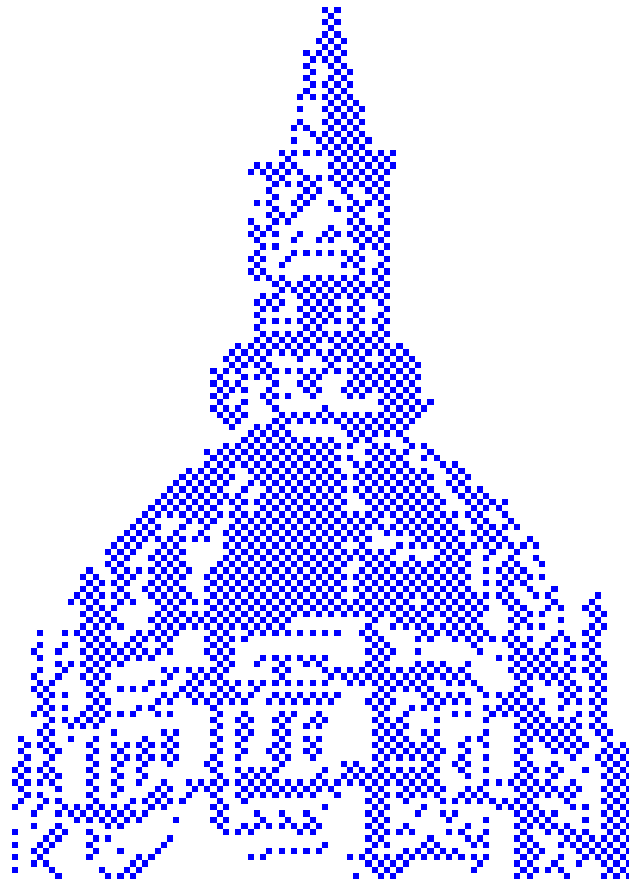




ACTS AFFECTING EDUCATION



2016-R-0128

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NOTE TO READERS

This report provides highlights of new laws affecting education enacted during the 2016 regular and special legislative sessions. We do not include vetoed acts, unless the legislature overrides the governor's veto.

Not all provisions of the acts are included here. Complete summaries of all 2016 public acts are available on OLR's website as they are completed:
<http://www.cga.ct.gov/olr/OLRPASums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website:
<http://www.cga.ct.gov/>.

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ACCOUNTABILITY AND ACHIEVEMENT

High School Graduation Requirements Delay

The legislature enacted a new law that allows any town that has received a school construction grant from the state during the last 25 years (i.e., all towns) to delay the implementation of the new high school graduation requirements until the 2018-19 school year. Under prior law, the new graduation requirements apply to the graduating class of 2021, which means they applied to freshman in the 2017-18 school year. The scheduled changes require students to, among other things, (1) earn 25 credits, rather than 20; (2) pass state exams for five specific courses; and (3) complete a senior project ([PA 16-4, May Special Session](#), § 310, effective upon passage).

COLLECTIVE BARGAINING AND ARBITRATION

Arbitration Panel Member Terms

A new law makes changes to various boards, panels, and councils. Among other things, it extends, from two to four years, the terms of Education Arbitration Panel members, who arbitrate between boards of education and their employees on collective bargaining agreements ([PA 16-185](#), § 5, effective upon passage).

EARLY CHILDHOOD EDUCATION

Authority to Waive Certain Licensing Requirements

A new law limits when the Office of Early Childhood (OEC) commissioner can waive certain licensing requirements for child care centers or group child care homes that relocate or have a change in ownership. It allows the commissioner to waive the requirement to submit a new license application for a child care center or group child care home only if the waiver request is made before the change in ownership or location takes place ([PA 16-100](#), § 1, effective October 1, 2016).

Child Care Subsidy Eligibility

A new law extends the opportunity to receive Care 4 Kids child care subsidies to temporary family assistance (TFA) recipients enrolled in courses in degree programs offered at public and private colleges and universities. The Labor Department must approve such courses in fulfillment of required employment activities for TFA recipients; approval was optional under prior law ([PA 16-131](#), §§ 4-7, effective July 1, 2016).

Criminal Records Checks for Family Child Care Homes

The legislature passed a law requiring any household member age 16 or older who lives in a home where child care services are provided to undergo state and national criminal history records checks. The law also

allows OEC to take action against a licensed family child care home when a household member has been convicted of crimes involving physical force, cruelty, child abandonment or risk of injury, sexual assault, or illegal drugs ([PA 16-131](#), §§ 1-3, effective upon passage).

License-Exempt Programs Required to Notify Parents

The legislature enacted a new law that requires all license-exempt child care programs, including those run by a school district or a municipality, to notify the parents or guardians of participating children that the program is not licensed by OEC. Under prior law, only a few specific exempt programs were required to make this notification ([PA 16-100](#), § 2, effective July 1, 2016).

OEC Authority to Enter into Enforcement Agreements

A new law explicitly empowers the OEC commissioner to enter into enforcement agreements (i.e., stipulations, consent orders, etc.) for child care and youth camp program licensing enforcement matters ([PA 16-100](#), § 7, effective upon passage).

School Readiness and Child Care Facility Study

A new law requires the OEC commissioner to submit a report to the Appropriations Committee by October 1, 2016 and quarterly through December 31, 2018, about school readiness and

state-funded child care facilities program capacity and utilization ([PA 16-3, May Special Session](#), § 94, effective July 1, 2016).

State Aid for Child Care Centers for Disadvantaged Children

An existing law allows the state, through the OEC commissioner, to contract with municipalities, human resource development agencies, or nonprofit corporations to develop and operate child care centers for disadvantaged children. A new law expands this by creating another means of determining the grant amounts the state pays to the centers. It provides grants in an amount up to \$8,927 for each child enrolled in the program aged three or four years, as well as for five-year-olds who are ineligible to enroll in kindergarten ([PA 16-3, May Special Session](#), § 93, effective July 1, 2016).

ECONOMIC SELF-SUFFICIENCY

Two-Generational Pilot Program

The state's two-generational school readiness and workforce development pilot program works to foster family economic self-sufficiency by providing two generations of the same household with academic and job readiness support services. A new law (1) adds several members to the interagency working group that oversees the program, including one member of the Education Committee; (2) requires the working group's report to be submitted to the Education Committee, as well as

several other committees; and (3) makes other minor changes to the pilot program ([PA 16-79](#), effective on passage).

GRANTS AND FUNDING

Alliance District Funding

For FY 17, a new law requires the comptroller to withhold from alliance districts any Education Cost Sharing (ECS) grant increase received in FY 17 over FY 12's amount, minus any ECS decrease received in FY 17 compared with FY 16. As under prior law, the comptroller must transfer this money to the education commissioner, who can withhold it until the alliance district supplies her with a plan that addresses objectives to improve student achievement ([PA 16-3, May Special Session](#), § 126, effective July 1, 2016).

East Haven School Transportation Pilot Program

A new law requires the East Haven school district to participate in a pilot program in school years 2016-17 through 2025-26 in which students whose private schools in East Haven have closed are transported to equivalent private schools located in New Haven. The East Haven school district will be eligible for a state transportation reimbursement in the same manner and rate as is provided for student transportation to private schools within a district ([PA 16-188](#), § 6, effective July 1, 2016).

Educational Aid for Blind Children

A new law creates more flexibility in how certain funds for the blind and visually handicapped can be used. It allows, rather than requires, the Department of Rehabilitative Services to use funds appropriated to its Educational Aid for the Blind and Visually Handicapped Children account to provide blind or visually impaired children with the following: (1) specialized books, materials, equipment, and supplies; (2) adaptive technology services and devices; (3) specialist examinations and aids; and (4) preschool programs and vision-related independent living services, excluding primary education placement. The legislature eliminated a requirement that funds in this account be spent on these categories first, before spending the funds in other ways allowed by law ([PA 16-3, May Special Session](#), § 80, effective July 1, 2016).

ECS Grant Calculations

A new law revises the formula for calculating whether a town received an increase in ECS aid in FY 17. It also establishes a similar formula for calculating whether a town received an ECS decrease in FY 17 ([PA 16-3, May Special Session](#), § 124, effective July 1, 2016).

Minimum Budget Requirement (MBR) Reductions and Exemptions

The legislature passed a law allowing towns (except for alliance district towns) to reduce their MBR when they experience an ECS decrease in a fiscal year by an amount equal to the ECS decrease. The new law also specifies that the state must use accountability index scores, rather than obsolete district performance index scores, to rank districts when determining whether they qualify for MBR exemptions ([PA 16-3, May Special Session](#), § 125, effective July 1, 2016).

Reduced Bond Authorizations for Various Agencies

The legislature enacted a new law that reduced part or cancelled completely various state bond authorizations to provide grants or pay for capital projects with the following agencies: State Department of Education (SDE), OEC, State Library, and the Department of Administrative Services (DAS). The reductions and cancellation total approximately \$65 million. Programs affected include (1) grants to public libraries, school readiness programs, alliance districts, and the Smart Start program and (2) renovations and improvements for the American School for the Deaf, Open Choice enrollment expansion, and technical high schools ([PA 16-4, May Special Session](#), various sections, July 1, 2016).

HEALTH AND SAFETY

Advanced Practice Registered Nurse (APRN) Certifications

A new law allows APRNs to certify, sign, or otherwise document medical information in several situations that previously required a physician's documentation, including certain situations involving schools ([PA 16-39](#), most provisions effective October 1, 2016).

Allowing Motor Vehicle Inspectors to Carry Weapons on School Grounds

A new law allows a properly designated and certified motor vehicle inspector to carry a weapon on school grounds while performing his or her official duties. By law, these inspectors have the authority to make arrests or issue citations for violations of motor vehicle statutes ([PA 16-55](#), § 10, effective October 1, 2016).

Cancer Awareness Curriculum

A new law requires public schools to add cancer awareness to their health and safety program of instruction, including age- and developmentally-appropriate instruction in performing self-examinations to screen for breast and testicular cancer ([PA 16-188](#), § 4, effective July 1, 2016).

Child Abuse Hotline Postings

A new law requires boards of education to post the telephone number for the Department of Children and Families' (DCF) child abuse hotline in a

conspicuous school location for students to view ([PA 16-188](#), §§ 2 & 3, effective upon passage).

Driving Under the Influence (DUI) When Driving a School Bus

A new law increases the criminal penalties for DUI when driving a school bus, student transportation vehicle, or other motor vehicle specially designated for carrying children, with or without a child passenger. It does so by creating specific crimes for these offenses, with increased penalties compared to the previous DUI statute ([PA 16-126](#), effective October 1, 2016).

Farm to School Program

A new law requires a food service management company to say in its bid for a school district nutrition program how the bid is consistent with the state's farm to school program and how it facilitates the purchase of products from local farmers. It also requires the State Board of Education (SBE), by October 1, 2017, to amend state regulations on nutrition standards for school breakfasts and lunches to facilitate purchasing food from local farmers ([PA 16-37](#), effective October 1, 2016, except for the regulations provision, which is effective upon passage).

Red Ribbon PASS Program

A new law requires SDE to establish a Red Ribbon PASS Program recognizing school districts that qualify as highly performing or improving physically

active school systems (PASS). Boards of education may request this recognition by providing SDE with their school district's results on the Connecticut physical fitness assessment and demonstrating the district's satisfaction of SDE-developed PASS standards ([PA 16-132](#), effective July 1, 2016).

School Climate Task Force

A new law establishes a task force to review, streamline, and align state policies relating to school climate, bullying, school safety, and social-emotional learning ([PA 16-188](#), § 5, effective upon passage).

School-Related Threats

A new law increases the penalty for 1st degree threatening, from a class D felony to a class C felony, if the threat was made with intent to cause the evacuation of a building or the grounds of a public or private preschool, school, or higher education institution. It also increases the penalty for 2nd degree threatening, from a class A misdemeanor to a class D felony, if the threatened person was in the building or on the grounds of such a school facility during instructional hours or while they were being used for school- or institution-sponsored activities. The law establishes (1) conditions under which the Board of Pardons and Paroles must grant an absolute pardon to someone convicted of committing one of these threats and (2) an absolute

defense to a civil action for reporting certain threats ([PA 16-67](#), §§ 6-9, effective October 1, 2016).

Security Infrastructure Competitive Grant Program

The legislature has extended, from June 30, 2016 to June 30, 2017, the sunset date for the school security infrastructure grant program, which provides grants to towns, schools, and regional service centers to improve security infrastructure in schools. Eligible infrastructure includes installation of surveillance cameras, penetration-resistant vestibules, ballistic glass, solid core doors, double-door access, computer-controlled electronic locks, entry door buzzer systems, scan card systems, and panic alarms ([PA 16-171](#), effective upon passage).

INTERDISTRICT MAGNET SCHOOLS

East Hartford Magnet School Tuition Grant

The legislature repealed a law designating up to \$220,818 of SDE's FY 17 magnet school appropriation to defray magnet school tuition costs charged to East Hartford. The new law also makes permanent the provision that places a cap on the amount of tuition the East Hartford school district must pay to magnet schools if more than 7% of the district's students attend magnet schools. The district is not responsible for the first \$4,400 of tuition for any students over the 7% threshold. Under prior law, the cap

expired after FY 17. The law also makes permanent the provision making SDE financially responsible for any loss of tuition to a magnet school, within available appropriations and subject to possible proportionate reductions if the tuition recovery payments exceed the amount appropriated for that purpose ([PA 16-3, May Special Session](#), §§ 64 & 211, effective upon passage).

Magnet School Tuition

Beginning with the 2015-16 school year, a new law prohibits boards of education that operate magnet schools from charging tuition to other boards that send students to attend these schools unless (1) the education commissioner authorizes it and (2) written notice of the charge is given to the sending board in the school year preceding the charge. The law does not apply to *Sheff* magnets, magnet schools that were already charging tuition in the 2014-15 school year, and magnets operated by regional educational service centers (RESCs) ([PA 16-139](#), effective upon passage).

Prioritization for Additional Magnet School Seats

The legislature modified the method that SDE uses when determining what additional magnet school seats will be supported with state funds in FY 17. First, instead of the October 1, 2013 enrollment baseline for calculating payments, the new law allows SDE to limit payments to the amount the school was eligible to receive based on

its enrollment on October 1, 2013 or October 1, 2015, whichever is lower. Second, the law modifies some of the other criteria used for prioritizing funds for additional enrollment largely based on adding planned new grade levels or additional enrollment necessary to comply with the state's magnet school requirements for racial and economic diversity ([PA 16-3, May Special Session](#), § 66, effective July 1, 2016).

Supplemental Magnet School Transportation Grants

A new law extends for FY 16, the education commissioner's authority to make supplemental magnet school transportation grants, within available appropriations, to assist *Sheff* stipulation school integration goals (i.e., Capitol Region Education Council) and to EASTCONN, a regional education service center. For FY 16 up to 50% of the grant is paid on or before June 30, 2016 and the remainder is paid on or before September 1, 2016 after completion of a comprehensive financial review. The review must be funded by part of the grant amount ([PA 16-3, May Special Session](#), § 87, effective upon passage).

JUVENILE JUSTICE AND EDUCATION

This session the legislature passed a law making several changes affecting juvenile justice matters, children returning to school after a juvenile justice placement, and other school disciplinary and related matters. The

law requires SDE, in collaboration with other agencies, to develop plans on certain matters, such as school-based diversion initiatives to reduce juvenile offenses among children with mental health needs and addressing educational deficiencies among children in the juvenile justice system ([PA 16-147](#), §§ 11 & 14, effective upon passage).

REGIONALIZATION

Regional Collaboration

A new law makes several changes related to increasing municipal efficiencies and regional cooperation, including (1) making RESCs and certain local and regional boards of education eligible for regional performance incentive program grants (previously only municipalities and councils of government were eligible); (2) authorizing municipalities to purchase equipment, supplies, materials, or services from certain entities (including entities that contract with a RESC); and (3) requiring SDE to study ways to increase school transportation efficiency. The law also designates \$250,000 for SDE to conduct the transportation study ([PA 16-144](#), §§ 1, 2, 4 & 5, effective upon passage).

SCHOOL CONSTRUCTION

Delayed School Construction Eligibility List Projects

A new law allows the 10 proposed school construction projects that were included on the DAS project eligibility

list in December 2015, but were not authorized by the General Assembly during the May special session, to remain eligible for the December 2016 list and have the option to keep the reimbursement rate they would have had this year. Reimbursement rates are calculated every year ([PA 16-4, May Special Session](#), § 262, effective upon passage).

Increased School Construction Reimbursement Rate for Regional School District Projects

The legislature approved a new law that permits any regional school board that is created or expanded on or after July 1, 2016 to receive the highest reimbursement rate from among the towns participating in the regional district and an additional 10% for any school construction project application that (1) is submitted within 10 years of the district's expansion or establishment and (2) relates to the district's expansion or establishment ([PA 16-4, May Special Session](#), § 323, effective upon passage).

Independent Colleges and Private Use of Public School Buildings

A new law requires an annual report be submitted to the education commissioner from any independent college that (1) operates an interdistrict magnet school that was built using public school construction grants and (2) makes private use of any portion of the school. The report must show

whether the benefit of allowing the magnet school students to use its facilities outweighs the private use of the school building.

Under this law, if the DAS commissioner finds that the private use of the school building exceeds the benefit to the magnet school students, the commissioner may require the college to refund to the state the unamortized balance of the state grant. School construction grants are amortized over a 20-year period ([PA 16-4, May Special Session](#), § 322, effective upon passage).

Legislative School Building Project Review Committee

A new law expands, from eight to 12, the number of members that form the School Building Project Review Committee. Also it specifies that the members are the co-chairs and ranking members of the Appropriations; Finance, Revenue and Bonding; and Education committees. Under prior law, eight legislators were chosen to be on the committee without specifying that they serve on specific committees. The committee approves the list of eligible school building projects that DAS must submit each year to the legislature ([PA 16-3, May Special Session](#), § 62, effective July 1, 2016).

School Building Projects Authorized and Reauthorized

The legislature (1) authorized \$270.8 million in grant commitments for 17 new school construction projects, (2) reauthorized and changed grant commitments for seven previously authorized projects with significant changes in cost and scope for an additional \$16.2 million in grant commitments, and (3) exempted specified school construction projects from various statutory and regulatory requirements to allow them to qualify for state grants resulting in \$94 million in additional costs to the state ([PA 16-4, May Special Session](#), §§ 261 & 263-320, effective upon passage).

SCHOOL DISTRICTS AND BOARDS OF EDUCATION

Expelled Students and Alternative Education

The legislature enacted a new law aimed at making alternative education available to more expelled students. The law repeals the option for boards of education to deny alternative education to students expelled for serious offenses such as selling or distributing drugs or possession of a firearm or other deadly or dangerous weapon ([PA 16-147](#), § 12, effective August 15, 2017).

Investigating Before Hiring Education Personnel

A new law requires education employers (i.e., boards of education, charter school governing councils, magnet schools) and contractors who

work for them to take additional steps to determine, prior to employment, whether an applicant for a position with direct student contact has a history of sexual misconduct or abuse or neglect involving children ([PA 16-67](#), effective July, 1, 2016, with certain provisions taking effect upon passage).

Student Data Privacy

A new law restricts how website and mobile app operators and consultants who contract with boards of education may process or access student data. Among other things, it requires operators and consultants to use reasonable security practices to safeguard student data ([PA 16-189](#), effective October 1, 2016, with certain provisions taking effect upon passage).

Truancy

A new law requires schools with a disproportionately high truancy rate to implement an SDE-approved intervention model. SDE must make a list of approved models available by August 15, 2017. The same law eliminates a child's truancy as permissible grounds for a family with service needs complaint ([PA 16-147](#), § 7-9, effective August 15, 2017).

SPECIAL EDUCATION

Franklin Special Education Reimbursement

A new law requires SDE to reimburse the Franklin Board of Education for any special education and transportation costs incurred during FYs 12-14

attributed to any “no-nexus” student (i.e., a student in DCF’s custody and involved in a parental rights termination proceeding) ([PA 16-188](#), § 7, effective upon passage).

Funds to Audit Private Special Education Providers

A new law designates \$366,000 to pay for the Auditors of Public Accounts to audit, as required under law, private providers of special education services for public school students ([PA 16-144](#), § 5, effective upon passage).

Newtown Special Education Aid

A new law adjusts the calculations for special education state aid eligibility for Newtown for FYs 15-17 ([PA 16-188](#), § 8, effective July 1, 2016).

STATE BOARD AND STATE DEPARTMENT OF EDUCATION

Encouraging Middle and High School Students to Consider Manufacturing Careers

A new law requires the education commissioner, in collaboration with the Board of Regents (BOR), to establish a committee to coordinate efforts to educate middle and high school students about manufacturing careers. The committee must compile a catalog of in-state manufacturing training programs and analyze whether the programs are meeting workforce needs. The education commissioner must also develop a (1) program to introduce students to manufacturing careers and (2) guide to help boards of education

incorporate relationships with the manufacturing industry into their middle and high school curricula ([PA 16-114](#), § 1, effective upon passage).

Exemplary Veterans Education Program

A new law requires SBE, in consultation with the Department of Veterans' Affairs, to award an exemplary veterans education program distinction to boards of education that offer programs providing students with opportunities to learn about veterans' contributions or to collaborate with local veterans organizations through classes, extracurricular activities, or presentations, among other things ([PA 16-188](#), § 1, effective July 1, 2016).

TEACHERS, ADMINISTRATORS, AND OTHER SCHOOL EMPLOYEES

Certification for Out-of-State Teachers

The legislature passed a new law that modifies the criteria for an out-of-state teacher to be awarded a professional educator certificate in Connecticut and makes the certification awarded a provisional rather than a professional certification. (Provisional is the middle level certification in Connecticut’s three-level system.) The law eliminates the requirement that the teacher be nationally board certified and hold a master’s degree and replaces it with the requirements that the teacher has (1) received at least two satisfactory performance evaluations while teaching in another state,

territory, U.S. possession, the District of Columbia, or Puerto Rico and (2) fulfilled post-preparation assessments as approved by the commissioner ([PA 16-41](#), § 8, effective July 1, 2016).

Dyslexia Training for Remedial Reading Teacher Endorsements

The legislature passed a new law adding new requirements for applicants seeking a teacher certification endorsement as a remedial reading, remedial language arts, or reading consultant. Beginning July 1, 2017, it requires that they complete a reading and language remediation program that includes supervised practicum hours and instruction in the detection of, and evidence-based literacy interventions for, students with dyslexia. The requirement applies to initial applicants for any of the three levels of teacher certification (initial, provisional, or professional) as well as previously certified teachers seeking the endorsement ([PA 16-92](#), effective July 1, 2016).

Minority Teacher Recruitment Policy Oversight Council

The legislature enacted a law creating the Minority Teacher Recruitment Policy Oversight Council within SDE and requires it, at least quarterly, to meet and advise the education commissioner on a number of activities related to minority teacher recruitment ([PA 16-41](#), § 2, effective July 1, 2016).

Minority Teacher Recruitment Task Force

A new law expands the mission and membership of the minority teacher recruitment task force, extends from February 1, 2016 to June 30, 2017 the deadline to report to the legislature, and extends the life of the task force until January 1, 2026 ([PA 16-41](#), § 1, effective July 1, 2016).

Post-Divorce Retirement Benefits

A new law allows a teacher retired under the Teachers Retirement System (TRS) to choose to continue a divorced spouse as a retirement beneficiary (i.e., co-participant). Before this, a divorce automatically ended the co-participant's benefit eligibility. The new law applies after a TRS member retires and the retiree must file with the TRS to maintain the coparticipant's status ([PA 16-91](#), § 1, effective July 1, 2016).

Reemployment of Retired Teachers

The legislature created an exception to the law that limits how much a retired teacher or administrator can earn being reemployed with a school district and still receive TRS benefits. The limit of 45% of the position's top salary, is eliminated until July 1, 2018 for a teacher or administrator who (1) is receiving retirement benefits based on 34 or more years of service, (2) is reemployed in an alliance district, and (3) was employed in that district on July 1, 2015. The same new law allows a

teacher receiving TRS retirement benefits to be employed as a public school teacher and receive pay, health insurance benefits, and other benefits provided to teachers in that district, provided the retired teacher does not receive any TRS retirement income during the reemployment period ([PA 16-91](#), § 3, effective July 1, 2016).

School Support Staff Alternative Route to Certification (ARC)

A new law requires SDE to review and approve proposals to create ARC programs for board certified behavior analysts and assistant behavior analysts, athletic coaches, and school paraprofessionals (i.e., school support staff) and to award educator certificates to qualified applicants who successfully complete the programs ([PA 16-41](#), § 7, effective July 1, 2016).

Survey and Report on Minority Teacher Recruitment Programs

A new law requires SDE to (1) conduct an annual survey of students on the effectiveness of minority teacher recruitment programs in the state and (2) report annually to the Appropriations and Education committees on the effectiveness of minority teacher recruitment programs using results-based accountability methods ([PA 16-41](#), §§ 3 & 6, effective July 1, 2016).

Teacher Certification Interstate Agreements

A new law modifies the requirements for interstate agreements that facilitate Connecticut certification of qualified teachers from another state. The law eliminates the requirement that teachers applying for certification under an agreement (1) have taught under an appropriate certificate issued by another state, territory, or possession of the U.S. and (2) meet all other conditions of the interstate agreement. The new law instead requires that the applicant successfully complete an approved educator preparation program ([PA 16-41](#), § 9, effective July 1, 2016).

Teacher Preparation Programs and the Praxis Exam

Under a new law, prospective teachers will no longer have to receive a satisfactory score on the Praxis competency exam for reading, writing, and math as an entrance requirement for teacher preparation programs. Scores on these exams will instead be used to help diagnose the academic weaknesses of those entering the programs. For most types of teacher certification endorsements, an applicant will still be required to pass a Praxis subject matter exam that matches his or her endorsement area ([PA 16-41](#), §§ 4 & 5, effective July 1, 2016).

TECHNICAL HIGH SCHOOLS

Increased Bond Authorization for Technical High School System Evening Training Programs

The legislature increased, by \$5 million, an existing \$3.5 million bond authorization for the technical high school system. It earmarked the bonds for SDE to provide grants to technical high schools to provide evening training programs in skilled trades, including manufacturing, masonry, electrical, plumbing, and carpentry, that prepare participants to earn a credential or degree recognized by employers or trade associations ([PA 16-4, May Special Session](#), § 195, effective July 1, 2016).

Technical High School System Budget

A new law makes changes to the budgetary process for the Connecticut technical high school system. Among other things, it requires each school in the system to include a staffing needs statement in its proposed operating budget for the upcoming school year and requires the system superintendent to directly communicate with the Office of Policy and Management about creating or filling staff positions in the approved budget ([PA 16-42](#), effective July 1, 2016).

HIGHER EDUCATION

ABLE Accounts

By January 1, 2017, a new law requires the state treasurer, in consultation with the Department of Revenue Services, to report to the Banking Committee on:

1. a way to convert an education savings plan (such as a Connecticut Higher Education Trust account) into an Achieving a Better Life Experience (ABLE) account and
2. any appropriations or statutory changes needed to ensure the successful operation of the ABLE program.

ABLE is a program intended to help eligible individuals and families save private funds to pay for qualifying expenses related to a disability or blindness ([PA 16-65](#), § 72, effective upon passage).

Bond Authorizations for CSCU and UConn

A new law defers, from FY 17 to FY 18, \$55 million in bonds under the Connecticut State Colleges and Universities (CSCU) 2020 program and \$26 million under UConn 2000. The same law also (1) increases by \$5.9 million the bond authorization for the community colleges for code compliance, infrastructure repairs, and deferred maintenance and (2) reduces part or cancels all of the bond authorizations for various capital projects for the BOR, totaling

approximately \$34 million ([PA 16-4, May Special Session](#), §§ 214, 243-246, effective July 1, 2016).

Higher Education Certificate Programs

A new law requires BOR and the Office of Higher Education (OHE) to uniformly define and monitor sub-baccalaureate certificate programs offered by higher education institutions and private occupational schools. Each institution or school must annually submit data to OHE from the previous academic year about its for-credit and noncredit programs and types of certificates. OHE must use this information to create fact-sheets to post on its website to help students make informed decisions about certificate program enrollment ([PA 16-44](#), effective July 1, 2016).

Higher Education Innovation and Entrepreneurship Working Group and Advisory Committee

As part of a package of initiatives intended to stimulate and support innovation and entrepreneurship in Connecticut, the legislature created a higher education working group to examine innovation and entrepreneurship at in-state public and private colleges and universities. The law charges the group with establishing a master plan that recommends initiatives and programs, addresses opportunities and risks, and identifies funding priorities for projects relating to entrepreneurship and innovation.

Another initiative in the package is the creation of a Higher Education Entrepreneurship Advisory Committee. This committee reviews applications for grants-in-aid to colleges and universities that submit applications in furtherance of the master plan designed by the working group ([PA 16-3, May Special Session](#), § 27, effective July 1, 2016 and § 28, effective October 1, 2016).

New Affirmative Consent Policy

A new law requires public and private Connecticut colleges and universities to use an affirmative consent standard when determining whether sexual activity is consensual as part of their respective policies on sexual assault, stalking, and intimate partner violence. It defines "affirmative consent" as an active, clear, and voluntary agreement by a person to engage in sexual activity with another person. Institutions are not required to adopt the law's definition verbatim but must use a definition that has the same or a substantially similar meaning ([PA 16-106](#), effective July 1, 2016).

Private Occupational Schools

Private occupational schools are privately controlled schools offering instruction in trades or industrial, commercial, professional, service, or other occupations. This session the legislature established new application and evaluation requirements for entities wishing to offer instruction through these schools and also permitted OHE,

which regulates these schools, to take measures aiding students in completing their course of study or obtaining tuition refunds in the event their school abruptly closes ([PA 16-155](#), effective July 1, 2016).

Program Approval

A new law exempts, until July 1, 2018, certain nonprofit independent higher education institutions from OHE's approval process for new programs of higher learning and program modifications. The new law exempts such institutions that, among other things, have been located in Connecticut and accredited as degree-granting institutions in good standing for at least 10 years by a regional accrediting association recognized by the U.S. education secretary. It specifies that teacher education programs remain subject to SBE's regulatory authority ([PA 16-36](#), effective July 1, 2016).

Reciprocity Agreement for Distance Learning Programs

The legislature passed a law requiring OHE, by January 1, 2017, to enter into a multistate or regional reciprocity agreement that allows Connecticut and its higher education institutions to participate in distance learning programs across the country. The nationwide agreement must (1) establish uniform authorization standards across states and (2) eliminate the need for participating states to assess the quality of a

program offered by an out-of-state institution ([PA 16-120](#), effective July 1, 2016).

Special Police Forces on College Campuses

A new law establishes special police forces on all 12 Connecticut regional community college campuses, subject to BOR approval. Officers on these forces generally have the same powers as municipal police officers ([PA 16-154](#), effective July 1, 2016).

State University System Leader Title Change

A new law changes the title of the Connecticut State University System leader from "President of the Board of Regents for Higher Education (BOR)" to "President of the Connecticut State Colleges and Universities." It does so to distinguish this position from the BOR leader, whose title is "Chairman of the Board of Regents for Higher Education." These two positions have different responsibilities under state law ([PA 16-15](#), effective July 1, 2016).

Student Financial Aid

This year the legislature made numerous changes to the Governor's Scholarship Program, the state's financial aid program for Connecticut residents who attend a public or independent higher education institution in the state. In addition to renaming the program as the Roberta B. Willis Scholarship Program, the legislature revised, among other things

requirements concerning the (1) allocation of funds to institutions and (2) awarding of scholarships to students ([PA 16-179](#), effective July 1, 2016).

Student Loan Ombudsman

A new law, among other things, allows the Banking Department's student loan ombudsman to evaluate how the state can move toward debt-free education. It specifies that on or before July 1, 2017, the ombudsman may report to the Banking Committee on (1) its recommendations and (2) the feasibility of establishing a program to require a student to sign a binding contract to pay a percentage of his or her adjusted gross income upon graduation, for a specified number of years, instead of taking out a student loan ([PA 16-65](#), §§ 59-62, effective October 1, 2016).

Transparency for Institutionally Related Foundations

The legislature passed a new law requiring foundations that support Connecticut public colleges and universities to perform specific tasks that increase transparency about their fundraising efforts and expenditures. Certain provisions in this law apply exclusively to the UConn Foundation ([PA 16-93](#), effective July 1, 2017).

Technology Talent Advisory Committee

Identifying and addressing shortages of qualified technology sector employees is the job of the newly

authorized Technology Talent Advisory Committee, which must include representatives of the state's public and private institutions of higher education as well as private industry. The economic and community development commissioner appoints the committee's members ([PA 16-3, May Special Session](#), § 23, effective upon passage).

ADDITIONAL MINOR CHANGES

Various Acts

In addition to the acts summarized above, a number of other acts make minor changes affecting education. These acts include the following:

1. [PA 16-15](#) (minor and technical changes to higher education statutes);
2. [PA 16-24](#) (private occupational school student protection account);
3. [PA 16-91](#) (minor changes to the TRS statutes);
4. [PA 16-100](#), §§ 5, 6, 8, & 9 (minor changes to early childhood statutes);
5. [PA 16-163](#) (conforming and technical changes to early childhood statutes); and
6. [PA 16-185](#), § 6 (changes to the qualifications of one of the governor's appointments to the Connecticut Health and Educational Facilities Authority's board of directors).

JM:bs