



General Assembly

Amendment

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LCO No. 7369

HB0642707369SD0

Offered by:

SEN. GAFFEY, 13th Dist.

To: Subst. House Bill No. 6427

File No. 770

Cal. No. 508

**"AN ACT CONCERNING PROGRAMS TO ADDRESS THE
TEACHER SHORTAGE, PILOT EARLY CHILDHOOD LEARNING
PROGRAMS AND TEACHER PREPARATION COURSES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 10-76a of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2003*):

5 Whenever used in sections 10-76a to 10-76i, inclusive:

6 (1) "Commissioner" means the Commissioner of Education.

7 (2) "Child" means any person under twenty-one years of age.

8 (3) An "exceptional child" means a child who deviates either
9 intellectually, physically or emotionally so markedly from normally
10 expected growth and development patterns that he or she is or will be
11 unable to progress effectively in a regular school program and needs a
12 special class, special instruction or special services.

13 (4) "Special education" means specially designed instruction
14 developed in accordance with the regulations of the commissioner,
15 subject to approval by the State Board of Education offered at no cost
16 to parents or guardians, to meet the unique needs of a child with a
17 disability, including instruction conducted in the classroom, in the
18 home, in hospitals and institutions, and in other settings and
19 instruction in physical education and special classes, programs or
20 services, including related services, designed to meet the educational
21 needs of exceptional children.

22 (5) ["Children] "A child requiring special education" [includes]
23 means any exceptional child who (A) [has mental retardation, a
24 physical handicap or neurological impairment or who is autistic,
25 traumatically brain injured, seriously emotionally disturbed or
26 suffering an identifiable learning disability which impedes such child's
27 rate of development, which disability is amenable to correction or
28 which rate of development may be improved by special education]
29 meets the criteria for eligibility for special education pursuant to the
30 Individuals with Disabilities Education Act, 20 USC 1400, et seq., as
31 amended from time to time, (B) has extraordinary learning ability or
32 outstanding talent in the creative arts, the development of which
33 requires programs or services beyond the level of those ordinarily
34 provided in regular school programs but which may be provided
35 through special education as part of the public school program, or (C)
36 is age three to five, inclusive, and is experiencing developmental delay
37 that causes such child to require special education.

38 (6) "Developmental delay" means significant delay in one or more of
39 the following areas: (A) Physical development; (B) communication
40 development; (C) cognitive development; (D) social or emotional
41 development; or (E) adaptive development, as measured by
42 appropriate diagnostic instruments and procedures and demonstrated
43 by scores obtained on an appropriate norm-referenced standardized
44 diagnostic instrument.

45 [(7) A "child with mental retardation" is one who has mental

46 retardation, as defined in the Individuals With Disabilities Act, 20 USC
47 1400, et seq., as amended from time to time.

48 (8) A "child with a physical handicap" is one who because of some
49 physical handicap, as defined in regulations adopted by the State
50 Board of Education, requires special educational programs or services.]

51 [(9)] (7) "Related services" means related services, as defined in the
52 Individuals With Disabilities Education Act, 20 USC 1400 et seq., as
53 amended from time to time.

54 [(10) A "child with a neurological impairment" is one who has a
55 neurological impairment, as defined in regulations adopted by the
56 State Board of Education.

57 (11) A child who is "seriously emotionally disturbed" is one who has
58 a serious emotional disturbance, as defined in the Individuals With
59 Disabilities Education Act, 20 USC 1400, et seq., as amended from time
60 to time.

61 (12) "School age children" are those who have attained the age at
62 which the town must commence to provide educational opportunities
63 pursuant to section 10-186.

64 (13) A child with an "identifiable learning disability" is one who
65 exhibits a severe discrepancy between educational performance and
66 measured intellectual ability and who exhibits a disorder in one or
67 more of the basic psychological processes involved in understanding
68 or in using language, spoken or written, which may manifest itself in a
69 diminished ability to listen, speak, read, write, spell or to do
70 mathematical calculations and does not include a child who has a
71 learning problem that is primarily the result of visual, hearing, motor
72 disabilities, mental retardation, emotional disturbance, environmental,
73 cultural or economic disadvantage.]

74 [(14)] (8) "Extraordinary learning ability" and "outstanding creative
75 talent" shall be defined by regulation by the commissioner, subject to

76 the approval of the State Board of Education, after consideration by
77 said commissioner of the opinions of appropriate specialists and of the
78 normal range of ability and rate of progress of children in the
79 Connecticut public schools.

80 [(15) "Transition services" means a coordinated set of activities for a
81 student, designed within an outcome-oriented process, which
82 promotes movement from school to postschool activities, including
83 postsecondary education, vocational training, integrated employment
84 which may include supported employment, continuing and adult
85 education, adult services, independent living or community
86 participation. The coordinated set of activities is based upon the
87 individual student's needs, taking into account the student's
88 preferences and interests, and includes instruction, community
89 experiences, the development of employment and other postschool
90 adult living objectives, and where appropriate, acquisition of daily
91 living skills and functional vocational evaluation.]

92 Sec. 502. Subdivision (1) of subsection (a) of section 10-76d of the
93 general statutes is repealed and the following is substituted in lieu
94 thereof (*Effective July 1, 2003*):

95 (1) In accordance with the regulations and procedures established
96 by the Commissioner of Education and approved by the State Board of
97 Education, each local or regional board of education shall provide the
98 professional services requisite to identification of [school-age] children
99 requiring special education, identify each such child within its
100 jurisdiction, determine the eligibility of such children for special
101 education pursuant to sections 10-76a to 10-76h, inclusive, prescribe
102 suitable educational programs for eligible children, maintain a record
103 thereof and make such reports as the commissioner may require.

104 Sec. 503. Subdivision (7) of subsection (a) of section 10-76d of the
105 general statutes is repealed and the following is substituted in lieu
106 thereof (*Effective July 1, 2003*):

107 (7) The planning and placement team shall, in accordance with the

108 provisions of the Individuals with Disabilities Education Act, 20 USC
109 1400, et seq., as amended from time to time, develop and update
110 annually a statement of transition service needs [under the applicable
111 components of a student's individualized education program for each
112 student with a disability, beginning at age fourteen, or younger if
113 deemed appropriate by the team. Such statement shall focus on the
114 student's courses of study such as participation in advanced placement
115 courses or a vocational education program. The planning and
116 placement team shall include in the statement for each such student
117 beginning at age sixteen, or younger if deemed appropriate by the
118 team, a provision detailing the transition services needed by the
119 student including, if appropriate, a statement of interagency
120 responsibilities] for each child requiring special education.

121 Sec. 504. Subsection (d) of section 10-76d of the general statutes is
122 repealed and the following is substituted in lieu thereof (*Effective July*
123 *1, 2003*):

124 (d) To meet its obligations under sections 10-76a to [10-76g] 10-76gg,
125 inclusive, any local or regional board of education that is unable to
126 provide necessary programs or services to an eligible child directly
127 may make agreements with another [such board or subject to the
128 consent of the parent or guardian of any child affected thereby, make
129 agreements with any private school or with any public or private
130 agency or institution, including a group home to provide the necessary
131 programs or services, but no expenditures made pursuant to a contract
132 with a private school, agency or institution for such special education
133 shall be paid under the provisions of section 10-76g, unless (1) such
134 contract includes a description of the educational program and other
135 treatment the child is to receive, a statement of minimal goals and
136 objectives which it is anticipated such child will achieve and an
137 estimated time schedule for returning the child to the community or
138 transferring such child to another appropriate facility, (2) subject to the
139 provisions of this subsection, the educational needs of the child for
140 whom such special education is being provided cannot be met by
141 public school arrangements in the opinion of the commissioner who,

142 before granting approval of such contract for purposes of payment,
143 shall consider such factors as the particular needs of the child, the
144 suitability and efficacy of the program offered by such private school,
145 agency or institution, and the economic feasibility of comparable
146 alternatives, and (3) commencing with the 1987-1988 school year and
147 for each school year thereafter, each such private school, agency or
148 institution has been approved for special education by the
149 Commissioner of Education or by the appropriate agency for facilities
150 located out of state, except as provided in subsection (b) of this section.
151 Notwithstanding the provisions of subdivision (2) of this subsection or
152 any regulations adopted by the State Board of Education setting
153 placement priorities, placements pursuant to this section and
154 payments under section 10-76g may be made pursuant to such a
155 contract if the public arrangements are more costly than the private
156 school, institution or agency, provided the private school, institution or
157 agency meets the educational needs of the child and its program is
158 suitable and efficacious. Notwithstanding the provisions of this
159 subsection to the contrary, nothing in this subsection shall (A) require
160 the removal of a child from a nonapproved facility if the child was
161 placed there prior to July 7, 1987, pursuant to the determination of a
162 planning and placement team that such a placement was appropriate
163 and such placement was approved by the Commissioner of Education,
164 or (B) prohibit the placement of a child at a nonapproved facility if a
165 planning and placement team determines prior to July 7, 1987, that the
166 child be placed in a nonapproved facility for the 1987-1988 school year.
167 Each child placed in a nonapproved facility as described in
168 subparagraphs (A) and (B) of subdivision (3) of this subsection may
169 continue at the facility provided the planning and placement team or
170 hearing officer appointed pursuant to section 10-76h determines that
171 the placement is appropriate. Expenditures incurred by any local or
172 regional board of education to maintain children in nonapproved
173 facilities as described in said subparagraphs (A) and (B) shall be paid
174 pursuant to the provisions of section 10-76g. Any local or regional
175 board of education may enter into a contract with] entity for the
176 provision of such services in accordance with this subsection. The

177 board may make agreements with (1) any other public agency,
178 including another such board or a regional educational service center,
179 (2) any private special education program approved by the
180 Commissioner of Education, (3) any facility for the provision of
181 residential services, including group home services, licensed by the
182 appropriate state agency, (4) the owners or operators of any sheltered
183 workshop or rehabilitation center for provision of an education
184 occupational training program for [children requiring special
185 education who are] a child who requires special education and who is
186 at least sixteen years of age, provided such workshop or institution
187 [shall have been] is approved by the appropriate state agency, [.
188 Whenever any child is identified by a local or regional board of
189 education as a child requiring special education and said board of
190 education determines that the requirements for special education
191 could be met by a program provided within the district or by
192 agreement with another board of education except for the child's need
193 for services other than educational services such as medical,
194 psychiatric or institutional care or services, said board may meet its
195 obligation to furnish special education for such child by paying the
196 reasonable cost of special education instruction in a private school,
197 hospital or other institution provided said board or the commissioner
198 concurs that placement in such institution is necessary and proper and
199 no state institution is available to meet such child's needs] (5) any
200 private agency or individual for the provision of services other than
201 instructional services, provided the agency or individual meets any
202 requirements for the provision of such services established pursuant to
203 the general statutes or any regulation adopted in accordance with
204 chapter 54, and (6) any private special education program that is not
205 approved by the Commissioner of Education, including, but not
206 limited to, any program or facility located outside this state, if prior to
207 any such agreement with such program, the commissioner determines
208 that (A) the program is appropriate for the child, and (B) no other
209 program approved by the commissioner is appropriate for the child
210 and available to provide the necessary services to the child. Any
211 agreement made in accordance with this subsection shall be subject to

212 the consent of the parent or guardian of the child if such consent is
213 required by any state or federal statute or regulation.

214 Sec. 505. Subdivision (1) of subsection (a) of section 10-76h of the
215 general statutes is repealed and the following is substituted in lieu
216 thereof (*Effective July 1, 2003*):

217 (1) A parent or guardian of a child requiring special education and
218 related services pursuant to sections 10-76a to 10-76g, inclusive, a pupil
219 if such pupil is an emancipated minor or eighteen years of age or older
220 requiring such services, a surrogate parent appointed pursuant to
221 section 10-94g, or the Commissioner of Children and Families, or a
222 designee of said commissioner, on behalf of any such child in the
223 custody of said commissioner, may request, in writing, a hearing of the
224 local or regional board of education or the unified school district
225 responsible for providing such services whenever such board or
226 district proposes or refuses to initiate or change the identification,
227 evaluation or educational placement of or the provision of a free
228 appropriate public education to such child or pupil. [provided no
229 issue may be raised at such hearing unless it was raised at a planning
230 and placement team meeting for such child or pupil and provided
231 further, nothing in this subsection shall be construed to limit the right
232 of such parent, guardian, emancipated minor or surrogate parent to
233 initiate a planning and placement team meeting at any time.] The local
234 or regional board of education or the unified school district shall, not
235 later than seven calendar days after receipt of a request for a hearing,
236 notify the state Department of Education of such request. The local or
237 regional board of education or the unified school district responsible
238 for providing special education and related services for a child or pupil
239 requiring such services under sections 10-76a to 10-76g, inclusive, may
240 request, upon written notice to the parent or guardian of such child,
241 the pupil if such pupil is an emancipated minor or is eighteen years of
242 age or older, the surrogate parent appointed pursuant to section 10-
243 94g, or the Commissioner of Children and Families, or a designee of
244 said commissioner, on behalf of any such child or pupil in the custody
245 of said commissioner, a hearing concerning the decision of the

246 planning and placement team established pursuant to section 10-76d,
247 whenever such board or district proposes or refuses to initiate or
248 change the identification, evaluation or educational placement of or
249 the provision of a free appropriate public education placement to such
250 child or pupil, including, but not limited to, refusal of the parent or
251 guardian, pupil if such pupil is an emancipated minor or is eighteen
252 years of age or older or the surrogate parent appointed pursuant to
253 section 10-94g, to give consent for [preplacement] initial evaluation or
254 [initial placement in special education] reevaluation or the withdrawal
255 of such consent. [, provided no issue may be raised at such hearing
256 unless it was raised at a planning and placement team meeting for
257 such child or pupil and provided further, nothing in this subsection
258 shall be construed to limit the right of such board or district to initiate
259 a planning and placement team meeting.] In the event a planning and
260 placement team proposes private placement for a child or pupil who
261 requires or may require special education and related services and the
262 parent, guardian, pupil if such pupil is an emancipated minor or is
263 eighteen years of age or older or surrogate parent appointed pursuant
264 to section 10-94g withholds or revokes consent for such placement, the
265 local or regional board of education shall request a hearing in
266 accordance with this section and may request mediation pursuant to
267 subsection (f) of this section. For purposes of this section, a "local or
268 regional board of education or unified school district" includes any
269 public agency which is responsible for the provision of special
270 education and related services to children requiring special education
271 and related services.

272 Sec. 506. Subdivision (2) of subsection (c) of section 10-76h of the
273 general statutes is repealed and the following is substituted in lieu
274 thereof (*Effective July 1, 2003*):

275 (2) Both parties shall participate in a prehearing conference [, at least
276 ten days prior to the date the hearing is scheduled to commence,] to
277 resolve the issues in dispute, if possible and narrow the scope of the
278 issues. Each party to the hearing shall disclose, not later than five
279 business days prior to the date the hearing commences, (A)

280 documentary evidence such party plans to present at the hearing and a
281 list of witnesses such party plans to call at the hearing, and (B) all
282 completed evaluations and recommendations based on the offering
283 party's evaluations that the party intends to use at the hearing. Except
284 for good cause shown, the hearing officer shall limit each party to such
285 documentary evidence and witnesses as were properly disclosed and
286 are relevant to the issues in dispute. A hearing officer may bar any
287 party who fails to comply with the requirements concerning disclosure
288 of evaluations and recommendations from introducing any
289 undisclosed evaluation or recommendation at the hearing without the
290 consent of the other party.

291 Sec. 507. Subsection (d) of section 10-76h of the general statutes is
292 repealed and the following is substituted in lieu thereof (*Effective July*
293 *1, 2003*):

294 (d) (1) The hearing officer or board shall have the authority to
295 confirm, modify, or reject the identification, evaluation or educational
296 placement of or the provision of a free appropriate public education to
297 the child or pupil, to determine the appropriateness of an educational
298 placement where the parent or guardian of a child requiring special
299 education or the pupil if such pupil is an emancipated minor or
300 eighteen years of age or older, has placed the child or pupil in a
301 program other than that prescribed by the planning and placement
302 team, or to prescribe alternate special educational programs for the
303 child or pupil. In the case where a parent or guardian, or pupil if such
304 pupil is an emancipated minor or is eighteen years of age or older, or a
305 surrogate parent appointed pursuant to section 10-94g, has refused
306 consent for initial evaluation or [placement in special education]
307 reevaluation, the hearing officer or board may order [special education
308 evaluation or placement] an initial evaluation or reevaluation without
309 the consent of such parent, guardian, pupil or surrogate parent except
310 that if the parent, guardian, pupil or surrogate parent appeals such
311 decision pursuant to subdivision (4) of this subsection, the child or
312 pupil may not be evaluated or placed pending the disposition of the
313 appeal. The hearing officer or board shall inform the parent or

314 guardian, or the emancipated minor or pupil eighteen years of age or
315 older, or the surrogate parent appointed pursuant to section 10-94g, or
316 the Commissioner of Children and Families, as the case may be, and
317 the board of education of the school district or the unified school
318 district of the decision in writing and mail such decision within forty-
319 five days after receipt by the board of the request for a hearing made in
320 accordance with the provisions of subsection (a) of this section except
321 that a hearing officer or board may grant specific extensions of such
322 forty-five-day period in order to comply with the provisions of
323 subsection (b) of this section. The hearing officer may include in his
324 decision a comment on the conduct of the proceedings. The findings of
325 fact, conclusions of law and decision shall be written without
326 personally identifiable information concerning such child or pupil, so
327 that such decisions may be available for public inspections pursuant to
328 sections 4-167 and 4-180a.

329 (2) If the local or regional board of education or the unified school
330 district responsible for providing special education for such child or
331 pupil requiring special education does not take action on the findings
332 or prescription of the hearing officer or board within fifteen days after
333 receipt thereof, the State Board of Education shall take appropriate
334 action to enforce the findings or prescriptions of the hearing officer or
335 board. Such action may include application to the Superior Court for
336 injunctive relief to compel such local or regional board or school
337 district to implement the findings or prescription of the hearing officer
338 or board without the necessity of establishing irreparable harm or
339 inadequate remedy at law.

340 (3) If the hearing officer or board upholds the local or regional board
341 of education or the unified school district responsible for providing
342 special education and related services for such child or pupil who
343 requires or may require special education on the issue of evaluation,
344 reevaluation or placement in a private school or facility, such board or
345 district may evaluate or provide such services to the child or pupil
346 without the consent of the parent or guardian, pupil if such pupil is an
347 emancipated minor or is eighteen years of age or older, or the

348 surrogate parent appointed pursuant to section 10-94g, subject to an
349 appeal pursuant to subdivision (4) of this subsection.

350 (4) Appeals from the decision of the hearing officer or board shall be
351 taken in the manner set forth in section 4-183, except [, upon
352 application made to the court to present evidence at the hearing on
353 such appeal, the court, after reviewing the record of the proceedings of
354 the hearing officer or board, may grant such application if, after a
355 hearing and the presentation of oral argument on such application, the
356 court finds (A) that the record does not contain a complete transcript of
357 the entire proceedings and of the evidence presented before said
358 hearing officer or board, or (B) that the taking of evidence is necessary
359 for the equitable disposition of the appeal, or (C) probable cause to
360 believe that reliable, probative and substantial evidence was
361 overlooked or ignored by the findings and conclusions of said hearing
362 officer or board] the court shall hear additional evidence at the request
363 of a party. Notwithstanding the provisions of section 4-183, such
364 appeal shall be taken to the judicial district wherein the child or pupil
365 resides. In the event of an appeal, upon request and at the expense of
366 the State Board of Education, said board shall supply a copy of the
367 transcript of the formal sessions of the hearing officer or board to the
368 parent or guardian or the emancipated minor or pupil eighteen years
369 of age or older or surrogate parent or said commissioner and to the
370 board of education of the school district or the unified school district.

371 Sec. 508. Section 10-253 of the general statutes is amended by adding
372 subsection (f) as follows (*Effective July 1, 2003*):

373 (NEW) (f) Notwithstanding any provision of the general statutes,
374 educational services shall be provided by each local and regional
375 board of education to homeless children and youths in accordance
376 with the provisions of the McKinney-Vento Homeless Assistance Act,
377 42 USC 11431, et seq., as amended from time to time.

378 Sec. 509. Subsection (f) of section 10-266aa of the general statutes is
379 repealed and the following is substituted in lieu thereof (*Effective from*

380 *passage*):

381 (f) The Department of Education shall provide grants to regional
382 educational service centers or local or regional boards of education for
383 the reasonable cost of transportation for students participating in the
384 program. For the fiscal year ending June 30, [2000] 2003, and each fiscal
385 year thereafter, the department shall provide such grants within
386 available appropriations, provided the state-wide average of such
387 grants does not exceed an amount equal to two thousand one hundred
388 dollars for each student transported, except that the Commissioner of
389 Education may grant to regional educational service centers additional
390 sums from funds remaining in the appropriation for such
391 transportation services if needed to offset transportation costs that
392 exceed such maximum amount. The regional educational service
393 centers shall provide reasonable transportation services to high school
394 students who wish to participate in supervised extracurricular
395 activities. For purposes of this section, the number of students
396 transported shall be determined on September first of each fiscal year.

397 Sec. 510. Subsection (b) of section 10-76d of the general statutes is
398 repealed and the following is substituted in lieu thereof (*Effective July*
399 *1, 2003*):

400 (b) In accordance with the regulations of the State Board of
401 Education, each local and regional board of education shall: (1)
402 Provide special education for school-age children requiring special
403 education who are described in subparagraph (A) of subdivision (5) of
404 section 10-76a. The obligation of the school district under this
405 subsection shall terminate when such child (A) is graduated from high
406 school, or (B) on the August fifteenth following the date such child
407 reaches age twenty-one, whichever occurs first; and (2) provide special
408 education for children requiring special education who are described
409 in subparagraph (A) or (C) of subdivision (5) of section 10-76a. The
410 State Board of Education shall define the criteria by which each local or
411 regional board of education shall determine whether a given child is
412 eligible for special education pursuant to this subdivision, and such

413 determination shall be made by the board of education when
414 requested by a parent or guardian, or upon referral by a physician,
415 clinic or social worker, provided the parent or guardian so permits. To
416 meet its obligations under this subdivision, each local or regional
417 board of education may, with the approval of the State Board of
418 Education, make agreements with any private school, agency or
419 institution to provide the necessary preschool special education
420 program, provided such private facility has an existing program which
421 adequately meets the special education needs, according to standards
422 established by the State Board of Education, of the preschool children
423 for whom such local or regional board of education is required to
424 provide such an education and provided such district does not have
425 such an existing program in its public schools. Such private school,
426 agency or institution may be a facility which has not been approved by
427 the Commissioner of Education for special education, provided such
428 private facility is approved by the commissioner as an independent
429 school or licensed by the Department of Public Health as a day care or
430 nursery facility or be both approved and licensed.

431 Sec. 511. (NEW) (*Effective July 1, 2003*) The Department of Education
432 shall encourage the use of regional educational service centers as
433 providers of goods or services for local and regional boards of
434 education and may award special consideration to grant applications
435 that indicate the use of services of regional educational service centers
436 or joint purchasing agreements among boards of education for the
437 purpose of purchasing instructional or other supplies, testing
438 materials, or food or food services.

439 Sec. 512. (NEW) (*Effective July 1, 2003*) Any interdistrict magnet
440 school operated by a regional educational service center may make
441 changes to the core curriculum for such interdistrict magnet school
442 after due consideration to the advice of a magnet governance team,
443 whose membership shall include parents and guardians of students
444 enrolled in the school and representatives of school districts
445 participating in the interdistrict magnet school. At least sixty days
446 prior to implementing such changes, the school shall give notice to the

447 parents and guardians of the students enrolled at the school and shall
448 hold a public hearing to receive public comment on the proposed
449 changes. At least thirty days prior to implementing such changes, the
450 school shall give notice to the Commissioner of Education describing
451 the educational benefits of the changes and the impact upon the
452 magnet school community.

453 Sec. 513. Section 10-183v of the general statutes is repealed and the
454 following is substituted in lieu thereof (*Effective July 1, 2003*):

455 (a) Except as provided in subsection (b) of this section, a former
456 teacher receiving retirement benefits from the system may not be
457 employed in a teaching position receiving compensation paid out of
458 public money appropriated for school purposes except that such
459 former teacher may be employed temporarily in such a position and
460 receive no more than forty-five per cent of the [entry-level salary]
461 maximum salary level for the assigned [subject area for such
462 compensation.] position. Any former teacher who receives in excess of
463 such amount shall reimburse the board for the amount of such excess.
464 Temporary employment means employment for less than a school
465 year. Notice of such employment shall be sent [monthly] semi-
466 annually on January thirty-first and June thirtieth to the board by the
467 employing officials and by the retired teacher at the end of each
468 assignment.

469 (b) [A] Notwithstanding the provisions of subsection (a) of this
470 section, a former teacher receiving retirement benefits from the system
471 may, with prior approval of the Teachers' Retirement Board, be
472 reemployed by a local or regional board of education [or by any
473 constituent unit of the state system of higher education if such
474 employment is authorized by the Teachers' Retirement Board upon
475 certification to such board that such reemployment is in the best
476 interests of the local or regional school system. Such certification shall
477 be made by the local or regional board of education, if the employer is
478 to be a local or regional board of education, or the Board of Governors
479 of Higher Education, if the employer is to be a constituent unit of the

480 state system of higher education] in a position designated by the
481 Commissioner of Education as a subject shortage area pursuant to
482 section 10-86 for the school year in which the former teacher is being
483 reemployed or in such other position as may be deemed necessary by
484 the commissioner. Such reemployment with any one board of
485 education may be for up to one full school year but may, with prior
486 approval by the Commissioner of Education and the Teachers'
487 Retirement Board, be extended for an additional school year. A local or
488 regional board of education shall submit a request for approval in
489 writing to the Teachers' Retirement Board prior to the reemployment
490 of such former teacher and prior to extending such reemployment for
491 an additional school year. Such requests for approval shall include a
492 statement indicating the type of assignment to be performed, the
493 anticipated date of rehire and the expected duration of the assignment.

494 (c) The [employment] reemployment of a former teacher under
495 subsection (b) of this section shall not be considered as service
496 qualifying for continuing contract status under section 10-151 and the
497 salary of such teacher shall be fixed at an amount at least equal to that
498 paid other teachers in the same school system with similar training
499 and experience for the same type of service. Upon approval by the
500 board of such reemployment, such former teacher shall be eligible for
501 the same health insurance benefits provided to active teachers
502 employed by such school system. No benefits shall be paid in pursuant
503 to section 10-183t while such former teacher is employed by such
504 system.

505 (d) No person shall be entitled to survivor's benefits under
506 subsection (f) of section 10-183f as a result of reemployment under this
507 section.

508 [(e) Retirement benefits to a former teacher reemployed under
509 subsection (b) of this section shall terminate on the first day of the
510 month of such reemployment. Retirement benefits shall resume on the
511 first day of the month after reemployment ceases.]

512 [(f)] (e) The same option plan of retirement benefits in effect prior to
513 reemployment shall continue for a reemployed teacher during
514 reemployment. [and upon subsequent retirement.]

515 [(g) Any former teacher reemployed under subsection (b) of this
516 section may elect upon completion of not less than six months
517 continuous service to make contributions to the system from such date.
518 The employer of such electing reemployed teacher shall thereafter treat
519 such teacher with respect to the system in the same manner as any
520 other member of the system except that such employer shall deduct
521 only six-sevenths of the amount that would be deducted from the
522 salaries of other members.

523 (h) Any reemployed teacher electing to make contributions to the
524 system under subsection (g) of this section may also elect to obtain
525 retirement credit for service during the period from the beginning of
526 reemployment to the date of such election by contributing to the
527 system within six months of the date on which such teacher makes
528 such election under said subsection (g), six per cent of the salary paid
529 such teacher during such period together with credited interest from
530 the time such salary was paid until such contribution is made to the
531 system.

532 (i) Upon the subsequent retirement of an electing reemployed
533 teacher, the retirement benefits payable to such retired teacher shall be
534 increased by triple the amount that would be payable based solely
535 upon contributions of such teacher made during the period of
536 reemployment plus credited interest thereon.]

537 (f) The provisions of this section in effect on June 30, 2003, shall be
538 applicable to any reemployed teacher making contributions under this
539 section to the Teachers' Retirement System on June 30, 2003.

540 Sec. 514. Subsection (d) of section 10-16p of the general statutes is
541 repealed and the following is substituted in lieu thereof (*Effective from*
542 *passage*):

543 (d) The Commissioner of Education, in consultation with the
544 Commissioner of Social Services, shall establish a competitive grant
545 program to provide spaces in accredited or approved school readiness
546 programs for eligible children who reside in an area served by a
547 priority school or a former priority school that has formerly received a
548 grant pursuant to this subsection. A town in which such a school is
549 located or a regional school readiness council, pursuant to subsection
550 (c) of section 10-16r, for a region in which such a school is located may
551 apply for such a grant in an amount not to exceed one hundred
552 thousand dollars per priority school or for a former priority school in
553 an amount not to exceed one hundred thousand dollars in the first
554 year that such school is no longer a priority school, not to exceed
555 eighty thousand dollars in the second year that such school is no
556 longer a priority school, not to exceed sixty thousand dollars in the
557 third year that such school is no longer a priority school, not to exceed
558 forty thousand dollars in the fourth year that such school is no longer a
559 priority school, and not to exceed twenty thousand dollars in the fifth
560 year that such school is no longer a priority school. Eligibility shall be
561 determined for a five-year period based on an applicant's designation
562 as having a priority school for the initial year of application. Grant
563 awards shall be made annually contingent upon available funding and
564 a satisfactory annual evaluation. The chief elected official of such town
565 and the superintendent of schools of the school district or the regional
566 school readiness council shall submit a plan, as described in subsection
567 (c) of this section, for the expenditure of such grant funds to the
568 Department of Education. In awarding grants pursuant to this
569 subsection, the commissioner shall give preference to applications
570 submitted by regional school readiness councils and may, within
571 available appropriations, provide a grant in excess of one hundred
572 thousand dollars to towns with two or more priority schools in such
573 district. A town or regional school readiness council awarded a grant
574 pursuant to this subsection shall use the funds to purchase spaces for
575 such children from providers of accredited or approved school
576 readiness programs. Sec. 515. (NEW) (*Effective July 1, 2003*) Each local
577 and regional board of education shall ensure that (1) each child, in the

578 schools under its jurisdiction, be provided with an opportunity for a
579 lunch break that is a minimum of twenty minutes every school day,
580 and (2) each child in grades kindergarten to five, inclusive, in the
581 schools under its jurisdiction, has the opportunity for physical activity
582 for a minimum of twenty minutes every school day or a minimum of
583 one hundred minutes every week, except that the planning and
584 placement team may develop a different schedule for a child requiring
585 special education and related services in accordance with chapter 164
586 of the general statutes and the Individual With Disabilities Education
587 Act, 20 USC 1400 et seq., as amended from time to time.

588 Sec. 516. (NEW) (*Effective July 1, 2003*) On and after September 1,
589 2003, each local or regional board of education shall require the schools
590 under its jurisdiction to make available for purchase dairy products,
591 including low-fat dairy products, water, natural fruit juices and fresh
592 or dried fruit at all times when food or drink is available for purchase
593 in school buildings.

594 Sec. 517. Subsection (a) of section 10-220a of the general statutes is
595 repealed and the following is substituted in lieu thereof (*Effective July*
596 *1, 2003*):

597 (a) Each local or regional board of education shall provide an in-
598 service training program for its teachers, administrators and pupil
599 personnel who hold the initial educator, provisional educator or
600 professional educator certificate. Such program shall provide such
601 teachers, administrators and pupil personnel with information on (1)
602 the nature and the relationship of drugs, as defined in subdivision (17)
603 of section 21a-240, and alcohol to health and personality development,
604 and procedures for discouraging their abuse, (2) health and mental
605 health risk reduction education which includes, but need not be
606 limited to, the prevention of risk-taking behavior by children and the
607 relationship of such behavior to substance abuse, pregnancy, sexually
608 transmitted diseases, including HIV-infection and AIDS, as defined in
609 section 19a-581, violence, child abuse and youth suicide, (3) the growth
610 and development of exceptional children, including handicapped and

611 gifted and talented children and children who may require special
612 education, and methods for identifying, planning for and working
613 effectively with special needs children in a regular classroom, (4)
614 school violence prevention and conflict resolution, (5)
615 cardiopulmonary resuscitation and other emergency life saving
616 procedures, (6) computer and other information technology as applied
617 to student learning and classroom instruction, communications and
618 data management, [and] (7) the teaching of the language arts, reading
619 and reading readiness for teachers in grades kindergarten to three,
620 inclusive, and (8) second language acquisition in districts where
621 English language learners are enrolled. The State Board of Education,
622 within available appropriations and utilizing available materials, shall
623 assist and encourage local and regional boards of education to include:
624 (A) Holocaust education and awareness; (B) the historical events
625 surrounding the Great Famine in Ireland; (C) African-American
626 history; (D) Puerto Rican history; (E) Native American history; (F)
627 personal financial management; and (G) topics approved by the state
628 board upon the request of local or regional boards of education as part
629 of in-service training programs pursuant to this subsection.

630 Sec. 518. Section 10-145a of the general statutes is amended by
631 adding subsection (f) as follows (*Effective July 1, 2003*):

632 (NEW) (f) On and after July 1, 2005, any candidate in a program of
633 teacher preparation leading to professional certification shall complete,
634 within the existing framework of instruction as of June 30, 2002,
635 introductory coursework instruction on the characteristics of second
636 language learners and second language acquisition."