
OLR Bill Analysis

sSB 299 (File 416, as amended by Senate "A")*

AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES.

SUMMARY:

This bill:

1. requires regional education service centers (RESCs) that arrange for criminal background checks of school personnel to retain fingerprints and other identifying information for four years;
2. limits enhancement grants to youth service bureaus (YSBs) to the amount appropriated for the grants and requires proportional grant reductions if that amount is not sufficient to pay the full grants;
3. updates and broadens the duties of school medical advisors;
4. allows Three Rivers Community College to operate an interdistrict magnet school and receive state magnet school grants;
5. gives the Hartford school district, as the successor operator of Great Path Academy magnet school on behalf of Manchester Community College (MCC), the same state operating grants and allows it to charge sending districts the same tuition as its predecessor;
6. makes changes to conform with laws enacted or taking effect in 2011, including those relating to school construction, responsibility for early childhood programs, school breakfast program eligibility, and an increase in the high school dropout age;

7. expands and revises the membership of the Special Education and Head Start advisory councils;
8. changes deadlines and other requirements for certain education-related reports;
9. expressly allows the State Department of Education (SDE) to administer the Even Start Family Literacy Program; and
10. makes other minor and technical changes and eliminates obsolete language.

*Senate Amendment "A" adds the provisions relating to (1) school medical advisors; (2) the Three Rivers Community College magnet school; and (3) required reports (a) on school district efforts to reduce racial, ethnic and economic isolation and (b) by Leadership, Education, and Athletics in Partnership (LEAP) program grantees. It also (1) makes additional changes to conform to the increase in the high school dropout age and (2) changes the deadline for appointments to the Special Education Advisory Council.

EFFECTIVE DATE: Upon passage, except for provisions relating to the following, which take effect July 1, 2012: (1) YSB grants; (2) school medical advisors; (3) the Three Rivers magnet school; and (4) reporting on efforts to reduce racial, ethnic, and economic isolation in schools.

FINGERPRINTS FOR SCHOOL EMPLOYEE BACKGROUND CHECKS (§ 21)

By law, school districts must conduct state and national criminal history record checks of certain school personnel and may arrange for the required checks through RESCs. The bill (1) requires RESCs to maintain the fingerprints and positive identifying information submitted for the checks for four years and then destroy them and (2) allows the fingerprints or other information to be in electronic form.

YOUTH SERVICE BUREAU ENHANCEMENT GRANTS (§ 3)

Starting with FY 13, the bill caps aggregate enhancement grants for YSBs at the appropriated amount and requires the grant for each YSB

to be proportionately reduced if the annual appropriation for the grants is insufficient to cover the full statutory payments.

By law, each YSB receives a basic grant of \$14,000 plus an enhancement grant of between \$3,300 and \$10,000 based on the population of the town or group of towns the YSB serves.

DUTIES OF SCHOOL MEDICAL ADVISORS (§ 504)

By law, boards of education in towns with 10,000 or more people must, and those in smaller towns may, appoint one or more legally qualified medical practitioners as school medical advisors.

The bill revises and updates school medical advisors' duties and responsibilities. It eliminates requirements that advisors (1) examine referred students, teachers, and other school staff; (2) make sanitary inspections of school buildings; (3) help enforce the Public Health Code or town sanitary regulations by deciding when students and school staff who are, or are suspected to be, sick must be excluded from, or may return to, school; and (4) interpret to school nurses and teachers factors relating to controlling communicable diseases.

Instead, it requires advisors to work with their appointing school boards and the local boards of health or health departments for their school districts to (1) plan and administer each school's health program, (2) advise on school health services, (3) consult on school health environments, and (4) perform other duties as agreed between the advisor and his or her appointing school board.

THREE RIVERS COMMUNITY-TECHNICAL COLLEGE MAGNET SCHOOL (§§ 501-503)

The bill makes the community-technical colleges board of trustees eligible for state interdistrict magnet school construction, operating, and transportation grants on behalf of an interdistrict magnet school operated by Three Rivers Community College.

HARTFORD AND THE GREAT PATH ACADEMY (§§ 18-20)

The bill allows the Hartford school district to receive the same state magnet school operating grant for students at MCC's Great Path

Academy interdistrict magnet school as the school's former operator, Capitol Region Education Council (CREC) received, namely \$10,433 per student for FY 13.

It also allows Hartford to charge tuition to districts whose students attend Great Path Academy. As with tuition charged by CREC, that charged by Hartford must equal the difference between Great Path's average per-pupil expenditure for the prior year and its state per-pupil operating grant plus any other funds it receives, calculated on a per-student basis.

The Hartford school district has received a contract from MCC's board of trustees to operate Great Path Academy on its behalf, succeeding CREC as the school's operator.

SCHOOL CONSTRUCTION PROVISIONS (§§ 1, 4, & 15-17)

Endowed Academies (§ 1)

The bill expressly allows qualifying endowed academies (see BACKGROUND) to apply for and receive state school construction grants, restoring provisions deleted in PA 11-51. Current law specifies a method for calculating grants for such schools but does not explicitly allow them to apply for grants.

School Facilities Reports (§ 4)

PA 11-51 transferred responsibility for state school construction grants and certain matters relating to school facilities from the SDE to the Department of Construction Services (DCS).

The bill requires school districts to submit required reports on the condition of their school facilities, actions to implement their long-term school building programs, and their implementation of required school indoor air quality and green cleaning programs to the DCS, rather than the education, commissioner. The reports are due every three years by July 1.

It also requires (1) the DCS commissioner, rather than the education commissioner, to file the required triennial school facilities report with the legislature and (2) school districts to advise the DCS commissioner

rather than the education commissioner about the relationship between an individual school project and the district's long-term school building program.

Renovation Projects (§ 15)

By law, a school project qualifies for a higher state grant as a renovation if, among other things, it costs less than building a new facility. The bill requires the DCS commissioner, rather than the education commissioner, to make that cost determination. This change also conforms to PA 11-51.

Reimbursement for Interdistrict Projects (§§ 16 & 17)

PA 11-51 reduced the state reimbursement for interdistrict magnet school and agricultural science and technology center (vo-ag) capital projects from 95% to 80% of their eligible costs. The bill makes the same reduction in state reimbursements for vo-ag equipment and regional special education facility projects.

RESPONSIBILITY FOR CHILDCARE PROGRAMS (§ 2)

The bill transfers from the Department of Social Services (DSS) commissioner to the education commissioner authority to (1) contract for, and provide state financial assistance to, towns, human resource development agencies, and nonprofits for child daycare and other childcare programs and (2) establish guidelines for, and oversee, the programs. These changes conform to PA 11-44, which made SDE, rather than DSS, the lead agency for child daycare and all other early childhood programs.

SCHOOL BREAKFAST PILOT PROGRAM (§ 11)

The bill expands eligibility for competitive grants for a pilot program to help schools establish in-classroom school breakfast programs by requiring SDE to use the state, rather than the federal, eligibility standard in awarding grants to up to 10 eligible schools.

This change conforms to PA 11-48, which expanded eligibility for state school breakfast grants by making schools eligible if at least 20%, rather than 40%, of the lunches they serve are served free or for

reduced prices. The bill requires SDE to use the same criteria to define the “severe-need” schools eligible for the pilot program.

CONFORMING CHANGES TO REFLECT INCREASED SCHOOL DROPOUT AGE (§§ 7, 8, 507, & 508)

By law, as of July 1, 2011, students must remain in school until they either turn age 17 or graduate from high school. To correspond with this change, the bill increases, from 16 to 17, the minimum age at which a student who:

1. has left school may receive a state high school diploma or enroll in adult education,
2. has been expelled may be offered enrollment in an adult education program as an alternative educational opportunity, or
3. is a mother may request and receive permission from the local or regional board of education to attend adult education classes.

SPECIAL EDUCATION ADVISORY COUNCIL (§ 9)

The bill:

1. expands the membership of the Advisory Council for Special Education by adding a representative from the parent training and information center for Connecticut established under the federal special education law;
2. requires the representatives of the following organizations to be either the organization’s director or the director’s appointee: (a) Office of Protection and Advocacy for Persons with Disabilities, (b) Commission on Children's Parent Leadership Training Institute, and (c) Bureau of Rehabilitative Services; and
3. requires the person appointed by the Parent Leadership Training Institute to be either (a) a person with a disability or (b) the parent of a child under age 27 with a disability.

The bill requires all council appointments to be made by July 1, 2012 rather than July 1, 2010.

HEAD START ADVISORY COMMITTEE (§ 13)

The bill increases the membership of the Head Start advisory committee from 12 to 14 by adding (1) a second member designated by the Head Start Directors Association, which the bill renames the Head Start Association and (2) the Head Start Collaboration Office director.

It also revises required qualifications for certain members as well as the names of the groups they must represent, as follows:

1. Of the six Head Start program directors it requires two to be either from community action agency program sites or school readiness liaisons, rather than coordinators, and two to be from public school, rather than merely from school, program sites.
2. It requires one member to be designated by the Early Childhood Cabinet rather than the Early Childhood Council.
3. It requires one member to be designated by the Region I Office of Head Start within the federal Department of Health and Human Services' (HHS) Administration of Children and Families instead of by the Office of Human Development Services, Office of Community Programs, Region 1 of HHS.

REPORTS

After-School Program Report (§ 10)

The bill delays the deadline for SDE's biennial after-school grant program report to the Education Committee from December 1 to February 15, starting February 15, 2012 rather than December 1, 2011. The report must address performance outcomes for grant recipients, including measurements of the program's effect on student achievement, school attendance, and in-school behavior.

Reporting on Efforts to Reduce Racial, Ethnic, and Economic Isolation in Schools (§ 505)

By law, school districts must report biennially to the SDE on their programs and activities to reduce racial, ethnic, and economic isolation. PA 11-179 changed the filing deadline for these reports from July 1 to October 1. This bill delays the start of the new reporting

schedule from October 1, 2011 to October 1, 2012.

***Leadership, Education, and Athletics in Partnership (LEAP)
Program Reports (§ 506)***

PA 11-48 transferred administrative responsibility for the LEAP grant program from the Office of Policy and Management (OPM) to SDE. This bill requires LEAP grantees to submit required program and financial reports and grant fund audits to SDE rather than OPM. It also requires them to submit the program and financial reports annually rather than quarterly.

EVEN START FAMILY LITERACY PROGRAM GRANTS (§ 12)

The bill requires SDE, within available appropriations, to administer an Even Start program to provide grants for new or expanded local family literacy programs that provide literacy services for children and their parents. Programs must comply with the requirements of a federal program of the same name that is no longer funded (see BACKGROUND).

OTHER MINOR CHANGES

Magnet School Grants (§§ 5 & 6)

The bill requires SDE to adjust for any overpayment of interdistrict magnet school per-student operating grants in any year in the May 1 payment for the following year. It also makes technical changes and eliminates obsolete language relating to state magnet school capital grants (§ 6).

By law, SDE must pay 70% of the grant by September 1, and the balance on May 1. If a school's actual enrollment is lower than projected or its annual financial audit shows a grant overpayment, SDE must adjust the second payment to reflect that fact. Under the bill, an audit adjustment must be based on the difference between the total grant the school received in the prior year and the revised amount calculated for that year, instead of between the prior year's total, and the current year's preliminary, grant amount.

***Updated Minimum Local Financing Requirement for Education (§
14)***

By law, local and regional school boards must implement state laws and the state's educational interests. This includes financing education at a reasonable level at least equal to a statutory minimum. The bill updates this minimum from the minimum expenditure requirement (MER) to the minimum budget requirement (MBR). Towns must meet the minimum as a condition of receiving a state Education Cost Sharing (ECS) grant. The MER is obsolete and was supplanted by the MBR in 2005.

BACKGROUND

Youth Service Bureaus

YSBs are community-based agencies formed by one or more towns and run either by the towns or private agencies under contract to them. They evaluate, plan for, coordinate, and implement youth services, which include prevention and intervention programs for predelinquent, delinquent, pregnant, parenting, and troubled youth. Youths may seek a bureau's services on their own or be referred to one by schools, police, juvenile and adult courts, or parents.

Endowed Academies

Three private schools, Gilbert School, Norwich Free Academy, and Woodstock Academy, serve certain towns as public high schools and are collectively referred to as the "endowed academies." Under current law and the bill, such a school is eligible for a state school construction grant if (1) it provides school facilities to the towns that designate it as their high school for at least 10 years after the last grant payment and (2) at least half of the members of its governing board, other than its chairman, represent the school boards of the designating towns. The membership requirement applies to whatever board exercises final educational, financial, and legal responsibility for the school.

Federal Even Start Family Literacy Program

The federal program offered grants to support local family literacy projects that integrated early childhood education, adult literacy (adult basic and secondary-level education and instruction for English language learners), parenting education, and interactive parent and

child literacy activities for low-income families with parents and their children from birth through age seven. Teen parents and their children from birth through age seven were also eligible. All participating families had to be those most in need of program services.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 31 Nay 0 (03/23/2012)

Appropriations Committee

Joint Favorable

Yea 47 Nay 0 (04/30/2012)