AN ACT CONCERNING EDUCATION ISSUES.

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

Section 1. Subsection (a) of section 10-4q of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The State Board of Education shall establish the State Education Resource Center to assist the board in the provision of programs and activities that will promote educational equity and excellence as a nonstock corporation and register as a nonprofit organization in the state which is exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended. Such activities, to be provided by the State Education Resource Center or a regional educational service center, may include training and continuing education seminars, publication of technical materials, research and evaluation, and other related activities. The center may support programs and activities concerning early childhood education, the federal No Child Left
Behind Act, P.L. 107-110, and closing the academic achievement gap between socio-economic subgroups, and other related programs.

Sec. 2. Subsection (a) of section 10-206 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) Each local or regional board of education shall require each pupil enrolled in the public schools to have health assessments pursuant to the provisions of this section. Such assessments shall be conducted by
(1) a legally qualified practitioner of medicine, (2) an advanced practice registered nurse or registered nurse, licensed pursuant to chapter 378,
(3) a physician assistant, licensed pursuant to chapter 370, or by the]
(4) a school medical advisor, or (5) a legally qualified practitioner of medicine, advanced practice registered nurse or a physician assistant stationed at any military base, to ascertain whether such pupil is suffering from any physical disability tending to prevent such pupil from receiving the full benefit of school work and to ascertain whether such school work should be modified in order to prevent injury to the pupil or to secure for the pupil a suitable program of education. No health assessment shall be made of any child enrolled in the public schools unless such examination is made in the presence of the parent or guardian or in the presence of another school employee. The parent or guardian of such child shall receive prior written notice and shall have a reasonable opportunity to be present at such assessment or to provide for such assessment himself or herself. A local or regional board of education may deny continued attendance in public school to any child who fails to obtain the health assessments required under this section.

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

(a) The State Board of Education shall encourage the formation of a state-wide system of regional educational service centers and shall adopt regulations with respect to standards for review and approval of
regional education service centers in accordance with sections 10-66a
and 10-66h.

(b) Each regional educational service center shall receive an annual
grant equal to the sum of the following:

(1) An amount equal to fifty per cent of the total amount
appropriated for purposes of this section divided by six;

(2) An amount equal to twenty-five per cent of such appropriation
multiplied by the ratio of the number of its member boards of
education to the total number of member boards of education state-
wide; and

(3) An amount equal to twenty-five per cent of such appropriation
multiplied by the ratio of the sum of state aid pursuant to section 10-
262h for all of its member boards of education to the total amount of
state aid pursuant to section 10-262h state-wide.

[(c) Each regional educational service center shall annually expend
at least six and one-quarter per cent of the amount received pursuant
to this section to assist local and regional boards of education
implementing the educational goals and objectives specifically
identified by the State Board of Education.]

[(d)] (c) Within the available appropriation, no regional educational
service center shall receive less aid pursuant to subsection (b) of this
section than it received for the fiscal year ending June 30, 1999.
Amounts determined for regional educational service centers pursuant
to subsection (b) of this section in excess of the amounts received for
the fiscal year ending June 30, 1999, shall be reduced proportionately
to implement such provision if necessary.

[(e)] (d) Each regional educational service center shall support
regional efforts to recruit and retain minority educators [and to
support the collection and analysis of data on school district efforts to
reduce racial, ethnic and economic isolation.]
[(f) (e) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, 2011, inclusive, the amount of grants payable to regional educational service centers shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

Sec. 4. Section 10-226h of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) A local or regional board of education for purposes of subdivision (3) of section 10-4a, may offer such programs or use such methods as: (1) Interdistrict magnet school programs; (2) charter schools; (3) interdistrict after-school, Saturday and summer programs and sister-school projects; (4) intradistrict and interdistrict public school choice programs; (5) interdistrict school building projects; (6) interdistrict program collaboratives for students and staff; (7) distance learning through the use of technology; and (8) any other experience that increases awareness of the diversity of individuals and cultures.

(b) Each local and regional board of education shall report by [July 1, 2000] October 1, 2011, and biennially thereafter, to the [regional educational service center for its area] Commissioner of Education on the programs and activities undertaken in its school district to reduce racial, ethnic and economic isolation, including (1) information on the number and duration of such programs and activities and the number of students and staff involved, and (2) evidence of the progress over time in the reduction of racial, ethnic and economic isolation.

[(c) Each regional educational service center shall report by October 1, 2000, and biennially thereafter, to the Commissioner of Education on the programs and activities undertaken in its region to reduce racial, ethnic and economic isolation.]

[(d)(c) The Commissioner of Education shall report, by January 1, 1999, and biennially thereafter, in accordance with section 10-4a, to the Governor and the General Assembly on activities and programs]
designed to reduce racial, ethnic and economic isolation. The report shall include statistics on any growth in such programs or expansion of such activities over time, an analysis of the success of such programs and activities in reducing racial, ethnic and economic isolation, a recommendation for any statutory changes that would assist in the expansion of such programs and activities and the sufficiency of the annual grant pursuant to subsection (e) of section 10-266aa and whether additional financial incentives would improve the program established pursuant to section 10-266aa.

Sec. 5. Subsection (a) of section 10-145k of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The State Board of Education shall, upon the request of a local or regional board of education, issue an international teacher permit in a subject shortage area pursuant to section 10-8b, provided the conditions for issuance of such permit pursuant to the provisions of subsections (b) and (c) of this section are met. Such permits shall be issued for one year and may be renewed for a period of up to one year, upon the request of the local or regional board of education, provided the permit shall not be renewed more than twice in the two years subsequent to the initial issuance teacher whose permit is to be renewed maintains a valid J-1 Visa issued by the United States Department of State at the time such permit is renewed.

Sec. 6. Subdivision (3) of subsection (a) of section 10-261 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(3) "Net current expenditures" means total current educational expenditures, less expenditures for (A) pupil transportation; (B) capital expenditures for land, buildings, equipment otherwise supported by a state grant pursuant to chapter 173 and debt service; [L provided that, with respect to debt service, commencing with the fiscal year ending June 30, 1987, the principal amount of any debt incurred to pay an
expense otherwise includable in net current expenditures may be included as part of net current expenditures in annual installments in accordance with a schedule approved by the Department of Education based upon substantially equal principal payments over the life of the debt;[C] adult education; [D] health and welfare services for nonpublic school children; [E] all tuition received on account of nonresident pupils; [F] food services directly attributable to state and federal aid for child nutrition and to receipts derived from the operation of such services; and [G] student activities directly attributable to receipts derived from the operation of such services, except that the town of Woodstock may include as part of the current expenses of its public schools for each school year the amount expended for current expenses in that year by Woodstock Academy from income from its endowment funds upon receipt from said academy of a certified statement of such current expenses, and except that the town of Winchester may include as part of the current expenses of its public schools for each school year the amount expended for current expenses in that year by The Gilbert School from income from its endowment funds upon receipt from said school of a certified statement of such current expenses;

Sec. 7. Subdivision (20) of section 10-262f of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(20) "Regular program expenditures" means (A) total current educational expenditures less (B) expenditures for (i) special education programs pursuant to subsection (h) of section 10-76f, (ii) pupil transportation eligible for reimbursement pursuant to section 10-266m, (iii) land and capital building expenditures, and equipment otherwise supported by a state grant pursuant to chapter 173, including debt service, [provided, with respect to debt service, the principal amount of any debt incurred to pay an expense otherwise includable in regular program expenditures may be included as part of regular program expenditures in annual installments in accordance with a schedule]
approved by the Department of Education based upon substantially
equal principal payments over the life of the debt, (iv) health services
for nonpublic school children, (v) adult education, (C) expenditures
directly attributable to (i) state grants received by or on behalf of
school districts except for the categories of expenditures listed
in subparagraphs (B)(i) to (B)(v), inclusive, of this subdivision and
except grants received pursuant to section 10-262i and section 10-262c
of the general statutes, revision of 1958, revised to January 1, 1987, and
except grants received pursuant to chapter 173, (ii) federal grants
received by or on behalf of school districts except for adult education
and federal impact aid, and (iii) receipts from the operation of child
nutrition services and student activities services, (D) expenditures of
funds from private and other sources, and (E) tuition received on
account of nonresident students. The town of Woodstock may include
as part of the current expenses of its public schools for each school year
the amount expended for current expenses in that year by Woodstock
Academy from income from its endowment funds upon receipt from
said academy of a certified statement of such current expenses. The
town of Winchester may include as part of the current expenses of its
public school for each school year the amount expended for current
expenses in that year by the Gilbert School from income from its
endowment funds upon receipt from said school of a certified
statement of such current expenses.

Sec. 8. Subdivision (35) of section 10-262f of the general statutes is
repealed and the following is substituted in lieu thereof (Effective from
passage):

(35) "Current program expenditures" means (A) total current
educational expenditures less (B) expenditures for (i) land and capital
building expenditures, and equipment otherwise supported by a state
grant pursuant to chapter 173, including debt service, [provided, with
respect to debt service, the principal amount of any debt incurred to
pay an expense otherwise includable in current program expenditures
may be included as part of current program expenditures in annual
installments in accordance with a schedule approved by the
Department of Education based upon substantially equal principal
payments over the life of the debt, (ii) health services for nonpublic
school children, and (iii) adult education, (C) expenditures directly
attributable to (i) state grants received by or on behalf of school
districts except grants for the categories of expenditures listed in
subparagraphs (B)(i) to (B)(iii), inclusive, of this subdivision and except
grants received pursuant to section 10-262i and section 10-262c of the
general statutes, revision of 1958, revised to January 1, 1987, and
except grants received pursuant to chapter 173, (ii) federal grants
received by or on behalf of school districts except for adult education
and federal impact aid, and (iii) receipts from the operation of child
nutrition services and student activities services, (D) expenditures of
funds from private and other sources, and (E) tuition received on
account of nonresident students. The town of Woodstock may include
as part of the current expenses of its public schools for each school year
the amount expended for current expenses in that year by Woodstock
Academy from income from its endowment funds upon receipt from
said academy of a certified statement of such current expenses. The
town of Winchester may include as part of the current expenses of its
public school for each school year the amount expended for current
expenses in that year by the Gilbert School from income from its
endowment funds upon receipt from said school of a certified
statement of such current expenses.

Sec. 9. Subsection (d) of section 10-264l of the general statutes is
repealed and the following is substituted in lieu thereof (Effective from
passage):

(d) Grants made pursuant to this section, except those made
pursuant to subdivision (6) of subsection (c) of this section, shall be
paid as follows: [Fifty] Seventy per cent by September first and the
balance by [January] May first of each fiscal year. The [January] May
first payment shall be adjusted to reflect actual interdistrict magnet
school program enrollment as of the preceding October first using the
data of record as of the subsequent March first, if the actual level of enrollment is lower than the projected enrollment stated in the approved grant application. The May first payment shall be further adjusted for the difference between the total grant received in the prior fiscal year and the preliminary grant amount for the current fiscal year in cases where the financial audit submitted by the interdistrict magnet school pursuant to subdivision (1) of subsection (n) of this section indicates an overpayment by the department.

Sec. 10. Subdivision (1) of subsection (n) of section 10-264l of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2011):

(n) (1) Each interdistrict magnet school [operated by a regional educational service center] shall annually file with the Commissioner of Education a financial audit in such form as prescribed by the commissioner.

Sec. 11. Subsection (a) of section 10-153f of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2011):

(a) There shall be in the Department of Education an arbitration panel of not less than twenty-four or more than twenty-nine persons to serve as provided in subsection (c) of this section. The Governor shall appoint such panel, with the advice and consent of the General Assembly, as follows: (1) Seven members shall be representative of the interests of local and regional boards of education and shall be selected from lists of names submitted by such boards; (2) seven members shall be representative of the interests of exclusive bargaining representatives of certified employees and shall be selected from lists of names submitted by such bargaining representatives; and (3) not less than ten or more than fifteen members shall be impartial representatives of the interests of the public in general and shall be residents of the state of Connecticut, experienced in public sector collective bargaining interest impasse resolution and selected from lists...
of names submitted by the State Board of Education. The lists of names submitted to the Governor pursuant to subdivisions (1) to (3), inclusive, of this subsection shall, in addition to complying with the provisions of section 4-9b, include a report from the State Board of Education certifying that the process conducted for soliciting applicants made adequate outreach to minority communities and documenting that the number and make-up of minority applicants considered reflect the state's racial and ethnic diversity. Each member of the panel shall serve a term of [two] four years, provided each arbitrator shall hold office until a successor is appointed and, provided further, any arbitrator not reappointed shall finish to conclusion any arbitration for which such arbitrator has been selected or appointed. Arbitrators may be removed for good cause. If any vacancy occurs in such panel, the Governor shall act within forty days to fill such vacancy in the manner provided in section 4-19. Persons appointed to the arbitration panel shall serve without compensation but each shall receive a per diem fee for any day during which such person is engaged in the arbitration of a dispute pursuant to this section. The parties to the dispute so arbitrated shall pay the fee in accordance with subsection (c) of this section.

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Statement of Purpose:
To clarify the status of the State Education Resource Center as a nonstock corporation and nonprofit tax exempt organization within the Department of Education; to allow certain medical professionals from military bases who are not licensed by the state to conduct health assessments in schools; to eliminate an expenditure requirement for regional educational service centers and the requirement that regional educational service centers collect and analyze data on school efforts to reduce racial, ethnic and economic isolation; to eliminate the requirement that superintendents submit data on the reduction of racial, ethnic and economic isolation in the district to the regional educational service center and instead submit such data directly to the Commissioner of Education; to require that a teacher maintain a valid J-1 Visa issued by the United States Department of State as a condition of renewal of an international teacher permit; to delete obsolete provisions relating to the minimum expenditure requirement; to allow for prior year adjustments to magnet school operating grants recovery of funds when audits reveal an overpayment by the state; and to increase the term of members of the Department of Education's arbitration panel from two years to four years.

[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.]