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# 2022 Education Legislation Update

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Connecticut Association of Schools

September 13, 2022

# Agenda

Topics to be discussed



- Statutory Changes Affecting School District Operation
- Statutory Changes Affecting Students
- Statutory Changes Affecting Employment
- Statutory Changes Related to Mental and Physical Health Services in Schools
- Reminders of New Policies Required as of July 1, 2022

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# Statutory Changes Affecting School District Operation



# Remote Board of Education Meetings

Public Act No. 22-3

- Under the Freedom of Information Act, public agencies, including boards of education, must make their meetings, other than executive sessions, open to the public.



- Last year, the Connecticut legislature passed a law allowing public agencies, until April 30, 2022, to hold public meetings that are accessible to the public through electronic equipment, or through electronic equipment in conjunction with an in-person meeting (“hybrid” meetings).
- The new law removes the April 30, 2022 sunset date and allows public agencies to continue to hold remote and hybrid meetings, as long as they comply with requirements under existing law.

The new law also requires public agencies to provide its members the opportunity to participate by means of electronic equipment.

# Scenario:

- September arrives, and students are back to school. Everyone is looking forward to what looks to be a “normal” school year. But as September comes to a close, student absences skyrocket, and there are news reports that COVID-19 cases are again on the rise. Principals throughout the district begin receiving requests (and some demands) from parents that their children be allowed to engage in remote learning. The school has the capacity to do it, they argue, and they are concerned about keeping their children engaged and learning given the toll the pandemic has taken the past couple of years.

*Can the district allow the students to engage in remote learning?*

*Does it matter what the reason is for the request?*

# “Remote Learning”

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- “Remote learning” means “instruction by means of one or more Internet-based software platforms as part of a remote learning model.”

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# Remote Learning

- Last year, the General Assembly passed legislation allowing boards of education to authorize remote learning, **for the school year beginning July 1, 2022**, for students in grades 9 through 12, if districts:



- (1) provide instruction in compliance with the CSDE standards for remote learning, and
- (2) adopt a policy regarding the requirements for student attendance during remote learning in compliance with CSDE attendance guidance.

# Remote Learning

Public Act No. 22-80, Section 25



- This year, the General Assembly expanded the authority of boards of education to permit remote learning for students in grades **K through 12**, beginning with the 2024-2025 school year.



# “Dual Instruction”

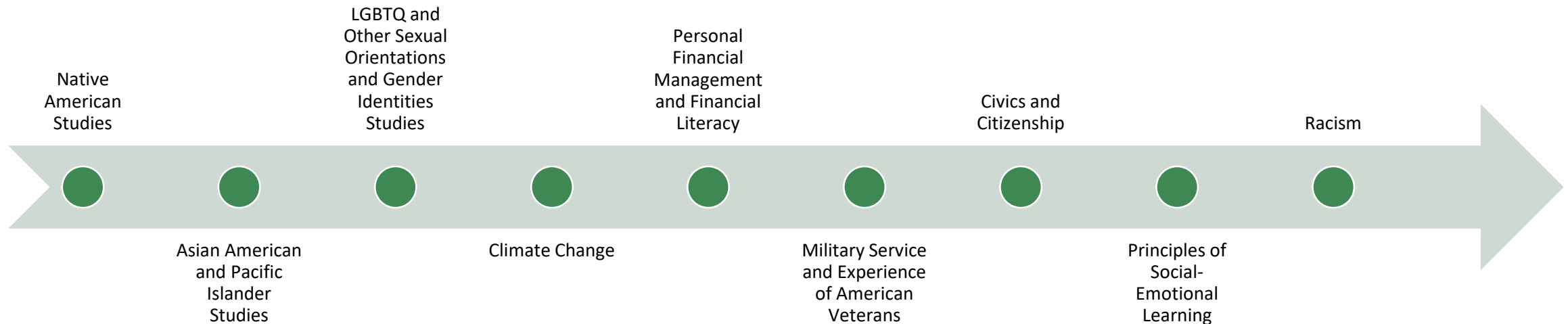
- The definition of remote learning remains unchanged.
- However, **effective July 1, 2022**, districts must prohibit dual instruction, defined as “the simultaneous instruction by a teacher to students in-person in the classroom and students engaged in remote learning,” as part of a remote learning model.

Boards of education should be mindful that remote instruction may be required by other laws (e.g., the IDEA and Section 504 of the Rehabilitation Act of 1973) under certain circumstances.

# Model Curriculum for Grades K-8

Public Act 22-38, Sections 4 and 5

- Last year, the General Assembly passed legislation directing the CSDE, in collaboration with the SERC, to develop a model curriculum that boards of education may use for grades K through 8. The new law **delays this deadline** by one year to January 1, 2024. The model curriculum must include and integrate at least the following:



# Asian American and Pacific Islander Studies

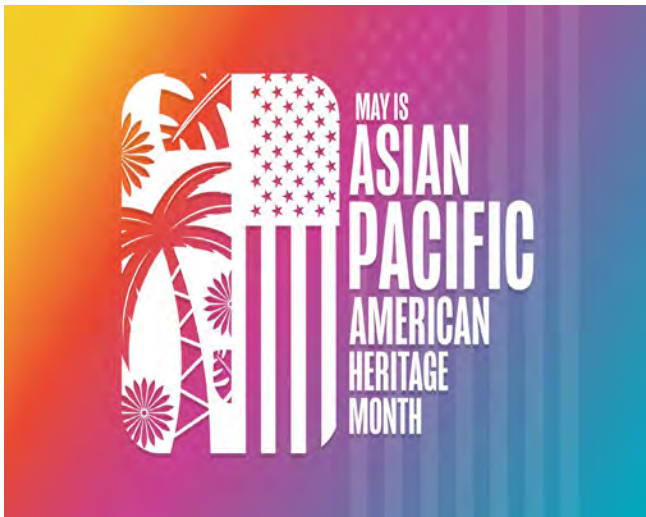
Public Act No. 22-80, Sections 32 and 33



- Connecticut General Statutes § 10-16b outlines the program of instruction that must be offered by public schools in the state.
- Beginning with the **2025-2026** school year, the new law requires boards of education to include Asian American and Pacific Islander (AAPI) studies in their social studies curriculum.

# Asian American and Pacific Islander Studies

- AAPI studies must include a focus on the history of Asian American and Pacific Islanders in the state, the region and the United States, and their contributions



1. towards advancing civil rights from the 19th century to the present day;
2. as individuals, in government, the arts, humanities and sciences; and
3. as communities, to the economic, cultural, social and political development of the United States.



# Climate Change Curriculum Required

Public Act No. 22-118, Section 263



- Beginning **July 1, 2023**, the new law **requires**, rather than allows, climate change to be taught as part of the science requirement in a public school's program of instruction.
- Pursuant to Conn. Gen. Stat. § 10-16b(d), the SBE must make available curriculum materials that include climate change, consistent with the Next Generation Science Standards.

# Scenario:

- At the beginning of next school year, there is an open house at the high school for parents to learn about the curriculum. The following day, an angry parent emails the principal stating that he wants his child to be exempt from any instruction on climate change, family planning, or sexuality because that type of instruction is against his family's religious beliefs.

*How should the district respond?*

# Juneteenth

Public Act No. 22-128



- Amends the list of state holidays to include the 19th day of June (Juneteenth Independence Day).
- School may be held on this state holiday, provided that, if school is held, school officials “hold a suitable nonsectarian educational program in observance of such holiday.”

# Paraeducator Professional Development



- Under Conn. Gen. Stat. § 10-220a(b), boards of education are required to establish a **professional development and evaluation committee**.
- The new law requires, **beginning in the 2022-2023 school year**, the professional development and evaluation committee to develop, evaluate, and annually update a comprehensive local **professional development plan for paraeducators** of the school district, in accordance with statutory requirements.



# Paraeducator Professional Development

- Requires, beginning with the 2022-2023 school year, and annually thereafter, each paraeducator to **participate in the program of professional development** at no cost to the paraeducator.
- The program must, among other requirements, be



- at least 18 hours in length,
- with a preponderance of time spent in a small group or individual instructional setting.

# Paraeducator Professional Development

- Among other things, it must also be comprised of professional learning that:
  1. is aligned with rigorous state student academic achievement standards;
  2. is conducted among paraeducators at the school and facilitated by principals, coaches, mentors, distinguished educators, or other appropriate teachers;
  3. occurs frequently on an individual basis or among groups of paraeducators in a job-embedded process of continuous improvement; and
  4. includes a repository of best practices for instruction methods developed by paraeducators within each school that is continuously available to such paraeducators for comment and updating.
- The principles and practices of social-emotional learning and restorative practices must be integrated throughout the components of the program.

# Scenario:

- The professional development committee and the administration have been working hard to plan for professional development for teachers at the start of the school year. They've heard that, starting this year, paraeducators also need to participate in PD, but it's a little late to require paraeducators to attend training that occurs before school starts in August. Instead, the district plans for paraeducators to attend professional development days held throughout the year, thinking it will be easy enough to add the paraeducators to already-planned programming.

*Will that plan work?*

*What if the paraeducators refuse, citing practical and contractual matters?*

# Paraprofessionals to Attend PPT Meetings

Public Act No. 22-16, Section 9



- Current law requires boards of education to notify parents of the right to have the paraprofessional assigned to their child attend a PPT meeting.



# Paraprofessionals to Attend PPT Meetings

Public Act No. 22-16, Section 9



The new law requires that, if the parent has requested that the **paraprofessional attend the meeting**, then the board of education must provide the following:

1. **adequate notice** of the PPT meeting to the paraprofessional so that the paraprofessional may adequately prepare for the meeting; and
2. **training**, upon request of the paraprofessional, on the role of the paraprofessional at the meeting.

# State-Wide Sexual Abuse and Assault Awareness and Prevention Program

Public Act No. 22-87, Section 6



- By law, DCF must identify or develop a statewide sexual abuse and assault awareness and prevention program for use by boards of education. Previously, only teachers were required to participate in the program.



# State-Wide Sexual Abuse and Assault Awareness and Prevention Program

Public Act No. 22-87, Section 6



- The new law requires that no later than July 1, 2023, DCF revise this program to include a **bystander training program** and **appropriate interaction with children training program**.
- In addition, the newly developed program must be **for all school employees**, as defined in Conn. Gen. Stat. § 53a-65, not only for teachers.

# Training on Child Abuse and Neglect

Public Act No. 22-87, Section 6



- On and after July 1, 2023, each school employee, as defined in Conn. Gen. Stat. § 53a-56, shall complete the training provided by DCF regarding the prevention and identification of, and response to, child sexual abuse and assault; a bystander training program; and an appropriate interaction with children training program.

All employees must repeat this training once every three years.



# Policies and Information Regarding Child Abuse and Neglect

Public Act No. 22-87, Section 5



- Boards of education are already required to adopt a written policy for the mandatory reporting by school employees of suspected child abuse or neglect. Such policy must be distributed annually to all school employees.
- The new law requires that this annual distribution be done **electronically**.

# Policies and Information Regarding Child Abuse and Neglect

Public Act No. 22-87, Section 5



- It further requires that, **starting with the 2022-2023 school year**, boards of education distribute electronically a copy of the guidelines on identifying and reporting child sex abuse developed by the Governor's task force on justice for abused children to all school employees, board of education members, and the parents and guardians of enrolled students.
- **Starting with the 2023-2024 school year**, boards of education must distribute electronically information on DCF's sexual abuse and assault awareness prevention program to all school employees, board members, and the parents and guardians of enrolled students.

# Behavior Intervention Meetings

Public Act No. 22-47, Section 19

- **Beginning with the 2022-2023 school year**, allows any teacher to request a **behavior intervention meeting** with the school's crisis intervention team for any student whose behavior has caused:
  - (1) a **serious disruption** to other students' instruction or
  - (2) **self-harm or physical harm** to the teacher, another student, or staff in the teacher's classroom.
- The **crisis intervention team** must hold the meeting, and its participants must identify resources and supports to address the social, emotional, and instructional needs of the student.



# Model Student Work Release Policy

Public Act No. 22-118, Section 160

- The Office of Workforce Strategy (OWS) is a division of the Department of Economic and Community Development and serves as the administrative staff to the Governor's Workforce Council.
- The new law requires the OWS' Chief Workforce Officer, in consultation with the Commissioner of Education, the executive director of the Technical Education and Career System and the Labor Commissioner, to develop, **by July 1, 2023**, a **model student work release policy**.
- Beginning with the 2024-2025 school year and each school year thereafter, boards of education must adopt this model work release policy.



# Pipeline for Connecticut's Future Program (Pathways Program)

Public Act No. 22-81, Section 5



Requires the CSDE, in collaboration with the DOL, to

- (1) administer the “Pipeline for Connecticut’s Future” program (i.e., pathways program) with local businesses to create onsite student training opportunities for course credit, and
- (2) assist boards of education in enhancing or establishing partnerships with child care providers, early childhood education programs or mental health services, as well as additional fields such as manufacturing, computer programming, or culinary arts, and one or more local businesses to offer a pathways program.

# Pipeline for Connecticut's Future Program (Pathways Program)

Public Act No. 22-81, Section 5

## The Program

must help students obtain occupational licenses, participate in apprenticeship opportunities, and gain immediate job skills;

must provide industry-specific class time and cooperative work placements, onsite apprenticeship training, and course credit and occupational licenses to students upon completion; and

may, upon graduation, lead to a diploma, credential, certificate or license in the applicable field.

# Ventilation Inspection and Report

Public Act No. 22-118, Section 369



- Requires boards of education, prior to January 1, 2024 and every five years thereafter, to provide for a uniform inspection and evaluation of the heating, ventilation and air conditioning systems within each school building in the district.
- The inspection report must then presented at a regularly scheduled board meeting and on the website of the board and the website, if any, of each individual school.



# Student Transportation Contracts

Public Act No. 22-25, Section 12



- Under current law, boards of education may enter into contracts for student transportation for up to 5 years.
- Under the new law, beginning October 1, 2022, boards of education may enter into transportation contracts for up to 10 years if the contract includes transportation provided by at least one zero-emission school bus, as defined in the law.



# Zero-Emission School Buses Required

Public Act No. 22-25, Section 13



- Requires a transition to zero-emission school buses.
- School buses in school districts that are entirely within, or that contain, an “environmental justice community” as defined in the law must be 100% zero-emission by January 1, 2030.
- School buses in all other school districts must be 100% zero-emission or alternative fuel buses by January 1, 2035, and must be 100% zero-emission by January 1, 2040.

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**Statutory Changes  
Affecting Students**

# Student Truancy and Behavioral Health Interventions

Public Act No. 22-47, Sections 16 and 21



- Boards of education are already required to adopt policies and procedures containing specific requirements concerning truant students.

# Student Truancy and Behavioral Health Interventions

Public Act No. 22-47, Sections 16 and 21

- The new law requires that boards of education include the following additional requirements in their policies and procedures concerning truant students:



1. **on or before September 1, 2023, a truancy intervention model** developed by the CSDE that accounts for mental and behavioral health, or a similar truancy intervention plan that meets statutory requirements;
2. **provision of notice to the parent or guardian** of a child who is truant of the existence and availability of the 2-1-1 Infoline program, and other pediatric mental and behavioral health screening services and tools described in the statute; and
3. **on and after July 1, 2023, a requirement that an appropriate school mental health specialist conduct an evaluation** of each child who is a truant to determine if additional behavioral health interventions are necessary for the well-being of the child.



# Withholding Time Devoted to Physical Exercise as a Form of Student Discipline

Public Act No. 22-81, Section 9



- Connecticut General Statutes § 10-221o requires each board of education to include at least 20 minutes for physical exercise in each regular school day for students enrolled in elementary school, except as determined by a Planning and Placement Team (PPT) in accordance with the IDEA.

Current law also allows boards of education to include an **additional amount of time**, beyond the 20 minutes required for physical exercise, **devoted to undirected play** during the regular school day for elementary school students.

# Withholding Time Devoted to Physical Exercise as a Form of Student Discipline

Public Act No. 22-81, Section 9



- For the school year **beginning July 1, 2022**, and for each school year thereafter, the new law revises Conn. Gen. Stat. § 10-221o's requirements for board policies.
- Each board of education must **adopt a policy** regarding when, as a form of discipline, a school employee may prevent or otherwise restrict a student from participating in the entire time devoted to physical exercise in the regular school day.

# Withholding Time Devoted to Physical Exercise as a Form of Student Discipline

Public Act No. 22-81, Section 9



- Such policy must allow school employees to prevent or restrict such time when
  1. a student poses a danger to the health or safety of other students or school personnel, or
  2. it is limited to the shorter period if there are two or more periods devoted to physical exercise, so long as the student is allowed to participate in at least 20 minutes of physical activity during the school day.

# Withholding Time Devoted to Physical Exercise as a Form of Student Discipline

Public Act No. 22-81, Section 9

- The policy may only permit such prevention or restriction once during a school week, unless the student is a danger to the health or safety of other students or school personnel.
- The policy must **not**
  1. include provisions that are unreasonably restrictive or punitive, or
  2. allow prevention or restriction of time devoted to physical exercise if a student does not complete their work on time or as a result of the student's academic performance.
- The policy must also **distinguish** between discipline that
  1. is imposed *before* the time devoted to physical activity begins and discipline imposed *during* such period and
  2. (a) prevents or otherwise restricts a student from participating in the physical activity period prior to when such time begins and (b) uses methods to redirect a student's behavior during the time devoted to physical exercise.



# Scenario:

- Fifth grade students at the elementary school regularly get 20 minutes of recess after lunch. There is one student in the fifth grade who never finishes her class work in the morning because she is off task. Instead of going to recess, she is required to return to the classroom to finish the work from that morning. This happens multiple times a week. Sometimes, she finishes her work in only a few minutes and then goes to recess, but often she takes the entire 20 minutes to finish her work. While the teacher is sympathetic that she doesn't get to enjoy recess with her friends, the student is struggling academically and the teacher believes it is more important for her long-term learning that she finish her classwork each day.

*Can the teacher require the student to miss recess to finish her work?*

*Under what circumstances would this be ok?*

# Special Education Disability Terminology

Public Act No. 22-47, Section 67



- **Beginning July 1, 2022**, requires the CSDE and boards of education to use the term “emotional disability” instead of “emotional disturbance” when administering and providing special education.
- The term “emotional disability” shall have the same meaning as “emotional disturbance” in the Individuals with Disabilities Education Act.

# Raising the Special Education Age Limit

Public Act No. 22-80, Section 31



- Revises Conn. Gen. Stat. § 10-76a to define “child” as a person under 22 years of age and, in effect, requires boards of education to provide special education services to qualifying students until they reach the age of 22, rather than 21.

# Access to Class Rank

Public Act No. 22-116, Section 2



- Current law allows any minor student's parent or legal guardian to request access to educational, medical, or similar records maintained in the student's record, so long as the information is not privileged under state law.
- The new law adds access to the student's class rank.



# Menstrual Products Available in Student Bathrooms

Public Act No. 22-118, Section 84



- Requires boards of education, beginning September 1, 2023, to provide **free menstrual products** in women's restrooms, all-gender restrooms, and at least one men's restroom.
- Restrooms must be accessible to students in grades 3 through 12, in each school under the jurisdiction of the board.

Must be done in a manner that does not stigmatize any student seeking menstrual products, pursuant to guidelines to be posted on the DPH's website.

# Information Regarding Technical Education and Career Schools

Public Act No. 22-125, Section 3



- Boards of education are already required to inform middle and high school students and their parents about the availability of
  1. vocational, technical, technological, and postsecondary education and training at technical education and career schools, and
  2. agricultural science and technology education at regional agricultural science and technology education centers.
- The new law now requires that school counselors provide this information to students and parents and publish it on the board's website.

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**Statutory Changes  
Affecting Employment**

# Minimum Duty-Free Lunch Periods for Teachers

Public Act No. 22-80, Section 14



- The law already provides that all professional certified employees of a school district who work directly with children must have a guaranteed, duty-free period for lunch.
- The new law requires, **effective July 1, 2022**, that this period be uninterrupted and that the length of the period be **the greater of 30 minutes or the amount of time stated in the collective bargaining agreement.**



# Professional Educator Certification

Public Act No. 22-38, Sections 1-3

Amends the law regarding the 3 levels of public school teaching certification:

- **Initial educator** certificates are valid for 3 years, with some possible exceptions.
  - The new law allows the Commissioner of Education to reissue an initial certificate to anyone who holds the certificate, but has not taught under it, if the certificate holder demonstrates satisfaction of the eligibility requirements that were in place when it was originally issued.
- **Provisional educator** certificates are valid for 8 years and previously carried no renewal option.
  - The new law allows the Commissioner of Education to reissue a provisional certificate if the holder can show that the holder meets the preparation and eligibility requirements that were in place when it was originally issued.
- **Professional educator** certificates were valid for 5 years and renewable for 5-year periods after that.
  - The new law extends the professional certificate's initial validity and renewability periods to 10 years.

# Teacher Certification Law Review

Public Act No. 22-80, Section 23

- Requires the CSDE to review the state's teacher certification statutes and regulations and submit a report on its findings and recommendations to the Education Committee by January 1, 2023.
- The review must:
  1. identify obsolete provisions;
  2. evaluate the effectiveness of existing requirements; and
  3. analyze whether any of the laws create a barrier to entry or undue hardship for
    - a) teacher candidate recruitment or retention, including state reciprocity (including Puerto Rico) or
    - b) addressing student academic needs.



# Career and Technical Pathways Instructor Permit

Public Act No. 22-80, Section 24

- Authorizes the SBE, for the 22-23 and 23-24 school years, to issue career and technical pathways instructor permits upon request of a board of education or RESC.
- Such permits allow individuals to teach part time, up to 20 classroom hours per week, in the following specialized fields: manufacturing, allied health, computer technology, engineering, or the construction trades.
- To qualify for a permit, an individual must meet certain requirements, including but not limited to having



an associate or bachelor's degree or a qualifying credential in the specialized field, and



at least two years' experience in such field.

# Career and Technical Pathways Instructor Permit

Public Act No. 22-80, Section 24



- The new law requires an employing board of education or RESC to provide a program, developed in consultation with the CSDE, to assist permitted instructors with academic and classroom supports and regularly observe, guide, and evaluate performance.
- The new law prohibits boards of education from displacing certified teachers with a permitted instructor and provides that permitted instructors are not eligible for membership in the teacher's retirement system solely by reason of such permit.



# Employee Freedom of Speech

Public Act No. 22-24



- **Effective July 1, 2022**, prohibits employers from disciplining or discharging an employee or threatening to do so because the employee refuses to attend employer-sponsored meetings, listen to speech, or view communications primarily intended to convey the employer's opinion about religious or political matters.

# “Political Matters”

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- “...Matters relating to elections for political office, political parties, proposals to change legislation, proposals to change regulation and the decision to join or support any political party or political, civic, community, fraternal or labor organization.”

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# “Religious Matters”

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- “...Matters relating to religious affiliation and practice and the decision to join or support any religious organization or association.”

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# Domestic Violence Victims as a Protected Class Under Anti-Discrimination Laws

Public Act No. 22-82, Sections 7, 10-21



- Adds status as a domestic violence victim to the list of protected classes.
- Employers **cannot discriminate** on the basis of status as a domestic violence victim.
- If an employee has a physical or mental disability resulting from a domestic violence incident, such employee must be treated the same as employees with other disabilities.
- The new law also amends the definition of employee to include board of education members.



# Domestic Violence Victims as a Protected Class Under Anti-Discrimination Laws

Public Act No. 22-82, Sections 7, 10-21

Under the new law, effective **October 1, 2022**, it is a discriminatory practice for an employer to deny an employee a reasonable leave of absence for the employee to do the following:

1. seek attention for injuries caused by domestic violence;
2. obtain services, including safety planning, from a domestic violence agency or rape crisis center;
3. obtain psychological counseling;
4. take other actions to increase safety from future incidents, including temporary or permanent relocation; or
5. obtain legal services, assist in the offense's prosecution, or otherwise participate in related legal proceedings.

An employee who is absent from work under these circumstances must provide a certification that meets statutory requirements, upon request, within a reasonable time after the absence.

# Scenario:

- The principal of the elementary school has heard through the grapevine that the reading specialist is having serious problems at home. Exactly what's going on is not clear, but there is definitely something happening. She has also used all of her personal days, and is out of sick days. She now asks the principal for additional time off for “personal reasons.”

*What should the principal do?*

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**Statutory Changes  
Related to Mental and Physical  
Health Services in Schools**

# Peer-to-Peer Mental Health Support Program

Public Act No. 22-47, Sections 34 through 36



Requires DCF, in collaboration with the CSDE, to develop **by January 1, 2023**, a peer-to-peer mental health support program and make such program available to boards of education.

Must provide services to assist students in grades 6 through 12 with problem solving, decision-making, conflict resolution, and stress management.



# Children's Mental Health Wellness Day

Public Act No. 22-81, Sections 10 and 11



- Requires the Governor to proclaim **May 26** of each year to be “**Get Outside and Play for Children's Mental Health Day**” to raise awareness about children's mental health and the positive effect that being outdoors has on children's mental health and wellness.

# Children's Mental Health Wellness Day

Public Act No. 22-81, Sections 10 and 11



- Requires that suitable exercises be held in the State Capitol and in the public schools on that day or, if that day is not a school day, on the prior school day, or on any day the board of education prescribes.
- Starting with the 2022-2023 school year, the CSDE must provide annual notice to boards of education about the designated day, including any suggestions or materials for suitable exercises that may be held to observe Get Outside and Play for Children's Mental Health Day.

# Student Trauma Assessment Added to the Strategic School Profile

Public Act No. 22-47, Section 20

- Existing law requires boards of education to annually submit to the CSDE a strategic school profile that, among other things, provides information on measures of student needs.
- The new law requires boards to include, as part of this category, a needs assessment that identifies resources necessary to

**address student  
trauma impacting  
students and staff in  
each school, and**



**adequately respond to  
students with mental,  
emotional, or  
behavioral health  
needs.**

# Family Care Coordinators

Public Act No. 22-81, Section 8



- Beginning in the **2022-2023 school year**, requires each board of education to hire or designate an existing employee to serve as the school district's family care coordinator.
- The family care coordinator must work with school social workers, school psychologists, and school counselors in the district and serve as the school district's liaison with mental health service providers to provide "students with access to mental health resources in the community bringing mental health services to students inside of the school."



# Mental Health Plan for Student Athletes

Public Act No. 22-81, Sections 3 and 4



Requires the CSDE to establish, **by July 1, 2023** and in collaboration with the authorities governing intramural and interscholastic athletics, a mental health plan for student athletes to raise awareness about available mental health resources.

# Mental Health Plan for Student Athletes

Public Act No. 22-81, Sections 3 and 4

**The plan  
must  
cover...**

access to the school district's mental health services team;

screening and recognizing appropriate referrals for student athletes;

communication among mental health services team members;

management of the administration of medication for student athletes;

crisis intervention services;

mitigation of risk to student athletes; and

transition care for student athletes leaving athletics due to graduation, dismissal, or suspension.

# Student Identification Cards

Public Act No. 22-47, Section 28



- Requires each board of education, **beginning in the 2023-2024 school year**, to include the 9-8-8 National Suicide Prevention Lifeline number on the student identification card distributed to students in grades 6 through 12.
- If the 9-8-8 number has not been operational for more than one year before the 2023-2024 school year begins, then the Act postpones the requirement that the number be included on student identification cards until a future school year immediately **after the number has been operational for 366 days**.

# Opioid Antagonists in Schools

Public Act No. 22-80, Sections 7 through 9



- Connecticut General Statutes § 10-212a addresses the administration of medication in schools and **generally requires a written order** of a qualified medical professional **and the written authorization** of a parent or guardian before medication can be administered to a student.
- The new law, **effective from passage and/or July 1, 2022**, allows school nurses or, in their absence, qualified school employees, to **maintain and administer opioid antagonists, on an emergency basis and without prior written authorization**, to students experiencing opioid-related drug overdoses, **provided certain requirements are met**.



# “Opioid Antagonist”

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By law, an “opioid antagonist” means naloxone hydrochloride (e.g., Narcan) or any other similarly acting and equally safe drug that the FDA has approved for the treatment of drug overdose.

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# Opioid Antagonists in Schools

Public Act No. 22-80, Sections 7 through 9



- A school nurse or principal must select **qualified school employees** to administer an opioid antagonist and at least one of them must be **on school grounds during regular school hours** when the school nurse is not on school grounds.
- Such qualified school employee may administer an opioid antagonist **when the school nurse is absent** or unavailable.

# “Qualified School Employee”

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A “qualified school employee” is a principal, teacher, licensed athletic trainer, coach, school paraprofessional, or licensed physical or occupational therapist employed by a board of education.

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# Opioid Antagonists in Schools

Public Act No. 22-80, Sections 7 through 9



A school nurse or qualified school employee administering an opioid antagonist **must do so in accordance with the board of education's policies and procedures** regarding the administration of medication, which boards are required to adopt and should update, in accordance with the new law.



# Opioid Antagonists in Schools

Public Act No. 22-80, Sections 7 through 9

The new provisions permit a school nurse or qualified school employee to distribute and/or administer an opioid antagonist **only after completing a training** in its distribution and administration.

**Training  
must be:**



offered by the CSDE, Department of Consumer Protection (DCP), and Department of Public Health (DPH), or

pursuant to an agreement with a prescribing practitioner or pharmacist.

# Opioid Antagonists in Schools

Public Act No. 22-80, Sections 7 through 9

The new law requires:

1) any agreement with a prescribing practitioner or pharmacist to address the board of education's opioid antagonist *storage, handling, labeling, recalls, and record keeping*, and

2) that the prescribing practitioner or pharmacist train the individuals who will distribute or administer opioid antagonists under the agreement.

- Boards of education may enter into local agreements with prescribing practitioners or pharmacists as of **July 1, 2022**.

# Opioid Antagonists in Schools

Public Act No. 22-80, Sections 7 through 9



- Similar to statutory provisions regarding the emergency administration of epinephrine, the new law prohibits schools from administering opioid antagonists to a student **if the student's parent or guardian has submitted a request in writing** that an opioid antagonist shall not be administered to such student.
- Request may be submitted to the school nurse or school medical advisor, if any.

# Opioid Antagonists in Schools

Public Act No. 22-80, Sections 7 through 9

- DCP, in collaboration with the CSDE, must provide information to boards of education regarding where boards can acquire opioid antagonists.
  - The information must include the name and contact information of any opioid antagonist manufacturers that **provide the medication at no cost to school districts.**
- By October 1, 2022, the CSDE, in consultation with the DCP and DPH, and must develop guidelines for boards of education regarding storing and administering opioid antagonists in schools.





# Scenario:

- Your district is keenly aware that opioid use is a problem at the high school and, perhaps, the middle school. Nothing is more important to you than student safety and well-being. You decide that your school will have opioid antagonists (Narcan) in case there is ever an overdose at school. Right before one of the first soccer practices of the year, a student-athlete appears to suffer an overdose. The trainer jumps into action, grabs the appropriate medication, and administers the opioid antagonist.

*Are there any issues with this approach?*

*What if it was an assistant coach suffering the overdose?*

# Survey Concerning School Social Workers, Psychologists, Counselors, Nurses and Licensed Marriage and Family Therapists

Section 3 of Public Act No. 22-80, as revised by Section 6 of Public Act No. 22-116

- Requires the CSDE to develop and distribute, by July 1, 2023, a survey that boards of education must complete annually regarding the number of each of these they employ:

school social workers,

school psychologists,

school counselors,

school nurses, and

licensed marriage and family therapists (LMFTs).

# Survey Concerning School Social Workers, Psychologists, Counselors, Nurses and Licensed Marriage and Family Therapists

Section 3 of Public Act No. 22-80, as revised by Section 6 of Public Act No. 22-116

- The survey must include information concerning:



the number of each of the 5 types of professionals assigned to each school (or, in the case of LMFTs, the number employed by the board);



whether they are assigned solely to one school or multiple schools;



if any of these professionals provide services to more than one board of education, the geographic area such professionals cover; and



an estimate of the number of students receiving direct services from each type of professional.

- Boards must complete such surveys beginning with the 2023-2024 school year and annually thereafter.

# Survey Concerning School Mental Health Specialists

Public Act No. 22-47, Section 12

- Requires the CSDE to develop and distribute a survey to boards of education concerning the employment of **school mental health specialists**, defined as individuals employed by a board of education to provide mental health services to students and includes, but is not limited to:

School social workers,

Board certified behavior analysts,

School psychologists,

School counselors,

Trauma specialists,

Licensed professional counselors,  
and

Behavior technicians,

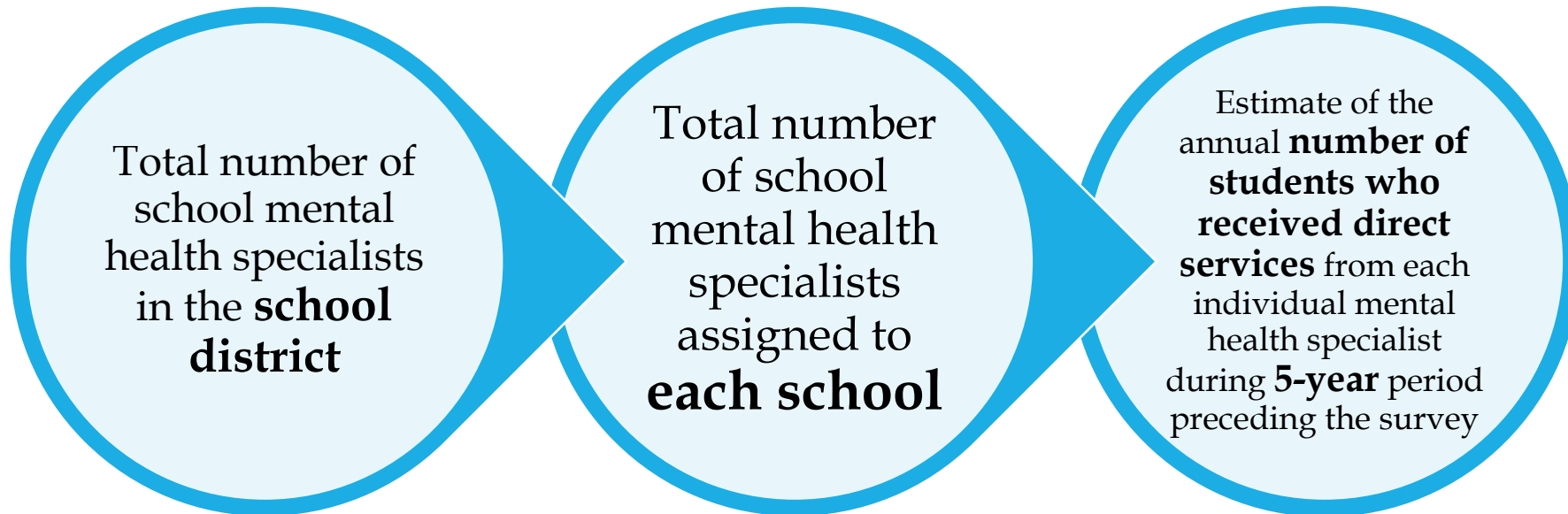
LMFTs.



# Survey Concerning School Mental Health Specialists

Public Act No. 22-47, Section 12

The survey is required to include, among other things:



Boards of education are required to complete the survey beginning in the 2023-2024 school year and annually thereafter.

# Connecticut School Health Survey

Public Act No. 22-87, Sections 1 through 3

- Requires DPH, beginning in the 2022-2023 school year and biennially thereafter, to administer the Connecticut School Health Survey to students in grades 9 through 12, provided DPH receives funding for such **survey** from the CDC.
  - DPH will provide **guidelines** to boards of education regarding the administration of the survey to high schools **randomly selected** by the CDC.
- The CSDE, **by January 1, 2023** and in consultation with DPH, must develop a uniform **parental notification policy and form** for boards of education to use in administering the survey.
- Among other things, parents must have the **opportunity to exclude** their children from participating in the survey, and the survey must be **anonymous**.

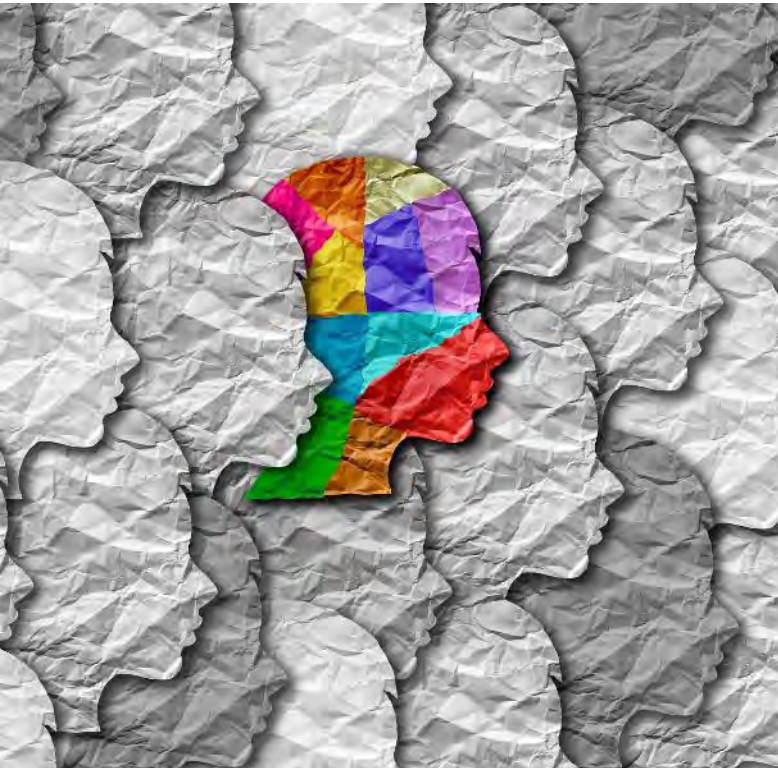


**SHIPMAN**

**Reminders of  
New Policies  
Required as of July 1, 2022**

# Policy Concerning the Eligibility Criteria for Enrollment in an Advanced Course or Program

Public Act No. 21-199, Section 3



Required boards of education, not later than July 1, 2022, to adopt a policy, or revise an existing policy, concerning the *eligibility criteria for student enrollment in an advanced course* or program.



# Challenging Curriculum Policy

Public Act No. 21-199, Section 5



Directed boards of education, **not later than July 1, 2022**, to adopt a challenging curriculum policy that includes, but need not be limited to:

1. criteria for the identification of students in grades eight and nine who may be eligible to take or enroll in an advance course or program, and
2. a provision requiring the creation of an academic plan.

# Policy for Equitable Identification of Gifted and Talented Students

Public Act No. 21-199, Section 2

- Required boards of education, **not later than July 1, 2022**, to adopt a policy for the equitable identification of gifted and talented students.
- The policy must require the use of multiple methods of identification of gifted and talented students that are in compliance with guidance provided by the SDE.



# Policy to Improve Completion Rate of the FAFSA

Public Act No. 21-199



- Directed boards of education, not later than **July 1, 2022**, to adopt a policy to improve completion rates of the Free Application for Federal Student Aid (FAFSA) by students enrolled in grade twelve or an adult education program maintained by the board.

A board may accept gifts, grants and donations, including in-kind donations, to implement the provisions of the adopted policy.

# Connect With Us:



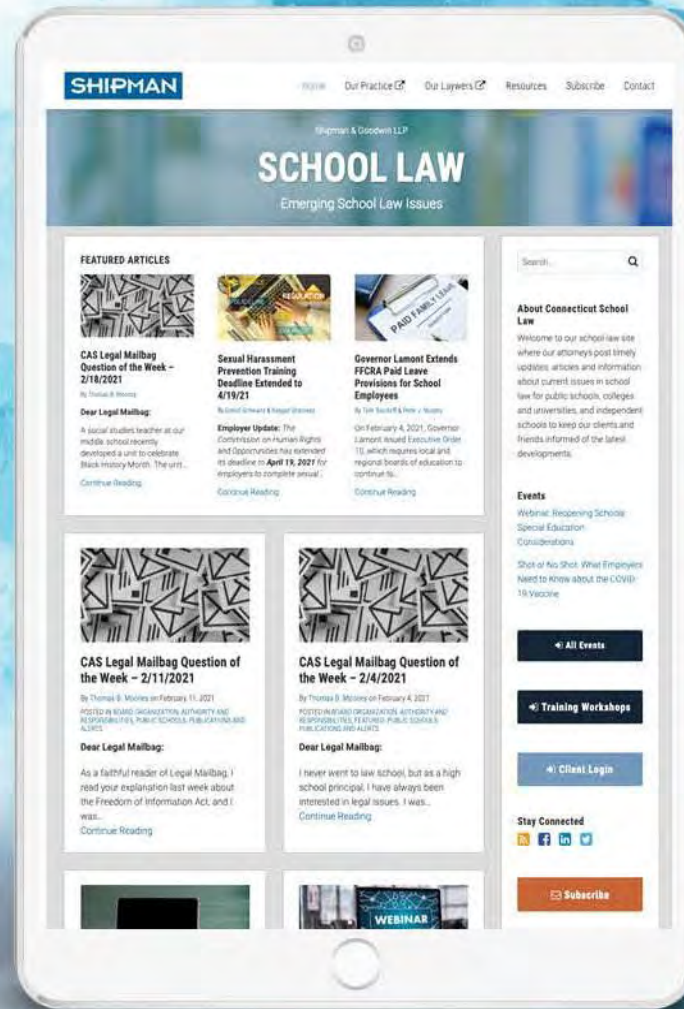
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# ctschoollaw.com

## Our site dedicated to emerging school issues



# Questions?



*Thank you for joining us!*

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