

State Representative Linda Orange

Email: Linda.Orange@cga.ct.gov
Legislative Phone: 860-240-8585

Legislative Office Building
Room 4109
Hartford, CT 06106-1591

State Senator Eileen Daily

Email: Daily@senatedems.ct.gov
Legislative Phone: 860-240-0462

Legislative Office Building
Room 3700
Hartford, CT 06106-1591

Websites of Interest

www.ctn.state.ct.us - videotaped coverage of legislative activities, including sessions. Live coverage as well as archived.

www.cga.ct.gov - legislative home page, education committee site.

www.state.ct.us/sde - state department of education site.

May 6, 2010

Legislature Adjourns

Approves education reform (SB 438) and joint purchase of health insurance (HB 5424)

In a race to adjournment at midnight on May 5th the Connecticut General Assembly completed action on numerous bills of concern to boards of education.

Among those issues which did not gain final legislative approval were modifications to the special education burden of proof and online reverse auction of services.

SB 494 AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2011. Among other provisions, the budget adjustments provide supplement grants to Hartford and CREC for magnet school transportation, addresses the federal requirement for maintenance of effort in the special education excess cost grant, and reduces the in-district student grants for Wintergreen and Edison magnet schools.

EFFECTIVE DATE: July 1, 2010

SB 31 AN ACT IMPLEMENTING THE BUDGET RECOMMENDATIONS OF THE GOVERNOR CONCERNING THE EDUCATIONAL PLACEMENT OF CHILDREN IN THE CARE AND CUSTODY OF THE DEPARTMENT OF CHILDREN AND FAMILIES. This bill creates a presumption that it is in the best interest of a child that DCF places in out-of-home care under an emergency, temporary custody, or commitment order to continue to attend the school he or she attended before the placement. The bill applies to (1) all school-age children, (2) three- to five-year olds determined eligible for special education, and (3) children age 27 months through age five referred for special education determination. It provides mechanisms for parents to challenge DCF decisions. And it makes DCF responsible for some costs of transporting a child from a placement to school and makes a school ineligible to receive state special education excess cost grants for a child placed in another community who continues to attend his or her original school.

EFFECTIVE DATE: July 1, 2010

SB 376 AN ACT CONCERNING STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS. This bill authorizes state grant commitments for school building projects.

EFFECTIVE DATE: Upon Passage

SB 379 AN ACT CONCERNING VOCATIONAL-TECHNICAL SCHOOLS. This bill requires the SBOE to conduct a formal vote before closing or suspending a vo-tech school; increases the SBE membership from 11 to 13 and requires that at least 2 members of the SBOE have industrial, trade or technical school experience or are an alumna or have taught in a vo-tech school; and starting April 1, 2011 requires one board member have agriculture or regional agricultural science and technology education experience; eliminates the state-wide advisory committee on regional vo-tech schools and require an annual informational hearing regarding the vo-tech school system; to requires the SBOE to inspect the busses in operation at the vo-tech schools and to replace any school bus in service at a vo-tech school that is ten years or older and to require the superintendent of the vo-tech school system to report annually on such school bus replacement; requires that the vo-tech school system be a separate line item in the budget.

EFFECTIVE DATE: July 1, 2010

SB 414 AN ACT MAKING REVISIONS TO STATUTES CONCERNING THE DEPARTMENT OF MOTOR VEHICLES. The bill clarifies the definition of "Carrier". Under motor vehicle law, a carrier includes a person, firm, or corporation that, for compensation, provides transportation exclusively to people under age 21. Carriers are subject to certain laws and regulations. The bill (1) expands the class of carriers to include those people, firms, and corporations engaged in providing transportation primarily for people under age 21 for compensation and (2) exempts from carrier laws and regulations corporations, institutions, and nonprofit organizations that do not provide transportation primarily for people younger than 18 as their main purpose.

The bill specifies that a "student transportation vehicle" is any motor vehicle, except for a registered school bus, that transports students to or from (1) school, (2) school programs, or (3) school sponsored events. It eliminates the subcategory of, and corresponding operator's license endorsement for, "activity vehicles." Under current law, these are a type of student transportation vehicle that brings students to school-sponsored events and activities, but does not bring them to or from school.

EFFECTIVE DATE: July 1, 2011

This bill also imposes a civil penalty of up to \$2, 500 on school districts, school bus operators, and other people, firms, and organizations that transport students and file with the DMV commissioner, under penalty of false statement, a report or other document containing one or more false statements relating to the maintenance, repair, or use of a school bus or motor vehicle used to transport students.

Each false statement is subject to a separate penalty.

The bill requires the commissioner to adopt regulations governing the inspection, registration, operation and maintenance of motor vehicles carriers use to transport any student, rather just special education students. State regulations already cover these vehicles (Conn. Agency Regs. § 14-275c-36 et seq.)

It imposes a maximum \$2,500 fine per violation on people, firms, or organizations that fail to inspect, maintain, or repair, on a schedule set by the commissioner, a school bus or vehicle used to transport students.

EFFECTIVE DATE: July 1, 2010

SB 438 AN ACT CONCERNING CHARTER SCHOOLS. This bill makes numerous changes to state education laws including:

1. setting higher standards to receive a high school diploma, including increasing the minimum credits necessary to graduate from 20 to 25, starting with the graduating class of 2018; and requiring student support services beginning in 7th grade.
Graduation Requirements - for classes graduating in 2018:
a minimum of 25 credits, including not fewer than:

-9 credits in the humanities, including not fewer than (A) 4 credits in English, including composition; (B) 3 credits in social studies, including at least 1 credit in American history and at least 1/2 credit in civics and American government; (C) 1 credit in fine arts; and (D) 1 credit in a humanities elective

-8 credits in science, technology, engineering and mathematics, including not fewer than (A) 4 credits in mathematics, including algebra I, geometry, and algebra II or statistics and probability; (B) 3 credits in science, including at least 1 credit in life science and at least 1 credit in physical science; and (C) 1 credit in a science, technology, engineering and mathematics elective;

-3 and 1/2 credits in career and life skills, including not fewer than (A) 1 credit in physical education; (B) 1/2 credit in comprehensive health education; and (C) 2 credits in career and life skills electives, such as career and technical education, English as a second language, community service, personal finance, public speaking and nutrition and physical activity;

-2 credits in world languages

-1 credit senior demonstration project

2. requiring SDE to provide grants, within available appropriations, beginning in FY 13 to assist districts with the new standards;

3. giving the State Board of Education the power to reconstitute a BOE that, after being designated as a low-achieving district, fails for 2 consecutive years to make adequate progress;

4. requiring the SBE to develop, by 7/1/13, guidelines for teacher evaluations that include student academic growth and requiring that local district evaluations to be consistent with the guidelines;

5. requiring SDE to expand the public school information system, by 7/1/13, to track and report to school boards data on performance growth by students, teachers, schools, and school districts; and

6. giving school authorities explicit authority to consider a student's previous disciplinary problems when deciding whether an out-of-school suspension is warranted, as long as the school previously attempted to address the problems by means other than an out-of-school suspension or an expulsion.

The bill makes a number of changes to charter schools laws including:

1. eliminating a requirement that, when SBE issues charters for state and local charter schools, it does so only within available appropriations;

2. requiring SBE to waive enrollment limits for charter schools whose students show a record of achievement, if the school applies for a waiver;

3. making the charter school facility grant program permanent;

4. requiring teachers first employed by a charter school on or after 7/1/10 to participate in the Teachers' Retirement System; and

5. requiring SBE to regulate charter management organizations and their relationships to charter schools.

Regarding certification for administrators and superintendents, the bill:

1. requires SDE to review and approve proposals for school administrator alternate route to certification (ARC) programs according to criteria the bill specifies and any other criteria the department requires, and

2. gives the education commissioner additional criteria to waive the requirement that a school superintendent hold a superintendent certificate issued by the SBE, if a waiver is requested by the superintendent's employing board of education and the applicant has three years of experience in, and holds a certificate from, another state.

The bill permits the school board of a priority school district to convert an existing school or establish a new school as an "innovation school" through agreements with the teacher and administrator unions at the school for the purpose of improving school performance and student achievement. By law, the education commissioner must identify low-achieving schools for reconstitution. The bill adds innovation schools to the specific reconstitution models the commissioner may choose for such schools.

The bill allows teachers and administrators who had tenure in another school district in Connecticut or out-of-state and who take a job in a priority school district to attain tenure in the new district in half the usual time, i.e., after working 10 months rather than 20 months in the priority school district.

It allows retired teachers to teach any subject, not just a shortage subject, in a priority school district for up to two consecutive years at full salary without loss of pension benefits.

The bill expands the entities eligible for state funding to provide professional development services, technical assistance, and evaluation activities to BOE, state charter schools, vocational-technical schools, school readiness providers, and other educational entities, as the commissioner determines.

The bill requires school boards with low-achieving schools to create school governance councils made up mostly of students' parents or guardians. The councils are empowered to, among other things, advise the principal on the school budget before it is submitted to the superintendent, interview candidates to fill principal vacancies, and vote to reconstitute low-achieving schools using models included in the bill.

A council must indicate which reorganization model it prefers: turnaround, restart, transformation, CommPACT or innovation. The bill provides a process for the choice to be considered at a hearing and later the local board of education must accept it or choose an alternative. When the council and the local board make different choices, the education commissioner must pick one to implement.

It also:

- requires districts with a dropout rate of 8% or higher to provide on-line credit recovery courses;
- requires school districts to hold two, rather than one, parent-teacher conferences a year;
- establishes an achievement gap task force; and
- requires high schools to offer courses for which an advanced placement exam is available.

EFFECTIVE DATE: July 1, 2010, except the teachers' retirement and charter school construction grant provisions are upon passage

HB 5033 AN ACT PROVIDING A PARTIAL REFUND OF THE SALES TAX IMPOSED ON THE SALE OF SCHOOL BUSES EQUIPPED BY THE MANUFACTURER WITH SEAT SAFETY BELTS. This bill requires DMV to administer a program to help pay for the cost of school buses equipped with lap/shoulder (3-point) seat belts. DMV must do this by increasing certain fees by \$50 and using the increase to offset a portion of the sales tax school bus companies pay for seat belt-equipped school buses in participating school districts.

Under the bill, school districts may apply to DMV for this funding from 7/1/11 through 12/31/17. The application must include a proposed agreement between the school district and the bus company with which it contracts. The agreement is contingent on DMV's approval and funding from a school seat belt account the bill creates.

The bill requires participating districts to provide written notice of the availability and proper use of seat belts to the parents or legal guardians of each student who uses a school bus. It requires the district to teach students the proper use of the seat belts, including how to fasten and unfasten them.

It exempts participating districts, the bus companies they contract with, and bus operators, from liability for injuries caused solely by a student's use, misuse, or failure to use a seat belt.

It requires the Transportation and Education committees to hold a joint hearing during the 2018 legislative session on the program's effectiveness and level of participation, and to recommend to the legislature, by 3/1/18, whether to continue the program.

EFFECTIVE DATE: July 1, 2010

HB 5120 AN ACT CONCERNING PRIVATE AND MUNICIPAL RECYCLING, ZONING ORDINANCES AND SOLID WASTE COLLECTION CONTRACTS. This bill expands the types of items that must be recycled.

By law, the following must be recycled:

1. glass and metal food and beverage containers, 2. corrugated cardboard,
3. newspaper, 4. white office paper, 5. scrap metal,
6. Ni-Cd rechargeable batteries (from electronics),
7. used crankcase oil, 8. lead acid batteries (from vehicles), 9. leaves, and
10. grass (clippings should be left on the lawn or, if necessary, composted).

HB 5255 AN ACT CONCERNING MUNICIPAL MANDATE RELIEF. Among other provisions in the bill...the bill stipulates that the meeting minutes of a municipal agency need not be posted on the Internet in order to comply with the FOI

EFFECTIVE DATE: October 1, 2010

HB 5295 AN ACT CONCERNING THE PURCHASING OF PRESCRIPTION DRUGS BY NONSTATE PUBLIC EMPLOYERS. The bill opens the state's bulk prescription drug purchasing program to nonstate public employers.

EFFECTIVE DATE: Upon Passage

HB 5306 AN ACT CONCERNING THE OPERATION OF CHILD DAY CARE CENTERS AND GROUP DAY CARE HOMES IN PUBLIC SCHOOLS. This bill requires DPH to adopt regulations establishing physical plant requirements for licensed child day care centers and licensed group day care homes that exclusively serve school-age children.

EFFECTIVE DATE: Upon Passage

HB 5315 AN ACT CONCERNING EDUCATION AND THE REDUCTION OF DOMESTIC VIOLENCE. The bill requires that teen dating violence and domestic violence education as part of the in-service training program for certified teachers, administrators and pupil personnel.

EFFECTIVE DATE: July 1, 2010

HB 5336 AN ACT ENCOURAGING SHARED SERVICE AGREEMENTS BETWEEN BOARDS OF EDUCATION. This bill establishes a grant in FY 12 to any municipality whose board of education makes a cooperative arrangement with at least one other board of education to provide school transportation that results in a savings in FY 11. The grant is in addition to the reimbursements to school districts under current law for student transportation. In addition to cooperative arrangements that boards of education may enter under current law, the bill also permits two or more boards to establish a shared service agreement.

EFFECTIVE DATE: Upon passage for the school transportation incentive program and October 1, 2010 for the shared services agreement provision.

HB 5360 AN ACT CONCERNING CHILDREN IN THE RECESSION. The bill requires SDE to administer a child nutrition outreach program to (1) increase participation in the federal School Breakfast, Summer Food Service, and Child and Adult Care Food programs and (2) secure federal reimbursement for the programs.

The outreach program must:

1. encourage schools to participate in the federal school breakfast program and use innovative ways to serve breakfast in classrooms or elsewhere after school starts, rather than only in the cafeteria before school;
2. apply for state grants from the in-classroom breakfast program;
3. encourage districts to (a) sponsor Summer Food Service Program sites, (b) recruit others to sponsor sites, and (c) make grants to sponsors to help them increase children's participation;
4. encourage day care centers to participate in the Child and Adult Care Food Program; and
5. publicize the availability of federally funded child nutrition programs throughout the state.

EFFECTIVE DATE: July 1, 2010

HB 5424 AN ACT CONCERNING AGREEMENTS BETWEEN MUNICIPALITIES AND BOARDS OF EDUCATION FOR THE JOINT PURCHASE OF EMPLOYEE HEALTH INSURANCE AND THE DISCLOSURE OF CERTAIN INFORMATION REGARDING COMPENSATION FOR SERVICES PROVIDED BY INSURANCE PRODUCERS. This bill allows 2 or more boards of education or municipalities to jointly purchase health insurance. The parties must enter a written agreement and the agreement is subject to the conditions of any union contract the municipality or board has with its employees. Also, the bill requires the legislative body of a municipality to approve the agreement when certain conditions exist between the municipality and BOE.

The agreement must establish:

1. the group's membership,
2. the benefits plan duration,
3. payment requirements for the benefits,
4. procedures for a municipality or board of education to withdraw from the agreement, and
5. procedures for the group to terminate the benefit plan.

The bill specifies that a group formed under its provisions is not (1) a multiple employer welfare arrangement (MEWA) as defined under the federal Employee Retirement Income Security Act of 1974 (ERISA) or (2) a "fictitious group." (Insurance law prohibits a fictitious group organized for insurance rating purposes where differences in rates are based solely on membership in the group. But the prohibition does not apply to health insurance.)

The bill requires that any insurance producer who sells, solicits, or negotiates insurance on behalf of an insurer to a municipality or a board of education to, at the municipality's or board's request, fully disclose in writing the amount of any fees or compensation the producer receives from the insurer for services under (1) the written memorandum required by existing law or (2) the 1944 Federal Investment Advisors Act.

EFFECTIVE DATE: October 1, 2010

HB 5425 AN ACT CONCERNING SPECIAL EDUCATION. The bill reconstitutes the State Advisory Council for Special Education by reducing the number of members to make it consistent with federal law and requires boards of education to use only licensed or certified behavior analysts to provide applied behavior analysis services to certain special education students.

Effective Date: July 1, 2010

HB 5426 AN ACT CONCERNING INDIVIDUALIZED EDUCATIONAL PROGRAMS. This bill creates a task force to address problems associated with the individualized education program form.

EFFECTIVE DATE: Upon Passage

HB 5490 AN ACT CONCERNING THE MINIMUM BUDGET REQUIREMENT AND VARIOUS EDUCATION GRANTS. Allows towns whose school districts whose student population has declined to reduce the budgeted appropriation for education for purposes of the MBR and to make a revision to the equalization aid grant for East Hartford; allows supplemental grants to RESCs for transportation; allows certain towns to continue to receive school readiness grants.

EFFECTIVE DATE: Upon passage, except the school readiness provisions are effective July 1, 2010.

HB 5533 AN ACT CONCERNING SEXTING. This bill provides that in a prosecution for felony possession of child pornography, it is an affirmative defense that the defendant's acts, if proven, would constitute certain acts of sexting or other electronic transmission or possession of child pornography by persons 13 to 15 years old (for transmission) or 13 to 17 years old (for possession).

EFFECTIVE DATE: October 1, 2010
