AN ACT CONCERNING EDUCATION MANDATE RELIEF.

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

Section 1. Section 10-66q of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2017):

(a) Not later than April 1, 2014, each regional educational service center shall develop a uniform regional school calendar that may be adopted by each local or regional board of education in the area served by such regional educational service center, in accordance with the provisions of subsections (b) and (c) of this section. Such uniform regional school calendars shall be consistent with the guidelines for a uniform regional school calendar developed pursuant to section 321 of public act 13-247. Not later than April 1, 2014, each regional educational service center shall submit such uniform regional school calendar to the State Board of Education for approval. Not later than five days after such approval, such regional educational service center shall submit such approved uniform regional school calendar to the joint standing committee of the General Assembly having cognizance of matters relating to education,
in accordance with the provisions of section 11-4a.

(b) For the school year commencing July 1, 2014, and each school year thereafter, a local or regional board of education may adopt the uniform regional school calendar developed and approved pursuant to subsection (a) of this section.

[(c) (1) Except as provided in subdivision (2) of this subsection, for the school year commencing July 1, 2016, and each school year thereafter, each local and regional board of education shall use the uniform regional school calendar developed and approved pursuant to subsection (a) of this section.

(2) A local or regional board of education may delay implementation of the uniform regional school calendar until the school year commencing July 1, 2017, if such board of education has an existing employee contract that makes implementation of the uniform regional school calendar impossible.

(d) (1) Not later than July 1, 2014, the Commissioner of Education shall submit a report on the implementation of uniform regional school calendars and any recommendations for legislation relating to such implementation to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a.

(2) Not later than January 1, 2015, and July 1, 2016, the Commissioner of Education shall submit a report on the implementation of uniform regional school calendars in those school districts that have adopted a uniform regional school calendar, pursuant to subsection (b) of this section, and any recommendations for legislation relating to such implementation to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a.]
[(3)] (c) Not later than [January 1, 2016, and] July 1, 2017, and annually thereafter, the Commissioner of Education shall submit a report on which boards of education have adopted the uniform regional school calendar and the implementation of such uniform regional school calendars, pursuant to subsection [(c)] (b) of this section, and any recommendations for legislation relating to such implementation to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a.

Sec. 2. Subsection (d) of section 10-233d of the general statutes, as amended by section 12 of public act 16-147, is repealed and the following is substituted in lieu thereof (Effective August 15, 2017):

(d) Notwithstanding the provisions of subsection (a) of section 10-220, local and regional boards of education shall only be required to offer an alternative educational opportunity in accordance with this section. Any pupil under sixteen years of age who is expelled shall be offered an alternative educational opportunity [which shall be equivalent to alternative education, as defined by section 10-74j, with an individualized learning plan], during the period of expulsion, provided any parent or guardian of such pupil who does not choose to have his or her child enrolled in an alternative educational program shall not be subject to the provisions of section 10-184. Any pupil expelled for the first time who is between the ages of sixteen and eighteen and who wishes to continue his or her education shall be offered such an alternative educational opportunity if he or she complies with conditions established by his or her local or regional board of education. Such alternative educational opportunity may include, but shall not be limited to, the placement of a pupil who is at least seventeen years of age in an adult education program pursuant to section 10-69. Any pupil participating in an adult education program during a period of expulsion shall not be required to withdraw from school under section 10-184. A local or regional board of education shall count the expulsion of a pupil when he was under sixteen years
of age for purposes of determining whether an alternative educational
opportunity is required for such pupil when he is between the ages of
sixteen and eighteen. A local or regional board of education may offer
an alternative educational opportunity to a pupil for whom such
alternative educational opportunity is not required pursuant to this
section.

Sec. 3. (NEW) (Effective July 1, 2017) (a) Except as otherwise
provided in subsection (e) of this section, the Department of Education
shall (1) purchase, in accordance with the provisions of section 4a-57 of
the general statutes, a digital school management and reporting
software for purposes of creating, submitting and sharing digital
copies of education-related documents with the Department of
Education and among authorized users, and (2) provide such digital
school management and reporting software at no cost to local and
regional boards of education and the technical high school system. For
the purposes of this section, "education-related documents" means a
student's education records and any report required under title 10 of
the general statutes, including, but not limited to, the strategic school
profile report, as described in subsection (c) of section 10-220 of the
general statutes, and data submitted for inclusion in the state-wide
public school information system, pursuant to section 10-10a of the
general statutes.

(b) On or before October 1, 2017, the department shall issue a
request for proposals to eligible software companies for the purchase
of the digital school management and reporting software. Such request
for proposals shall require that the digital school management and
reporting software: (1) Allow authorized users to create and submit a
complete digital copy of education-related documents to the portal and
share such digital copy with (A) the department, and (B) a local or
regional board of education or the technical high school system in a
case where the student may transfer, (2) provide twenty-four-hour
access for an unlimited number of authorized users to use the digital
school management and reporting software, (3) allow local and
regional boards of education and the technical high school system to purchase additional programs to supplement the digital school management and reporting software, and (4) protects the privacy of students when any education-related document is created, submitted and shared using the digital school management and reporting software from unauthorized access, destruction, use, modification or disclosure in accordance with current industry standards.

(c) When evaluating the responses to the request for proposals and selecting a digital school management and reporting software, the department shall consider the types of digital school management and reporting software currently used and successfully implemented by local and regional boards of education in the state and the technical high school system.

(d) For the school year commencing July 1, 2018, and each school year thereafter, if the department purchases a digital school management and reporting software under this section, the department shall provide such digital individualized education program form software to fifty per cent of the local and regional boards of education and to fifty per cent of the technical high schools under the jurisdiction of the technical high school system. For the school year commencing July 1, 2019, and each school year thereafter, the department shall provide the digital individualized education program form software to the remaining fifty per cent of the local and regional boards of education and to the remaining fifty per cent of the technical high schools under the jurisdiction of the technical high school system.

(e) The department shall not be required to purchase a digital school management and reporting software under this section if the department is unable to select a digital school management and reporting software because (1) none of the digital school management and reporting software included in the responses to the request for proposals satisfy the requirements described in subsection (b) of this
section, or (2) the cost of a digital school management and reporting software included in the responses to the request for proposals exceeds the amount appropriated for the purchase of a digital school management and reporting software. If the department does not purchase a digital school management and reporting software, then the department shall conduct a study of the feasibility of the department creating and administering its own digital school management and reporting software for the purposes described in subsection (a) of this section. Not later than April 1, 2018, the department shall submit such study to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 4. Subsection (o) of section 10-236b of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2017):

(o) (1) Each local or regional school district shall provide training [to school professionals, paraprofessional staff members and administrators] regarding the physical restraint and seclusion of students to only those teachers, as defined in section 10-144d, administrators, as defined in section 10-144e, and school paraprofessionals who have direct contact with students, and any other school employee, as defined in section 10-222d, designated by the school principal. Such training shall be phased in over a period of three years beginning with the school year commencing July 1, 2015, and shall include, but not be limited to:

(A) An overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students. Such overview shall be provided by the Department of Education to [all school professionals, paraprofessional staff members and administrators] such teachers, administrators, school paraprofessionals and other school employees on or after July 1, 2015, and annually thereafter, in a
manner and form as prescribed by the Commissioner of Education;

(B) The creation of a plan by which each local or regional board of education shall provide [school professionals, paraprofessional staff members and administrators] such teachers, administrators, school paraprofessionals and other school employees with training and professional development regarding the prevention of incidents requiring physical restraint or seclusion of students. Such plan shall be implemented not later than July 1, 2017, and shall include a provision to require the training of [all school professionals, paraprofessional staff members and administrators] such teachers, administrators, school paraprofessionals and other school employees in the prevention of such incidents not later than July 1, 2019. The Department of Education may, within available appropriations, provide ongoing monitoring and support to local or regional boards of education regarding the formulation and implementation of the plan; and

(C) The creation of a plan by which each local or regional board of education shall provide [school professionals, paraprofessional staff members and administrators] such teachers, administrators, school paraprofessionals and other school employees with training and professional development regarding the proper means of physically restraining or secluding a student, including, but not limited to, (i) various types of physical restraint and seclusion; (ii) the differences between life-threatening physical restraint and other varying levels of physical restraint; (iii) the differences between permissible physical restraint and pain compliance techniques; and (iv) monitoring methods to prevent harm to a student who is physically restrained or in seclusion. Such plan shall be implemented not later than July 1, 2017, and shall include a provision to require the training of [all school professionals, paraprofessional staff members and administrators] such teachers, administrators, school paraprofessionals and other school employees in the proper means of physically restraining or secluding a student not later than July 1, 2019, and periodically thereafter as prescribed by the Commissioner of Education;
(2) Not later than July 1, 2015, and each school year thereafter, each local or regional board of education shall require each school in the district to identify a crisis intervention team consisting of school professionals, paraprofessional staff members and administrators such teachers, administrators, school paraprofessionals and other school employees who have been trained in the use of physical restraint and seclusion pursuant to subparagraph (C) of subdivision (1) of this subsection or chapter 814e. Such teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or to others. Each member of the crisis intervention team shall be recertified in the use of physical restraint and seclusion pursuant to subparagraph (C) of subdivision (1) of this subsection or chapter 814e on an annual basis.

Sec. 5. Subsection (k) of section 10-222c of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2017):

(k) For purposes of this section and section 10-221d, (1) "sexual misconduct" means any verbal, nonverbal, written or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature and any other sexual, indecent or erotic contact with a student; [and] (2) "abuse or neglect" means abuse or neglect as described in section 46b-120, and includes any violation of section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a; and (3) "former employer" means the person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, the state, any political subdivision of the state, any governmental agency, or any other entity which employs persons that an individual was employed by during any of the previous twenty years.
Sec. 6. Section 10-76ee of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2017):

An administrative representative [shall] may be included in planning and placement team meetings for each child requiring special education pursuant to the provisions of sections 10-76a to 10-76g, inclusive, provided such administrative representative shall be a person, other than the child's teacher, who is qualified to provide or supervise the provision of special education. Such administrative representative need not be the principal of the school.

Sec. 7. Subsection (a) of section 10-157 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2017):

(a) [Any] Each local or regional board of education for a town with (1) a population of ten thousand or more, (2) three or more public schools located in the town, and (3) two thousand or more resident students, as defined in section 10-262f, shall provide for the supervision of the schools under its control by a superintendent who shall serve as the chief executive officer of the board. A local or regional board of education for any other town may (A) provide for the supervision of the schools under its control by a superintendent who shall serve as the chief executive officer of the board, or (B) provide for the supervision of each school under its control by the principal of such school. The superintendent shall have executive authority over the school system and the responsibility for its supervision. Employment of a superintendent shall be by election of the board of education. Except as provided in subsection (b) of this section, no person shall assume the duties and responsibilities of the superintendent until the board receives written confirmation from the Commissioner of Education that the person to be employed is properly certified or has had such certification waived by the commissioner pursuant to subsection (c) of this section. The commissioner shall inform any such board, in writing, of the proper certification, waiver of
certification or lack of certification or waiver of any such person not
later than fourteen days after the name of such person is submitted to
the commissioner pursuant to section 10-226. A majority vote of all
members of the board shall be necessary to an election, and the board
shall fix the salary of the superintendent and the term of office, which
shall not exceed three years. Upon election and notification of
employment or reemployment, the superintendent may request and
the board shall provide a written contract of employment which
includes, but is not limited to, the salary, employment benefits and
term of office of such superintendent. Such superintendent shall, at
least three weeks before the annual town or regional school district
meeting, submit to the board a full written report of the proceedings of
such board and of the condition of the several schools during the
school year preceding, with plans and suggestions for their
improvement. The board of education shall evaluate the performance
of the superintendent annually in accordance with guidelines and
criteria mutually determined and agreed to by such board and such
superintendent.

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**Statement of Purpose:**
To provide state education mandate relief by making implementation
of the uniform regional school calendar optional, eliminating the
requirement that an alternative educational opportunity for expelled
students shall be nine hundred hours, require the Department of
Education to purchase a digital school management and reporting
software, require only certain school employees who have direct
contact with students to complete training in the restraint and seclusion of students, require school districts to contact only those former employers in which an applicant was employed for any of the previous twenty years, eliminate the requirement that an administrator attend every planning and placement team meeting, and eliminate the superintendent requirement for certain boards of education.

[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.]