommendations must be submitted by December 31 each year. It allows the legislative committee to modify the list for any reason, not just when it finds that the Commissioner of Construction Services acted arbitrarily or unreasonably in establishing the list.
9. The act requires the Commissioner of Construction Services to cancel grant commitments made before July 1, 2010 for projects that do not begin construction by April 30, 2015. It allows towns and districts to reapply for a grant if it is cancelled.

School Building Projects Advisory Council

- Establishes a School Building Projects Advisory Council.

Reports

- Requires the CSDE and DCS Commissioners to each submit a report by January 2, 2012, to various committees of the General Assembly. The reports must cover: (1) the status of the merger of DPS, DPW, and CSDE functions into DCS; (2) the status of school construction regulations; (3) outstanding issues regarding the division of duties between CSDE and DCS; (4) recommendations for strengthening DCS's audit functions; and (5) recommendations for further legislative action.

Public Act 11-57, [AN ACT AUTHORIZING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS AUTHORIZING SPECIAL TAX OBLIGATION BONDS OF THE STATE FOR TRANSPORTATION PURPOSES AND AUTHORIZING STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS](#) (Effective Date: *Upon passage, except the GO Bond Funds for FY 12 authorizations are effective July 1, 2011 and FY 13 authorizations are effective July 1, 2012*)

- Authorizes the following state general obligation (GO) bonding for FY 12 and FY 13 for CSDE:
 - CTHSS: Building alterations and improvements, including new and replacement equipment, tools, and supplies needed to update curricula, vehicles, and technology upgrades at all schools - \$28,000,000 in FY12 and 13 (Sec. 2 (l), 21 (k)).
 - *Sheff* magnet school program start-up costs: Purchasing a building or portable classrooms, leasing space, purchasing equipment, including computers and classroom furniture - \$6,250,000 in FY12 (Sec. 13 (h)).
- Authorizes new GO bonding for FY 12 and FY 13 for various capital programs, including school construction:
 - School construction projects - \$523,000,000 in FY12 and \$584,000,000 in FY13 (Sec. 65).
 - School construction interest subsidy grants - \$13,400,000 in FY12 and \$8,300,000 in FY13 (Section 66).
- Contains the School Construction Priority List (Section 93).
- Exempts specified school construction projects from various statutory and regulatory requirements to allow them to qualify for state grants (Sections 94-99; 101-115).
- Requires the Commissioner of Construction Services, in consultation with the Commissioner of Education, to provide special school construction grants for school districts that have one or more schools with minority enrollments that exceed the districtwide average for the same grades by more than 25%, known as Diversity Schools (Section 100).

Public Act 11-61, [AN ACT IMPLEMENTING THE REVENUE ITEMS IN THE BUDGET AND MAKING BUDGET ADJUSTMENTS, DEFICIENCY APPROPRIATIONS, CERTAIN REVISIONS TO BILLS OF THE CURRENT SESSION AND MISCELLANEOUS CHANGES TO THE GENERAL STATUTES](#)

- Transfer \$712,500 from CommPACT Schools account in Higher Education to CSDE (Section 67, *effective July 1, 2011*).
- Changes the state reimbursement, from 95% to 80%, for construction, acquisition, renovation, and equipment of approved facilities for an agricultural science and technology center operated by a local or regional school district (Sec. 86, *effective July 1, 2011*).
- Allows the Commissioner of Construction Services to waive any deficiencies found in an audit of a regular or interdistrict magnet school construction building project, when he or she determines such a waiver is in the state's best interest (Sections 128-130, *effective July 1, 2011*)
- Requires the SBE to assign a special master to administer the Windham school district's educational operations and help it implement a plan to achieve adequate yearly progress (AYP) as a district in reading and math as required by the federal No Child Left Behind (NCLB) Act (Section 138, *effective upon passage*).
- Requires the Education and Social Services Commissioners to develop a plan to coordinate the child day care and school readiness program into a coordinated early care and education programs and report to the Education and Human Services Committees of the General Assembly by January 1, 2012. The plan must address eligibility, slot rates, program requirements, and maintaining the integrity of the state-contracted child-care center program (Section 144, *effective July 1, 2011*).