



General Assembly

January Session, 2003

**Amendment**

LCO No. 7500

\*SB0089307500HDO\*

Offered by:

REP. CURREY, 10<sup>th</sup> Dist.

REP. MERRILL, 54<sup>th</sup> Dist.

(As Amended by Senate Amendment Schedule "A")

To: Subst. Senate Bill No. 893

File No. 78

Cal. No. 555

**"AN ACT CONCERNING EARLY CHILDHOOD EDUCATION."**

1 Strike sections 4 and 5 in their entirety, substitute the following in  
2 lieu thereof and renumber remaining sections accordingly:

3 "Sec. 4. Subsection (e) of section 10-16p of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective July*  
5 *1, 2003*):

6 (e) (1) Ninety-three per cent of the amount appropriated for  
7 purposes of this section shall be used for the grant program pursuant  
8 to subsection (c) of this section. Priority school districts and former  
9 priority school districts shall receive grants based on their proportional  
10 share of the sum of the products obtained by multiplying the average  
11 number of enrolled kindergarten students in each priority school  
12 district and in each former priority school district for the three years  
13 prior to the year the grant is to be paid, by the ratio of the average

14 percentage of free and reduced price meals for all severe need schools  
15 in such district to the minimum percentage requirement for severe  
16 need school eligibility, provided no such school district shall receive a  
17 grant that is less than the grant it received for the prior fiscal year or a  
18 grant that is less than one hundred fifty thousand dollars.

19 (2) Six and five-tenths per cent of the amount appropriated for  
20 purposes of this section shall be used for the competitive grant  
21 program pursuant to subsection (d) of this section.

22 (3) The Department of Education may retain up to five-tenths of one  
23 per cent of the amount appropriated for purposes of this section for  
24 coordination, program evaluation and administration.

25 (4) If a town that is eligible for a grant pursuant to subsection (c) of  
26 this section does not submit, by January first, a plan which is  
27 subsequently approved for the expenditure of the entire amount of  
28 funds for which such town is eligible, the department may use [up to  
29 fifty per cent of] any amounts such town has not earmarked for  
30 expenditure to (A) provide supplemental grants to other towns that  
31 are eligible for grants pursuant to subsection (c) of this section, or (B)  
32 enhance the system of professional development for pre-school  
33 educators in programs receiving funds pursuant to this section."

34 After the last section, add the following and renumber sections and  
35 internal references accordingly:

36 "Sec. 501. Section 10-145d of the general statutes is amended by  
37 adding subsections (f) to (h), inclusive, as follows (*Effective July 1,*  
38 *2003*):

39 (NEW) (f) An endorsement to teach elementary education shall be  
40 valid for grades kindergarten to six, inclusive, and an endorsement to  
41 teach comprehensive special education shall be valid for grades  
42 kindergarten to twelve, inclusive.

43 (NEW) (g) For the purposes of issuance of certificates, permits and

44 authorizations by the State Board of Education under the provisions of  
45 sections 10-144o to 10-149, inclusive, as amended by this act, teaching  
46 experience in approved nonpublic schools shall include teaching  
47 experience in birth-to-three programs approved by the Department of  
48 Mental Retardation.

49 (NEW) (h) On and after July 1, 2003, a teacher holding an educator  
50 certificate with an endorsement to teach elementary education under  
51 subsection (f) of this section, who, for the first time, is assigned to teach  
52 kindergarten, shall, not later than one year after such kindergarten  
53 assignment, complete a program of professional development in early  
54 childhood education that meets specific content areas, as designated by  
55 the Department of Education.

56 Sec. 502. Subsection (d) of section 10-16p of the general statutes is  
57 repealed and the following is substituted in lieu thereof (*Effective from*  
58 *passage*):

59 (d) The Commissioner of Education, in consultation with the  
60 Commissioner of Social Services, shall establish a competitive grant  
61 program to provide spaces in accredited or approved school readiness  
62 programs for eligible children who reside in an area served by a  
63 priority school or a former priority school that has formerly received a  
64 grant pursuant to this subsection. A town in which such a school is  
65 located or a regional school readiness council, pursuant to subsection  
66 (c) of section 10-16r, for a region in which such a school is located may  
67 apply for such a grant in an amount not to exceed one hundred  
68 thousand dollars per priority school or for a former priority school in  
69 an amount not to exceed one hundred thousand dollars in the first  
70 year that such school is no longer a priority school, not to exceed  
71 eighty thousand dollars in the second year that such school is no  
72 longer a priority school, not to exceed sixty thousand dollars in the  
73 third year that such school is no longer a priority school, not to exceed  
74 forty thousand dollars in the fourth year that such school is no longer a  
75 priority school, and not to exceed twenty thousand dollars in the fifth  
76 year that such school is no longer a priority school. Eligibility shall be

77 determined for a five-year period based on an applicant's designation  
78 as having a priority school for the initial year of application. Grant  
79 awards shall be made annually contingent upon available funding and  
80 a satisfactory annual evaluation. The chief elected official of such town  
81 and the superintendent of schools of the school district or the regional  
82 school readiness council shall submit a plan, as described in subsection  
83 (c) of this section, for the expenditure of such grant funds to the  
84 Department of Education. In awarding grants pursuant to this  
85 subsection, the commissioner shall give preference to applications  
86 submitted by regional school readiness councils and may, within  
87 available appropriations, provide a grant in excess of one hundred  
88 thousand dollars to towns with two or more priority schools in such  
89 district. A town or regional school readiness council awarded a grant  
90 pursuant to this subsection shall use the funds to purchase spaces for  
91 such children from providers of accredited or approved school  
92 readiness programs.

93 Sec. 503. Section 10-76a of the general statutes is repealed and the  
94 following is substituted in lieu thereof (*Effective July 1, 2003*):

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

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

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

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

103 (4) "Special education" means specially designed instruction  
104 developed in accordance with the regulations of the commissioner,  
105 subject to approval by the State Board of Education offered at no cost  
106 to parents or guardians, to meet the unique needs of a child with a  
107 disability, including instruction conducted in the classroom, in the

108 home, in hospitals and institutions, and in other settings and  
109 instruction in physical education and special classes, programs or  
110 services, including related services, designed to meet the educational  
111 needs of exceptional children.

112 (5) ["Children] "A child requiring special education" [includes]  
113 means any exceptional child who (A) [has mental retardation, a  
114 physical handicap or neurological impairment or who is autistic,  
115 traumatically brain injured, seriously emotionally disturbed or  
116 suffering an identifiable learning disability which impedes such child's  
117 rate of development, which disability is amenable to correction or  
118 which rate of development may be improved by special education]  
119 meets the criteria for eligibility for special education pursuant to the  
120 Individuals with Disabilities Education Act, 20 USC 1400, et seq., as  
121 amended from time to time, (B) has extraordinary learning ability or  
122 outstanding talent in the creative arts, the development of which  
123 requires programs or services beyond the level of those ordinarily  
124 provided in regular school programs but which may be provided  
125 through special education as part of the public school program, or (C)  
126 is age three to five, inclusive, and is experiencing developmental delay  
127 that causes such child to require special education.

128 (6) "Developmental delay" means significant delay in one or more of  
129 the following areas: (A) Physical development; (B) communication  
130 development; (C) cognitive development; (D) social or emotional  
131 development; or (E) adaptive development, as measured by  
132 appropriate diagnostic instruments and procedures and demonstrated  
133 by scores obtained on an appropriate norm-referenced standardized  
134 diagnostic instrument.

135 [(7) A "child with mental retardation" is one who has mental  
136 retardation, as defined in the Individuals With Disabilities Act, 20 USC  
137 1400, et seq., as amended from time to time.

138 (8) A "child with a physical handicap" is one who because of some  
139 physical handicap, as defined in regulations adopted by the State

140 Board of Education, requires special educational programs or services.]

141 [(9)] (7) "Related services" means related services, as defined in the  
142 Individuals With Disabilities Education Act, 20 USC 1400 et seq., as  
143 amended from time to time.

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

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

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

154 (13) A child with an "identifiable learning disability" is one who  
155 exhibits a severe discrepancy between educational performance and  
156 measured intellectual ability and who exhibits a disorder in one or  
157 more of the basic psychological processes involved in understanding  
158 or in using language, spoken or written, which may manifest itself in a  
159 diminished ability to listen, speak, read, write, spell or to do  
160 mathematical calculations and does not include a child who has a  
161 learning problem that is primarily the result of visual, hearing, motor  
162 disabilities, mental retardation, emotional disturbance, environmental,  
163 cultural or economic disadvantage.]

164 [(14)] (8) "Extraordinary learning ability" and "outstanding creative  
165 talent" shall be defined by regulation by the commissioner, subject to  
166 the approval of the State Board of Education, after consideration by  
167 said commissioner of the opinions of appropriate specialists and of the  
168 normal range of ability and rate of progress of children in the  
169 Connecticut public schools.

170 [(15) "Transition services" means a coordinated set of activities for a  
171 student, designed within an outcome-oriented process, which  
172 promotes movement from school to postschool activities, including  
173 postsecondary education, vocational training, integrated employment  
174 which may include supported employment, continuing and adult  
175 education, adult services, independent living or community  
176 participation. The coordinated set of activities is based upon the  
177 individual student's needs, taking into account the student's  
178 preferences and interests, and includes instruction, community  
179 experiences, the development of employment and other postschool  
180 adult living objectives, and where appropriate, acquisition of daily  
181 living skills and functional vocational evaluation.]

182 Sec. 504. Subdivision (1) of subsection (a) of section 10-76d of the  
183 general statutes is repealed and the following is substituted in lieu  
184 thereof (*Effective July 1, 2003*):

185 (1) In accordance with the regulations and procedures established  
186 by the Commissioner of Education and approved by the State Board of  
187 Education, each local or regional board of education shall provide the  
188 professional services requisite to identification of [school-age] children  
189 requiring special education, identify each such child within its  
190 jurisdiction, determine the eligibility of such children for special  
191 education pursuant to sections 10-76a to 10-76h, inclusive, prescribe  
192 suitable educational programs for eligible children, maintain a record  
193 thereof and make such reports as the commissioner may require.

194 Sec. 505. Subdivision (7) of subsection (a) of section 10-76d of the  
195 general statutes is repealed and the following is substituted in lieu  
196 thereof (*Effective July 1, 2003*):

197 (7) The planning and placement team shall, in accordance with the  
198 provisions of the Individuals with Disabilities Education Act, 20 USC  
199 1400, et seq., as amended from time to time, develop and update  
200 annually a statement of transition service needs [under the applicable  
201 components of a student's individualized education program for each

202 student with a disability, beginning at age fourteen, or younger if  
203 deemed appropriate by the team. Such statement shall focus on the  
204 student's courses of study such as participation in advanced placement  
205 courses or a vocational education program. The planning and  
206 placement team shall include in the statement for each such student  
207 beginning at age sixteen, or younger if deemed appropriate by the  
208 team, a provision detailing the transition services needed by the  
209 student including, if appropriate, a statement of interagency  
210 responsibilities] for each child requiring special education.

211 Sec. 506. Subsection (d) of section 10-76d of the general statutes is  
212 repealed and the following is substituted in lieu thereof (*Effective July*  
213 *1, 2003*):

214 (d) To meet its obligations under sections 10-76a to [10-76g] 10-76gg,  
215 inclusive, any local or regional board of education that is unable to  
216 provide necessary programs or services to an eligible child directly  
217 may make agreements with another [such board or subject to the  
218 consent of the parent or guardian of any child affected thereby, make  
219 agreements with any private school or with any public or private  
220 agency or institution, including a group home to provide the necessary  
221 programs or services, but no expenditures made pursuant to a contract  
222 with a private school, agency or institution for such special education  
223 shall be paid under the provisions of section 10-76g, unless (1) such  
224 contract includes a description of the educational program and other  
225 treatment the child is to receive, a statement of minimal goals and  
226 objectives which it is anticipated such child will achieve and an  
227 estimated time schedule for returning the child to the community or  
228 transferring such child to another appropriate facility, (2) subject to the  
229 provisions of this subsection, the educational needs of the child for  
230 whom such special education is being provided cannot be met by  
231 public school arrangements in the opinion of the commissioner who,  
232 before granting approval of such contract for purposes of payment,  
233 shall consider such factors as the particular needs of the child, the  
234 suitability and efficacy of the program offered by such private school,  
235 agency or institution, and the economic feasibility of comparable

236 alternatives, and (3) commencing with the 1987-1988 school year and  
237 for each school year thereafter, each such private school, agency or  
238 institution has been approved for special education by the  
239 Commissioner of Education or by the appropriate agency for facilities  
240 located out of state, except as provided in subsection (b) of this section.  
241 Notwithstanding the provisions of subdivision (2) of this subsection or  
242 any regulations adopted by the State Board of Education setting  
243 placement priorities, placements pursuant to this section and  
244 payments under section 10-76g may be made pursuant to such a  
245 contract if the public arrangements are more costly than the private  
246 school, institution or agency, provided the private school, institution or  
247 agency meets the educational needs of the child and its program is  
248 suitable and efficacious. Notwithstanding the provisions of this  
249 subsection to the contrary, nothing in this subsection shall (A) require  
250 the removal of a child from a nonapproved facility if the child was  
251 placed there prior to July 7, 1987, pursuant to the determination of a  
252 planning and placement team that such a placement was appropriate  
253 and such placement was approved by the Commissioner of Education,  
254 or (B) prohibit the placement of a child at a nonapproved facility if a  
255 planning and placement team determines prior to July 7, 1987, that the  
256 child be placed in a nonapproved facility for the 1987-1988 school year.  
257 Each child placed in a nonapproved facility as described in  
258 subparagraphs (A) and (B) of subdivision (3) of this subsection may  
259 continue at the facility provided the planning and placement team or  
260 hearing officer appointed pursuant to section 10-76h determines that  
261 the placement is appropriate. Expenditures incurred by any local or  
262 regional board of education to maintain children in nonapproved  
263 facilities as described in said subparagraphs (A) and (B) shall be paid  
264 pursuant to the provisions of section 10-76g. Any local or regional  
265 board of education may enter into a contract with] entity for the  
266 provision of such services in accordance with this subsection. The  
267 board may make agreements with (1) any other public agency,  
268 including another such board or a regional educational service center,  
269 (2) any private special education program approved by the  
270 Commissioner of Education, (3) any facility for the provision of

271 residential services, including group home services, licensed by the  
272 appropriate state agency, (4) the owners or operators of any sheltered  
273 workshop or rehabilitation center for provision of an education  
274 occupational training program for [children requiring special  
275 education who are] a child who requires special education and who is  
276 at least sixteen years of age, provided such workshop or institution  
277 [shall have been] is approved by the appropriate state agency, [.  
278 Whenever any child is identified by a local or regional board of  
279 education as a child requiring special education and said board of  
280 education determines that the requirements for special education  
281 could be met by a program provided within the district or by  
282 agreement with another board of education except for the child's need  
283 for services other than educational services such as medical,  
284 psychiatric or institutional care or services, said board may meet its  
285 obligation to furnish special education for such child by paying the  
286 reasonable cost of special education instruction in a private school,  
287 hospital or other institution provided said board or the commissioner  
288 concurs that placement in such institution is necessary and proper and  
289 no state institution is available to meet such child's needs] (5) any  
290 private agency or individual for the provision of services other than  
291 instructional services, provided the agency or individual meets any  
292 requirements for the provision of such services established pursuant to  
293 the general statutes or any regulation adopted in accordance with  
294 chapter 54, and (6) any private special education program that is not  
295 approved by the Commissioner of Education, including, but not  
296 limited to, any program or facility located outside this state, if prior to  
297 any such agreement with such program, the commissioner determines  
298 that (A) the program is appropriate for the child, and (B) no other  
299 program approved by the commissioner is appropriate for the child  
300 and available to provide the necessary services to the child. Any  
301 agreement made in accordance with this subsection shall be subject to  
302 the consent of the parent or guardian of the child if such consent is  
303 required by any state or federal statute or regulation.

304 Sec. 507. Subdivision (1) of subsection (a) of section 10-76h of the

305 general statutes is repealed and the following is substituted in lieu  
306 thereof (*Effective July 1, 2003*):

307 (1) A parent or guardian of a child requiring special education and  
308 related services pursuant to sections 10-76a to 10-76g, inclusive, a pupil  
309 if such pupil is an emancipated minor or eighteen years of age or older  
310 requiring such services, a surrogate parent appointed pursuant to  
311 section 10-94g, or the Commissioner of Children and Families, or a  
312 designee of said commissioner, on behalf of any such child in the  
313 custody of said commissioner, may request, in writing, a hearing of the  
314 local or regional board of education or the unified school district  
315 responsible for providing such services whenever such board or  
316 district proposes or refuses to initiate or change the identification,  
317 evaluation or educational placement of or the provision of a free  
318 appropriate public education to such child or pupil. [ provided no  
319 issue may be raised at such hearing unless it was raised at a planning  
320 and placement team meeting for such child or pupil and provided  
321 further, nothing in this subsection shall be construed to limit the right  
322 of such parent, guardian, emancipated minor or surrogate parent to  
323 initiate a planning and placement team meeting at any time.] The local  
324 or regional board of education or the unified school district shall, not  
325 later than seven calendar days after receipt of a request for a hearing,  
326 notify the state Department of Education of such request. The local or  
327 regional board of education or the unified school district responsible  
328 for providing special education and related services for a child or pupil  
329 requiring such services under sections 10-76a to 10-76g, inclusive, may  
330 request, upon written notice to the parent or guardian of such child,  
331 the pupil if such pupil is an emancipated minor or is eighteen years of  
332 age or older, the surrogate parent appointed pursuant to section 10-  
333 94g, or the Commissioner of Children and Families, or a designee of  
334 said commissioner, on behalf of any such child or pupil in the custody  
335 of said commissioner, a hearing concerning the decision of the  
336 planning and placement team established pursuant to section 10-76d,  
337 whenever such board or district proposes or refuses to initiate or  
338 change the identification, evaluation or educational placement of or

339 the provision of a free appropriate public education placement to such  
340 child or pupil, including, but not limited to, refusal of the parent or  
341 guardian, pupil if such pupil is an emancipated minor or is eighteen  
342 years of age or older or the surrogate parent appointed pursuant to  
343 section 10-94g, to give consent for [preplacement] initial evaluation or  
344 [initial placement in special education] reevaluation or the withdrawal  
345 of such consent. [, provided no issue may be raised at such hearing  
346 unless it was raised at a planning and placement team meeting for  
347 such child or pupil and provided further, nothing in this subsection  
348 shall be construed to limit the right of such board or district to initiate  
349 a planning and placement team meeting.] In the event a planning and  
350 placement team proposes private placement for a child or pupil who  
351 requires or may require special education and related services and the  
352 parent, guardian, pupil if such pupil is an emancipated minor or is  
353 eighteen years of age or older or surrogate parent appointed pursuant  
354 to section 10-94g withholds or revokes consent for such placement, the  
355 local or regional board of education shall request a hearing in  
356 accordance with this section and may request mediation pursuant to  
357 subsection (f) of this section. For purposes of this section, a "local or  
358 regional board of education or unified school district" includes any  
359 public agency which is responsible for the provision of special  
360 education and related services to children requiring special education  
361 and related services.

362 Sec. 508. Subdivision (2) of subsection (c) of section 10-76h of the  
363 general statutes is repealed and the following is substituted in lieu  
364 thereof (*Effective July 1, 2003*):

365 (2) Both parties shall participate in a prehearing conference [, at least  
366 ten days prior to the date the hearing is scheduled to commence,] to  
367 resolve the issues in dispute, if possible and narrow the scope of the  
368 issues. Each party to the hearing shall disclose, not later than five  
369 business days prior to the date the hearing commences, (A)  
370 documentary evidence such party plans to present at the hearing and a  
371 list of witnesses such party plans to call at the hearing, and (B) all  
372 completed evaluations and recommendations based on the offering

373 party's evaluations that the party intends to use at the hearing. Except  
374 for good cause shown, the hearing officer shall limit each party to such  
375 documentary evidence and witnesses as were properly disclosed and  
376 are relevant to the issues in dispute. A hearing officer may bar any  
377 party who fails to comply with the requirements concerning disclosure  
378 of evaluations and recommendations from introducing any  
379 undisclosed evaluation or recommendation at the hearing without the  
380 consent of the other party.

381 Sec. 509. Subsection (d) of section 10-76h of the general statutes is  
382 repealed and the following is substituted in lieu thereof (*Effective July*  
383 *1, 2003*):

384 (d) (1) The hearing officer or board shall have the authority to  
385 confirm, modify, or reject the identification, evaluation or educational  
386 placement of or the provision of a free appropriate public education to  
387 the child or pupil, to determine the appropriateness of an educational  
388 placement where the parent or guardian of a child requiring special  
389 education or the pupil if such pupil is an emancipated minor or  
390 eighteen years of age or older, has placed the child or pupil in a  
391 program other than that prescribed by the planning and placement  
392 team, or to prescribe alternate special educational programs for the  
393 child or pupil. In the case where a parent or guardian, or pupil if such  
394 pupil is an emancipated minor or is eighteen years of age or older, or a  
395 surrogate parent appointed pursuant to section 10-94g, has refused  
396 consent for initial evaluation or [placement in special education]  
397 reevaluation, the hearing officer or board may order [special education  
398 evaluation or placement] an initial evaluation or reevaluation without  
399 the consent of such parent, guardian, pupil or surrogate parent except  
400 that if the parent, guardian, pupil or surrogate parent appeals such  
401 decision pursuant to subdivision (4) of this subsection, the child or  
402 pupil may not be evaluated or placed pending the disposition of the  
403 appeal. The hearing officer or board shall inform the parent or  
404 guardian, or the emancipated minor or pupil eighteen years of age or  
405 older, or the surrogate parent appointed pursuant to section 10-94g, or  
406 the Commissioner of Children and Families, as the case may be, and

407 the board of education of the school district or the unified school  
408 district of the decision in writing and mail such decision within forty-  
409 five days after receipt by the board of the request for a hearing made in  
410 accordance with the provisions of subsection (a) of this section except  
411 that a hearing officer or board may grant specific extensions of such  
412 forty-five-day period in order to comply with the provisions of  
413 subsection (b) of this section. The hearing officer may include in his  
414 decision a comment on the conduct of the proceedings. The findings of  
415 fact, conclusions of law and decision shall be written without  
416 personally identifiable information concerning such child or pupil, so  
417 that such decisions may be available for public inspections pursuant to  
418 sections 4-167 and 4-180a.

419 (2) If the local or regional board of education or the unified school  
420 district responsible for providing special education for such child or  
421 pupil requiring special education does not take action on the findings  
422 or prescription of the hearing officer or board within fifteen days after  
423 receipt thereof, the State Board of Education shall take appropriate  
424 action to enforce the findings or prescriptions of the hearing officer or  
425 board. Such action may include application to the Superior Court for  
426 injunctive relief to compel such local or regional board or school  
427 district to implement the findings or prescription of the hearing officer  
428 or board without the necessity of establishing irreparable harm or  
429 inadequate remedy at law.

430 (3) If the hearing officer or board upholds the local or regional board  
431 of education or the unified school district responsible for providing  
432 special education and related services for such child or pupil who  
433 requires or may require special education on the issue of evaluation,  
434 reevaluation or placement in a private school or facility, such board or  
435 district may evaluate or provide such services to the child or pupil  
436 without the consent of the parent or guardian, pupil if such pupil is an  
437 emancipated minor or is eighteen years of age or older, or the  
438 surrogate parent appointed pursuant to section 10-94g, subject to an  
439 appeal pursuant to subdivision (4) of this subsection.

440 (4) Appeals from the decision of the hearing officer or board shall be  
441 taken in the manner set forth in section 4-183, except [, upon  
442 application made to the court to present evidence at the hearing on  
443 such appeal, the court, after reviewing the record of the proceedings of  
444 the hearing officer or board, may grant such application if, after a  
445 hearing and the presentation of oral argument on such application, the  
446 court finds (A) that the record does not contain a complete transcript of  
447 the entire proceedings and of the evidence presented before said  
448 hearing officer or board, or (B) that the taking of evidence is necessary  
449 for the equitable disposition of the appeal, or (C) probable cause to  
450 believe that reliable, probative and substantial evidence was  
451 overlooked or ignored by the findings and conclusions of said hearing  
452 officer or board] the court shall hear additional evidence at the request  
453 of a party. Notwithstanding the provisions of section 4-183, such  
454 appeal shall be taken to the judicial district wherein the child or pupil  
455 resides. In the event of an appeal, upon request and at the expense of  
456 the State Board of Education, said board shall supply a copy of the  
457 transcript of the formal sessions of the hearing officer or board to the  
458 parent or guardian or the emancipated minor or pupil eighteen years  
459 of age or older or surrogate parent or said commissioner and to the  
460 board of education of the school district or the unified school district.

461 Sec. 510. Section 10-253 of the general statutes is amended by adding  
462 subsection (f) as follows (*Effective July 1, 2003*):

463 (NEW) (f) Notwithstanding any provision of the general statutes,  
464 educational services shall be provided by each local and regional  
465 board of education to homeless children and youths in accordance  
466 with the provisions of the McKinney-Vento Homeless Assistance Act,  
467 42 USC 11431, et seq., as amended from time to time.

468 Sec. 511. Subsection (f) of section 10-266aa of the general statutes is  
469 repealed and the following is substituted in lieu thereof (*Effective from*  
470 *passage*):

471 (f) The Department of Education shall provide grants to regional

472 educational service centers or local or regional boards of education for  
473 the reasonable cost of transportation for students participating in the  
474 program. For the fiscal year ending June 30, [2000] 2003, and each fiscal  
475 year thereafter, the department shall provide such grants within  
476 available appropriations, provided the state-wide average of such  
477 grants does not exceed an amount equal to two thousand one hundred  
478 dollars for each student transported, except that the Commissioner of  
479 Education may grant to regional educational service centers additional  
480 sums from funds remaining in the appropriation for such  
481 transportation services if needed to offset transportation costs that  
482 exceed such maximum amount. The regional educational service  
483 centers shall provide reasonable transportation services to high school  
484 students who wish to participate in supervised extracurricular  
485 activities. For purposes of this section, the number of students  
486 transported shall be determined on September first of each fiscal year.

487 Sec. 512. (NEW) (*Effective July 1, 2003*) Each local and regional board  
488 of education shall ensure that (1) each child, in the schools under its  
489 jurisdiction, be provided with an opportunity for a lunch break that is  
490 a minimum of twenty minutes every school day, and (2) each child in  
491 grades kindergarten to five, inclusive, in the schools under its  
492 jurisdiction, has the opportunity for physical activity for a minimum of  
493 twenty minutes every school day or a minimum of one hundred  
494 minutes every week, except that the planning and placement team  
495 may develop a different schedule for a child requiring special  
496 education and related services in accordance with chapter 164 of the  
497 general statutes and the Individual With Disabilities Education Act, 20  
498 USC 1400 et seq., as amended from time to time.

499 Sec. 513. (NEW) (*Effective July 1, 2003*) On and after September 1,  
500 2003, each local or regional board of education shall require the schools  
501 under its jurisdiction to make available for purchase dairy products,  
502 including low-fat dairy products, water, natural fruit juices and fresh  
503 or dried fruit at all times when food or drink is available for purchase  
504 in school buildings.

505 Sec. 514. Subsection (a) of section 10-220a of the general statutes is  
506 repealed and the following is substituted in lieu thereof (*Effective July*  
507 *1, 2003*):

508 (a) Each local or regional board of education shall provide an in-  
509 service training program for its teachers, administrators and pupil  
510 personnel who hold the initial educator, provisional educator or  
511 professional educator certificate. Such program shall provide such  
512 teachers, administrators and pupil personnel with information on (1)  
513 the nature and the relationship of drugs, as defined in subdivision (17)  
514 of section 21a-240, and alcohol to health and personality development,  
515 and procedures for discouraging their abuse, (2) health and mental  
516 health risk reduction education which includes, but need not be  
517 limited to, the prevention of risk-taking behavior by children and the  
518 relationship of such behavior to substance abuse, pregnancy, sexually  
519 transmitted diseases, including HIV-infection and AIDS, as defined in  
520 section 19a-581, violence, child abuse and youth suicide, (3) the growth  
521 and development of exceptional children, including handicapped and  
522 gifted and talented children and children who may require special  
523 education, and methods for identifying, planning for and working  
524 effectively with special needs children in a regular classroom, (4)  
525 school violence prevention and conflict resolution, (5)  
526 cardiopulmonary resuscitation and other emergency life saving  
527 procedures, (6) computer and other information technology as applied  
528 to student learning and classroom instruction, communications and  
529 data management, [and] (7) the teaching of the language arts, reading  
530 and reading readiness for teachers in grades kindergarten to three,  
531 inclusive, and (8) second language acquisition in districts where  
532 English language learners are enrolled. The State Board of Education,  
533 within available appropriations and utilizing available materials, shall  
534 assist and encourage local and regional boards of education to include:  
535 (A) Holocaust education and awareness; (B) the historical events  
536 surrounding the Great Famine in Ireland; (C) African-American  
537 history; (D) Puerto Rican history; (E) Native American history; (F)  
538 personal financial management; and (G) topics approved by the state

539 board upon the request of local or regional boards of education as part  
540 of in-service training programs pursuant to this subsection.

541 Sec. 515. Section 10-145a of the general statutes is amended by  
542 adding subsection (f) as follows (*Effective July 1, 2003*):

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