



General Assembly

February Session, 2010

Raised Bill No. 5422

LCO No. 1839

01839_____ED_

Referred to Committee on Education

Introduced by:
(ED)

AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-264o of the 2010 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 Notwithstanding any provision of this chapter, interdistrict magnet
5 schools that begin operations on or after July 1, 2008, pursuant to the
6 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et
7 al., as determined by the Commissioner of Education, may operate
8 without district participation agreements and enroll students from any
9 district through a lottery designated by the commissioner. For the
10 fiscal year ending June 30, 2009, any tuition charged to a local or
11 regional board of education by a regional educational service center
12 operating such an interdistrict magnet school shall be in an amount
13 equal to at least seventy-five per cent of the difference between the
14 estimated per pupil cost less the state magnet grant pursuant to
15 subsection (c) of section 10-264l and any revenue from other sources as
16 determined by the interdistrict magnet school operator. For the fiscal

17 year ending June 30, 2010, any tuition charged to a local or regional
18 board of education by a regional educational service center operating
19 an interdistrict magnet school for any student enrolled in such
20 interdistrict magnet school shall be in an amount equal to at least
21 ninety per cent of the difference between (1) the average per pupil
22 expenditure of the magnet school for the prior fiscal year, and (2) the
23 amount of any per pupil state subsidy calculated under subsection (c)
24 of [this] section 10-264l plus any revenue from other sources calculated
25 on a per pupil basis. For the fiscal year ending June 30, 2011, and each
26 fiscal year thereafter, any tuition charged to a local or regional board of
27 education by a regional educational service center operating an
28 interdistrict magnet school for any student enrolled in such
29 interdistrict magnet school shall be in an amount equal to the
30 difference between (A) the average per pupil expenditure of the
31 magnet school for the prior fiscal year, and (B) the amount of any per
32 pupil state subsidy calculated under subsection (c) of [this] section 10-
33 264l plus any revenue from other sources calculated on a per pupil
34 basis. If any such board of education fails to pay such tuition, the
35 commissioner may withhold from such board's town or towns a sum
36 payable under section 10-262i in an amount not to exceed the amount
37 of the unpaid tuition to the magnet school and pay such money to the
38 fiscal agent for the magnet school as a supplementary grant for the
39 operation of the interdistrict magnet school program. In no case shall
40 the sum of such tuitions exceed the difference between (i) the total
41 expenditures of the magnet school for the prior fiscal year, and (ii) the
42 total per pupil state subsidy calculated under subsection (c) of [this]
43 section 10-264l plus any revenue from other sources. The
44 commissioner may conduct a comprehensive review of the operating
45 budget of a magnet school to verify such tuition rate.

46 Sec. 2. Subsection (c) of section 10-151 of the general statutes is
47 repealed and the following is substituted in lieu thereof (*Effective July*
48 *1, 2010*):

49 (c) The contract of employment of a teacher who has not attained

50 tenure may be terminated at any time for any of the reasons
51 enumerated in subdivisions (1) to (6), inclusive, of subsection (d) of
52 this section; otherwise the contract of such teacher shall be continued
53 into the next school year unless such teacher receives written notice by
54 [April] May first in one school year that such contract will not be
55 renewed for the following year. Upon the teacher's written request, a
56 notice of nonrenewal or termination shall be supplemented within
57 seven days after receipt of the request by a statement of the reason or
58 reasons for such nonrenewal or termination. Such teacher, upon
59 written request filed with the board of education within twenty days
60 after the receipt of notice of termination, or nonrenewal shall be
61 entitled to a hearing, except as provided in this subsection, (A) before
62 the board, (B) if indicated in such request and if designated by the
63 board, before an impartial hearing panel established and conducted in
64 accordance with the provisions of subsection (d) of this section, or (C)
65 if the parties mutually agree before a single impartial hearing officer
66 chosen by the teacher and the superintendent in accordance with the
67 provisions of subsection (d) of this section. Such hearing shall
68 commence within fifteen days after receipt of such request unless the
69 parties mutually agree to an extension not to exceed fifteen days. The
70 impartial hearing panel or officer or a subcommittee of the board of
71 education, if the board of education designates a subcommittee of
72 three or more board members to conduct hearings, shall submit
73 written findings and recommendations to the board for final
74 disposition. The teacher shall have the right to appear with counsel of
75 the teacher's choice at the hearing. A teacher who has not attained
76 tenure shall not be entitled to a hearing concerning nonrenewal if the
77 reason for such nonrenewal is either elimination of position or loss of
78 position to another teacher. The board of education shall rescind a
79 nonrenewal decision only if the board finds such decision to be
80 arbitrary and capricious. Any such teacher whose contract is
81 terminated for the reasons enumerated in subdivisions (3) and (4) of
82 subsection (d) of this section shall have the right to appeal in
83 accordance with the provisions of subsection (e) of this section.

84 Sec. 3. Section 10-66gg of the general statutes is repealed and the
85 following is substituted in lieu thereof (*Effective from passage*):

86 [Within] Not later than January 1, 2011, and biennially thereafter,
87 within available appropriations, the Commissioner of Education shall
88 [annually,] review and report, in accordance with the provisions of
89 section 11-4a, on the operation of such charter schools as may be
90 established pursuant to sections 10-66aa to 10-66ff, inclusive, as
91 amended by this act, to the joint standing committee of the General
92 Assembly having cognizance of matters relating to education. Such
93 report shall include: (1) Recommendations for any statutory changes
94 that would facilitate expansion in the number of charter schools; (2) a
95 compilation of school profiles pursuant to section 10-66cc; (3) an
96 assessment of the adequacy of funding pursuant to section 10-66ee; []
97 and (4) the adequacy and availability of suitable facilities for such
98 schools.

99 Sec. 4. Subsection (d) of section 10-266w of the general statutes is
100 repealed and the following is substituted in lieu thereof (*Effective from*
101 *passage*):

102 (d) Each local and regional board of education participating in the
103 grant program shall prepare a financial statement of expenditures
104 [which] that shall be submitted to the department [on or before
105 September first of the fiscal year immediately following each fiscal
106 year in which the school district participates in the grant program]
107 annually at such time and in such manner as prescribed by the
108 Commissioner of Education. If the commissioner finds that any school
109 breakfast grant recipient uses such grant for purposes which are not in
110 conformity with the purposes of this section, the commissioner [may]
111 shall require repayment of the grant to the state.

112 Sec. 5. Subsection (c) of section 10-19m of the 2010 supplement to
113 the general statutes is repealed and the following is substituted in lieu
114 thereof (*Effective July 1, 2010*):

115 (c) The Commissioner of Education shall adopt regulations, in
116 accordance with the provisions of chapter 54, establishing minimum
117 standards for such youth service bureaus and the criteria for qualifying
118 for state cost-sharing grants, including, but not limited to, allowable
119 sources of funds covering the local share of the costs of operating such
120 bureaus, acceptable in-kind contributions and application procedures.
121 Said commissioner shall, on December 1, [1979] 2010, and [annually]
122 biennially thereafter, report to the General Assembly on the referral or
123 diversion of children under the age of seventeen years from the
124 juvenile justice system and on the referral or diversion of children aged
125 seventeen and eighteen years from the court system. Such report shall
126 include, but not be limited to, the number of times any child is so
127 diverted, the number of children diverted, the type of service provided
128 to any such child, by whom such child was diverted, the ages of the
129 children diverted and such other information and statistics as the
130 General Assembly may request from time to time. Any such report
131 shall contain no identifying information about any particular child.

132 Sec. 6. Subsection (c) of section 10-19m of the 2010 supplement to
133 the general statutes, as amended by section 89 of public act 09-7 of the
134 September special session, is repealed and the following is substituted
135 in lieu thereof (*Effective July 1, 2012*):

136 (c) The Commissioner of Education shall adopt regulations, in
137 accordance with the provisions of chapter 54, establishing minimum
138 standards for such youth service bureaus and the criteria for qualifying
139 for state cost-sharing grants, including, but not limited to, allowable
140 sources of funds covering the local share of the costs of operating such
141 bureaus, acceptable in-kind contributions and application procedures.
142 Said commissioner shall, on December 1, [1979] 2010, and [annually]
143 biennially thereafter, report to the General Assembly on the referral or
144 diversion of children under the age of eighteen years from the juvenile
145 justice system and the court system. Such report shall include, but not
146 be limited to, the number of times any child is so diverted, the number
147 of children diverted, the type of service provided to any such child, by

148 whom such child was diverted, the ages of the children diverted and
149 such other information and statistics as the General Assembly may
150 request from time to time. Any such report shall contain no identifying
151 information about any particular child.

152 Sec. 7. (*Effective from passage*) (a) There is established a task force to
153 conduct an investigational study of the efficacy of postural screenings
154 for each pupil in grades five to nine, inclusive, pursuant to subsection
155 (c) of section 10-214 of the general statutes. The task force shall
156 consider whether legislative changes to section 10-214 of the general
157 statutes are necessary and whether to eliminate the requirement that
158 such postural screenings be conducted on an annual basis.

159 (b) The task force shall consist of the following members:

160 (1) The chairpersons and ranking members of the joint standing
161 committee of the General Assembly having cognizance of matters
162 relating to education, or their designees;

163 (2) The chairpersons and ranking members of the joint standing
164 committee of the General Assembly having cognizance of matters
165 relating to public health, or their designees;

166 (3) A member of the Association of School Nurses of Connecticut
167 appointed by the speaker of the House of Representatives;

168 (4) A member of the American Academy of Pediatrics appointed by
169 the president pro tempore of the Senate;

170 (5) A representative of school medical advisors appointed by the
171 majority leader of the House of Representatives;

172 (6) An orthopedic physician appointed by the majority leader of the
173 Senate;

174 (7) A representative of school nurse supervisors appointed by the
175 minority leader of the House of Representatives;

176 (8) A parent of a child diagnosed with scoliosis appointed by the
177 minority leader of the Senate;

178 (9) The Commissioner of Education, or the commissioner's designee;
179 and

180 (10) The Commissioner of Public Health, or the commissioner's
181 designee.

182 (c) All appointments to the task force shall be made not later than
183 thirty days after the effective date of this section. Any vacancy shall be
184 filled by the appointing authority.

185 (d) The chairperson of the task force shall be appointed by its
186 members. Such chairpersons shall schedule the first meeting of the task
187 force, which shall be held not later than sixty days after the effective
188 date of this section.

189 (e) The administrative staff of the joint standing committee of the
190 General Assembly having cognizance of matters relating to education
191 shall serve as administrative staff of the task force.

192 (f) Not later than January 1, 2011, the task force shall submit a report
193 on its findings and recommendations to the joint standing committee
194 of the General Assembly having cognizance of matters relating to
195 education and public health, in accordance with the provisions of
196 section 11-4a of the general statutes. The task force shall terminate on
197 the date that it submits such report or January 1, 2011, whichever is
198 later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-264o
Sec. 2	<i>July 1, 2010</i>	10-151(c)
Sec. 3	<i>from passage</i>	10-66gg
Sec. 4	<i>from passage</i>	10-266w(d)
Sec. 5	<i>July 1, 2010</i>	10-19m(c)

Sec. 6	<i>July 1, 2012</i>	10-19m(c)
Sec. 7	<i>from passage</i>	New section

Statement of Purpose:

To change the Commissioner of Education's reporting requirement on the operation of charter schools from annually to biennially; to amend the reporting requirement that local school boards submit a financial statement of expenditures for their participation in the school breakfast grant program; to reduce the Youth Service Bureau reporting requirement from annually to biennially; to establish a task force to conduct an investigational study of the efficacy of the mandatory annual postural screenings for students in grades five to nine, inclusive.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]