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## OLR Bill Analysis

### sSB 1 (File 641, as amended by Senate "A")\*

## **AN ACT CONCERNING CHILDHOOD MENTAL AND PHYSICAL HEALTH SERVICES IN SCHOOLS.**

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#### § 2 — GRANTS FOR CHILD CARE CENTERS FOR DISADVANTAGED CHILDREN

*Creates an alternative per-child grant for enrolled children age 3 and younger in toddler or infant care; requires excess funding under one grant option to be used for educators' salary increases; requires the OEC commissioner to enter into contracts to expand spaces at these centers for infants and toddlers in FY 23*

#### § 3 — SURVEY ON SCHOOL SOCIAL WORKERS, PSYCHOLOGISTS, COUNSELORS, AND NURSES

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*Requires SDE to study the feasibility of creating a temporary human services permit to allow individuals who have specialized training, experience, or expertise in social work, human services, psychology, or sociology to provide services to students in school*

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*Generally (1) allows school nurses and qualified school employees to maintain and administer opioid antagonists to students who do not have prior written authorization to receive the medication; (2) requires SDE to develop related guidelines by October 1, 2022;*

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*Creates a teacher shortage and retention task force responsible for reporting on recommendations that address (1) teacher attrition and retention, (2) teacher shortages across subject matter disciplines, and (3) issues relating to equity and diversity*

**§ 30 — UNIFIED SCHOOL DISTRICT #1 (USD #1) STUDY**

*Requires DOC, in consultation with SDE, to conduct a study of how the funding of USD #1, the school district that serves inmates, compares to the funding of other school districts and education programs*

**§ 31 — RAISING THE SPECIAL EDUCATION AGE LIMIT**

*Requires school districts to provide special education services to qualifying students until they reach age 22*

**§§ 32 & 33 — ASIAN AMERICAN AND PACIFIC ISLANDER STUDIES**

*Starting with the 2025-26 school year, requires all local and regional boards of education to include Asian American and Pacific Islander (AAPI) studies in their social studies curriculum and adds AAPI studies to the state's existing required program of instruction for public schools as part of the social studies curriculum*

**BACKGROUND**

**SUMMARY**

\*Senate Amendment "A" strikes the underlying bill (File 641) and replaces it with some similar provisions while removing others and adding numerous new provisions.

It removes provisions (1) requiring needs assessments and grants for infant and toddler spaces in existing school readiness programs, (2) requiring the State Department of Education (SDE) to develop a mental health plan for student athletes, (3) allowing unexpended school readiness funds to be available for scholarships for program providers and staff members, (4) requiring school readiness programs to use

excess per-child cost grant funds to increase classroom teacher salaries, (5) creating a salary enhancement grant program, and (6) requiring early childhood program employees' salaries to match the Office of Early Childhood (OEC) compensation schedule unless they exceed it.

It also adds provisions (1) creating a wage supplement and child care program enhancement grant (§ 1); (2) creating an alternative per-pupil grant for children ages 3 and under enrolled in child care centers for disadvantaged children, and requiring OEC to contract for more spaces for this age group (§ 2); (3) creating a minimum time period for duty-free teacher lunches (§ 14); (4) requiring the Minority Teacher Recruitment Task Force to study the state's past recruitment and retention efforts, and renaming the task force (§§ 16-22); (5) requiring SDE to review teacher certification statutes and regulations (§ 23); (6) allowing the State Board of Education (SBE) to issue career and technical pathways instructor permits (§ 24); (7) authorizing school districts to begin offering remote learning for kindergarten through 8<sup>th</sup> grade starting in the 2024-25 school year (§ 25); (8) making changes in statutes governing the State Education Resource Center (SERC) (§ 26); (9) allowing Guilford to participate in the Open Choice program and earmarking uses for unexpended Open Choice funds (§§ 27 & 28); (10) creating the state teacher shortage and retention task force (§ 29); (11) requiring the Department of Corrections (DOC) to study the funding of the Unified School District #1 (§ 30); (12) requiring school districts to provide special education services to qualifying students until they reach age 22, rather than 21 (§ 31); and (13) requiring school districts to include Asian American and Pacific Islander studies in their social studies curriculum starting with the 2025-26 school year (§§ 32 & 33).

EFFECTIVE DATE: Various, see below

## **§ 1 — WAGE SUPPLEMENT AND CHILD CARE PROGRAM ENHANCEMENT GRANT PROGRAM**

*Requires OEC to create this program for FY 23 to give grants to early childhood program operators and child care services providers to (1) supplement employee salaries or (2) address program or administrative needs; requires the office to distribute grant funds between state-funded and non-state funded providers using a prescribed percentages split*

The bill requires the Office of Early Childhood (OEC) to create and

administer a “wage supplement and child care program enhancement grant program” for FY 23. These grants may be used by early childhood program operators and child care services providers to (1) supplement their employees' salaries and (2) address program or administrative needs.

Beginning on August 1, 2022, the office must provide these grants to the following entities that meet OEC-created eligibility requirements: school readiness programs, private preschool programs, child care centers for disadvantaged children, child care centers, group child care homes, and family child care homes (see *Background*, below). These entities may submit a grant application to OEC on a form and in a manner the office determines. The bill requires OEC to develop (1) grant eligibility criteria and (2) program administration and grant expenditure guidelines.

Under the bill, OEC must distribute the appropriated grant funds according to the following split: (1) 70% to eligible program operators and service providers that do not receive state funding or state financial assistance and (2) 30% to operators and providers that do. Additionally, it requires the OEC commissioner, when awarding the grant, to give priority to program operators and service providers that will use the funds exclusively to supplement employees' annual salaries.

EFFECTIVE DATE: July 1, 2022

### ***Background — Program Operators and Service Providers***

***School Readiness Programs.*** School readiness programs are non-religious, state-funded programs that provide a developmentally appropriate learning experience for children ages three to five who are too young to enroll in kindergarten (CGS § 10-16p).

***Child Care Centers for Disadvantaged Children.*** These centers are developed and operated by municipalities, human resource development agencies, or nonprofit corporations. They contract with the state through the OEC commissioner for state financial assistance (CGS § 8-210).

**Child Care Centers.** Child care centers offer or provide supplementary care to more than 12 children outside their own homes on a regular basis (CGS § 19a-77(a)(1)).

**Group Child Care Homes.** Group child care homes (1) offer or provide supplementary care to between seven and 12 children on a regular basis or (2) meet the family child care home definition, except that they do not operate in a private family home (CGS § 19a-77(a)(2)).

**Family Child Care Homes.** Family child care homes are private family homes caring for up to six children, including the provider's own children not in school full time, where a child is cared for between three and 12 hours per day on a regular basis. Care may be provided for up to 72 consecutive hours to accommodate a need for extended care or intermittent short-term overnight care. During the regular school year, family child care homes may care for more than six children in certain cases (CGS § 19a-77(a)(3)).

## **§ 2 — GRANTS FOR CHILD CARE CENTERS FOR DISADVANTAGED CHILDREN**

*Creates an alternative per-child grant for enrolled children age 3 and younger in toddler or infant care; requires excess funding under one grant option to be used for educators' salary increases; requires the OEC commissioner to enter into contracts to expand spaces at these centers for infants and toddlers in FY 23*

Current law requires that these centers' contracts with the state provide for a grant for the following:

1. part of the program's cost, as determined by the OEC commissioner, if the program is not federally assisted;
2. half the amount by which the program's net cost, as approved by the commissioner, exceeds its federal grant; or
3. at least equal to the per child cost set in state law for each child age three to five not yet eligible to enroll in school.

For the third type of grant described above, the bill does the following:

1. creates an alternative \$13,500 per-child grant for children age

three and younger who are in toddler or infant care and not in a preschool program and

2. requires these centers, beginning in FY 24, to use the portion of the grant that exceeds the FY 23 grant amount exclusively for educators' salary increases.

Additionally, the bill requires the OEC commissioner, within available appropriations, to enter into contracts to increase these centers' infant and toddler spaces for FY 23.

EFFECTIVE DATE: July 1, 2022

### **§ 3 — SURVEY ON SCHOOL SOCIAL WORKERS, PSYCHOLOGISTS, COUNSELORS, AND NURSES**

*Requires SDE to develop and distribute a survey that school districts must annually complete on the number of school social workers, psychologists, counselors, and nurses they employ; requires the education commissioner to calculate the student-to-worker ratio for each of the four types of professionals and report the survey results and the ratios to the Education and Children's committees*

The bill requires the State Department of Education (SDE), by July 1, 2023, and within available appropriations, to develop and distribute a survey to local and regional school boards to determine how many school social workers, school psychologists, school counselors and school nurses they employ. The survey must also include information on (1) the number of each of these four types of professionals employed and assigned to each school in a district; (2) whether any are assigned to more than one school, and if so, the geographic area they cover; and (3) an annual estimate of the number of students receiving direct services from each of the four types of professionals during the five-year period before the survey is completed.

Annually beginning with the 2023-24 school year, the bill requires each school district to complete the SDE survey and submit the completed survey to the education commissioner when and how she requires.

Existing law requires school districts to compile information included in the annual strategic school profile for each district and each

school within the district. While the law does not specifically require districts to compile detailed staffing information, it does require them to compile measures of “school resources” and the “equitable allocation of resources among schools.” In practice, the report includes staffing information by district and school including (1) “counselors, social workers, and school psychologists” as a group and (2) school nurses.

### **Ratios**

Following the receipt of a completed school district survey, the bill requires the education commissioner to annually calculate the student-to-worker ratio for each of the four types of professionals listed above for each school and each district.

### **Report**

Annually beginning by January 1, 2024, the commissioner must submit a report on the results of the survey and the student-to-worker ratios for each of the four types of professionals included in the survey, to the Education and Children’s committees.

EFFECTIVE DATE: Upon passage

## **§§ 4 & 5 — NEW GRANT PROGRAM FOR SCHOOL SOCIAL WORKERS, PSYCHOLOGISTS, COUNSELORS, AND NURSES**

*Requires SDE to administer grants for FYs 23 to 25, for school districts to hire and retain more school social workers, psychologists, counselors, and nurses; requires SDE to make recommendations on the program’s renewal beyond FY 25; requires SDE to hire a program administrator*

The bill requires SDE to administer a program, for FYs 23 to 25, to provide grants for school districts to hire and retain more school social workers, school psychologists, school counselors and nurses.

### **Applications**

The bill requires grant applications to be filed with the education commissioner when and how she decides. As part of the application, an applicant must submit a (1) grant expenditure plan and (2) copy of the completed survey required by the bill.

The plan must include, at a minimum:

1. the number of additional school social workers, school psychologists, school counselors, or school nurses to be hired;
2. the number of each of the four types of professionals being retained who were previously hired with the assistance of these grant funds; and
3. whether each of the four types of professionals will conduct student assessments or provide services to students based on assessment results, and the type of those services.

In determining whether to award a grant to an applicant, the bill requires the commissioner to give priority to those school districts (1) with large student-to-worker ratios for any of the four types of professionals listed above or (2) that have many students using mental health services.

### ***Grant Awards***

Under the bill, for FY 23, the commissioner may award a grant to an applicant and must determine the grant amount based on the applicant's submitted plan.

The bill requires the commissioner to administer grant amounts in each of the program's three fiscal years as follows:

1. for FY 23, the commissioner determines the amount of the grant under the bill;
2. for FY 24, the grant amount must be the same as that awarded in the prior fiscal year; and
3. for FY 25, the grant amount must be 70% of the amount of the grant awarded for the prior fiscal year.

### ***Expenditure Reports and Refunding Unexpended Amounts***

The bill requires grant recipients to file annual expenditure reports with SDE when and how the commissioner prescribes, and they must refund to SDE (1) any unexpended amounts at the close of the fiscal year in which the grant was awarded and (2) any amounts not expended as

required under the approved grant application plan.

**Utilization Rate**

The bill requires SDE to annually track and calculate the utilization rate of the grant program for each recipient. The utilization rate is calculated using metrics that include, at a minimum, the number of students served, and the hours of service provided, using program grant funds.

**Reporting**

By January 1 of 2024, 2025, and 2026, the commissioner must submit a report to the Children’s and Education committees on the utilization rate for each grant recipient and the expenditure report for the grant program.

**Recommendations on Renewal**

By January 1, 2026, the bill requires the education commissioner to develop recommendations on (1) extending and funding the grant program in FY 26 and each fiscal year after that and (2) the program’s grant award amounts. The commissioner must submit the recommendations to the Children’s and Education committees.

**Donations**

Under the bill, SDE may accept funds from private sources or any state agency, gifts, grants, and donations, including in-kind donations to carry out the grant.

**Program Administrator (§ 5)**

For FY 23, the bill requires SDE to hire a full-time administrator to run the grant program.

EFFECTIVE DATE: July 1, 2022

**§ 6 — HUMAN SERVICES PERMIT**

*Requires SDE to study the feasibility of creating a temporary human services permit to allow individuals who have specialized training, experience, or expertise in social work, human services, psychology, or sociology to provide services to students in school*

The bill requires SDE to study the feasibility of creating a temporary

human services permit to allow individuals who have specialized training, experience, or expertise in social work, human services, psychology, or sociology, but do not meet the certification requirements to be a school social worker, school psychologist, or other professional under teacher certification law, to work in a public school in order to respond to a school district's emergency need.

The study must include:

1. an analysis of the need for individuals with human services credentials to provide services to students in school districts,
2. an assessment of the appropriate qualifications for individuals to be issued the permit in relation to the need of school districts for staff to provide services to students,
3. a comparison of the services that would be provided by an individual who is issued a human services permit to the services provided by individuals who are certified under state law, and
4. an analysis of whether the permit is necessary based on the initial results of the grant program provided in the bill.

In conducting the study, SDE must consult with institutions of higher education, support services associations, superintendents, principals, support services staff, community providers, and families.

Under the bill, SDE must submit the report with recommendations to the Education Committee by January 1, 2024.

EFFECTIVE DATE: July 1, 2022

## **§§ 7-9 — OPIOID ANTAGONISTS IN SCHOOLS**

*Generally (1) allows school nurses and qualified school employees to maintain and administer opioid antagonists to students who do not have prior written authorization to receive the medication; (2) requires SDE to develop related guidelines by October 1, 2022; (3) authorizes certain prescribers and pharmacists to enter into agreements with school boards on the distribution and administration of opioid antagonists; and (4) requires DCP to provide school boards with information on how to acquire opioid antagonists from manufacturers*

### **School Nurse and Qualified Employee Authorization (§ 7)**

The bill authorizes a school nurse, or in the absence of a school nurse, a qualified school employee, to maintain opioid antagonists to administer emergency first aid to a student who is experiencing an opioid-related drug overdose, but who does not have prior written authorization from a parent or guardian or prior order from a qualified medical professional to receive this medication.

Under the bill, a school nurse or principal must select qualified school employees to administer an opioid antagonist and at least one of them must be on school grounds during regular school hours when the school nurse is not. A qualified school employee may administer an opioid antagonist when the school nurse is absent or unavailable. A school nurse or qualified school employee administering an opioid antagonist must do so in accordance with the school board's policies and procedures the bill requires it to adopt.

Under the bill, a "qualified school employee" is a principal, teacher, licensed athletic trainer, coach, school paraprofessional, or licensed physical or occupational therapist employed by a school district.

The bill prohibits a school nurse or qualified school employee from administering an opioid antagonist unless they complete training in its distribution and administration (1) under a local agreement with a prescriber or pharmacist (see below) or (2) in a training offered by the departments of consumer protection (DCP), education (SDE), and public health (DPH).

The bill also prohibits schools from administering opioid antagonists to a student under these provisions if the student's parent or guardian has stated in writing that he or she does not consent to it. A parent or guardian may submit this request to the school nurse or school medical advisor, if any.

***Guidelines (§ 7)***

The bill requires SDE to develop guidelines for local and regional school boards on storing and administering opioid antagonists in schools. They must do this by October 1, 2022, and in consultation with

DCP and DPH.

***Opioid Antagonist Distribution Agreements (§ 8)***

The bill authorizes prescribers or pharmacists certified to prescribe an opioid antagonist to enter into an agreement with local or regional school boards on the distribution and administration of opioid antagonists. Existing law already allows prescribers and pharmacists to make these agreements with law enforcement agencies, emergency medical service providers, government agencies, and community health organizations.

As under existing law, the bill requires the agreement to address the school boards' opioid antagonist storage, handling, labeling, recalls, and record keeping. The prescriber or pharmacist must train the people who will distribute or administer opioid antagonists under the agreement. Additionally, people who will distribute or administer opioid antagonists must be trained first.

***Information on Opioid Antagonist Acquisition (§ 9)***

For the 2021-2022 school year, the bill requires DCP, in collaboration with SDE, to provide information to local and regional school boards on where boards can acquire opioid antagonists. The information must include the name and contact information of any opioid antagonist manufacturers that provide the medication at no cost to school districts.

***Definitions (§ 7)***

By law and under the bill, an "opioid antagonist" is naloxone hydrochloride (e.g., Narcan) or any other similarly acting and equally safe drug that the Food and Drug Administration has approved for treating a drug overdose (see CGS § 17a-714a). A "qualified medical professional" is a state-licensed physician, optometrist, advanced practice registered nurse, or physician assistant.

EFFECTIVE DATE: Upon passage, except the provisions (1) allowing school boards to enter into local agreements with a prescriber or pharmacist and (2) requiring DCP to provide information to local school boards on acquiring opioid antagonists take effect July 1, 2022.

## § 10 — TASK FORCE TO COMBAT ABLEISM

*Establishes a 14-member task force to combat ableism and requires it to submit its findings and recommendations to the Children’s and Education committees by January 1, 2023*

The bill establishes a 14-member task force to combat ableism that must identify (1) current efforts to educate all students on disability and combat ableism in classrooms and in the public school curriculum and (2) opportunities to expand these efforts and integrate them into social-emotional learning. Under the bill “ableism” means intentional or unintentional bias, prejudice, or discrimination, against people with physical, psychiatric, or intellectual disabilities. Social emotional learning means the process through which children and adults achieve emotional intelligence through the competencies of self-expression, self-management, social awareness, relationship skills, and responsible decision-making (CGS § 10-222v).

The task force must submit its findings and recommendations to the Children’s and Education committees by January 1, 2023. The task force terminates on this date or when it submits the report, whichever is later.

### **Membership**

Under the bill, task force members include the education, early childhood, and children and families commissioners; chief court administrator, and Special Education Equity for Kids of Connecticut director, or their designees and the Advisory Council for Special Education chairperson.

It also includes eight appointed members as listed in the Table 1 below.

**Table 1: Task Force to Combat Ableism Appointed Members**

<b><i>Appointing Authority (Number of Appointments)</i></b>	<b><i>Member Organization or Other Qualifier</i></b>
House speaker (two)	<ul style="list-style-type: none"> <li>• Educator employed by a local or regional board of education</li> <li>• A leader in social-emotional learning who works with children</li> </ul>
Senate president (two)	<ul style="list-style-type: none"> <li>• A special education teacher</li> <li>• A member of the social and emotional learning and</li> </ul>

<b><i>Appointing Authority (Number of Appointments)</i></b>	<b><i>Member Organization or Other Qualifier</i></b>
	school climate advisory collaborative
House majority leader (one)	<ul style="list-style-type: none"> <li>• School administrator employed by a board of education</li> </ul>
Senate majority leader (one)	<ul style="list-style-type: none"> <li>• Local or regional board of education chairperson</li> </ul>
House minority leader (one)	<ul style="list-style-type: none"> <li>• Director or employee of a private nonprofit service or program provider for children with disabilities</li> </ul>
Senate minority leader (one)	<ul style="list-style-type: none"> <li>• Director or employee of a private nonprofit organization that provides disability-related services or programs for children</li> </ul>

Under the bill, appointing authorities must make initial appointments by 30 days after the bill passes, and fill any vacancies. Appointed members may be legislators.

The bill requires the House speaker and Senate president to select the task force chairpersons from among its members. The chairpersons must schedule the first task force meeting by 60 days after the bill passes.

Under the bill, the Children’s Committee administrative staff serve in this capacity for the task force.

EFFECTIVE DATE: Upon passage

## **§ 11 — CIAC TASK FORCE**

*Establishes an eight-member task force to study the governance structure and internal procedures of CIAC and requires it to submit its findings and recommendations to the Education Committee by January 1, 2023*

The bill establishes an eight-member task force to study CIAC’s governance structure and internal procedures, including (1) CIAC’s leadership structure and how leadership positions are filled and (2) how the organization receives and resolves complaints filed by CIAC members and individuals.

CIAC is a private, nonprofit organization that regulates high school athletics (almost all Connecticut public and parochial high schools are dues-paying members). CIAC members elect the organization’s governing board members.

### **Membership**

Under the bill, task force members include the CIAC director, or his designee, and seven appointed members listed in the Table 2 below.

**Table 2: CIAC Task Force Appointed Members**

<b><i>Appointing Authority</i></b>	<b><i>Member Organization or Other Qualifier</i></b>
House speaker	<ul style="list-style-type: none"> <li>Person with experience in coaching (presumably, at the interscholastic level)</li> </ul>
Senate president	<ul style="list-style-type: none"> <li>Two persons who are the parents or guardians of a student athlete for a CIAC member school</li> </ul>
House majority leader	<ul style="list-style-type: none"> <li>Person who is an expert in diversity in sports</li> </ul>
Senate majority leader	<ul style="list-style-type: none"> <li>Athletic director for a CIAC member school</li> </ul>
House minority leader	<ul style="list-style-type: none"> <li>Person with expertise in sports management</li> </ul>
Senate minority leader	<ul style="list-style-type: none"> <li>Administrator at a CIAC member school</li> </ul>

Under the bill, appointing authorities must make initial appointments within 30 days after the bill's passage and fill any vacancies. Appointed task force members may be legislators.

### **Leadership and Meetings**

The bill requires the House speaker and Senate president to select the task force chairpersons from among its members. The chairpersons must schedule the first task force meeting within 60 days of the bill's passage.

Under the bill, Education Committee administrative staff serve as the task force administrative staff.

### **Report**

The bill requires the task force to submit its report to the Education Committee by January 1, 2023. The task force terminates on this date, or when it submits the report, whichever is later.

EFFECTIVE DATE: Upon passage

**§ 12 — SCHOOL-BASED HEALTH CENTER GRANT EXPANSION PROGRAM**

*Requires DPH to administer a school-based health center grant expansion program in FY 23 to provide grants to certain operators of school-based health centers to expand the centers and services they provide*

The bill requires Department of Public Health (DPH) to administer a school-based health center (SBHC) grant expansion program in FY 23 to provide grants to certain SBHC operators to expand the centers and services they provide.

Under the bill, applicants are eligible for a program grant if they operate a SBHC for any of the (1) 36 sites recommended for expanded mental health services in the School-Based Health Center Expansion Working Group’s final report or (2) 124 schools recommended for expanded SBHC medical and mental health services in the final report.

When awarding grants, the bill requires DPH to give priority to SBHC operators that will provide services after regular school hours. Operators must apply to DPH (1) in a time and manner the department prescribes and (2) in collaboration with the local or regional school board for the district where the SBHC is located.

EFFECTIVE DATE: July 1, 2022

**§ 13 — LEARNER ENGAGEMENT AND ATTENDANCE PROGRAM (LEAP)**

*Requires SDE to provide, within available appropriations, assistance and support for FY 23 to the school districts participating in LEAP*

The bill requires SDE to provide, within available appropriations, assistance and support for FY 23 to the school districts participating in LEAP.

EFFECTIVE DATE: Upon passage

**§ 14 — MINIMUM DUTY-FREE LUNCH PERIODS FOR TEACHERS**

*Creates a minimum 30-minute uninterrupted lunch period for teachers and other professional employees of school districts*

Under existing law, all professional certified employees (e.g., teachers, administrators, school social workers, and school counselors)

of a school district who work directly with children must have a guaranteed, duty-free period for lunch. The bill requires that the period be uninterrupted and the length of the period be the greater of 30 minutes or the amount of time prescribed in the appropriate collective bargaining agreement.

EFFECTIVE DATE: July 1, 2022

**§ 15 — MINORITY TEACHER CANDIDATE SCHOLARSHIP PROGRAM**

*Requires SDE to administer a new minority teacher candidate scholarship program; authorizes grants of up to \$20,000 a year for high school graduates of priority school districts who are enrolled in a teacher preparation program at any four-year institution of higher education*

The bill requires SDE to administer a new minority teacher candidate scholarship program. It defines minority as anyone whose race is defined as other than white, or whose ethnicity is defined as Hispanic or Latino by the federal Office of Management and Budget for use by the Census Bureau.

Under the bill, the program must provide an annual scholarship to minority students who (1) graduated from a public high school in a priority school district and (2) are enrolled in a teacher preparation program at any four-year higher education institution. Maximum grants cannot exceed \$20,000 per year.

By law, a priority school district is a district that receives additional state grants based on a formula that considers high populations or concentrations of students (1) on temporary family assistance and (2) performing poorly on statewide mastery exams (CGS § 10-266p). There are currently 15 priority school districts.

Under the bill, SDE must, in consultation with the Education Committee chairpersons, develop a policy for administering the scholarships by January 1, 2023. The policy must address (1) any additional eligibility criteria, (2) scholarship payment and distribution, and (3) notifying high school students in priority school districts of the scholarship program.

Beginning with FY 24, the bill requires SDE to annually award scholarships according to SDE's policy and the bill's requirements.

The bill also allows SDE to accept public or private gifts, grants, and donations for the scholarship program.

EFFECTIVE DATE: July 1, 2022

## **§§ 16-22 — MINORITY TEACHER RECRUITMENT**

*Renames the minority teacher recruitment task force and requires it to conduct a study of existing recruitment and retention programs*

The bill renames the minority teacher recruitment (MTR) task force and requires it to conduct a study of existing recruitment and retention programs. Under the bill, the newly named "Task Force to Diversify the Educator Workforce" maintains the same membership and mission as outlined in existing law.

Under the bill, the new task force study must (1) evaluate the implementation of minority teacher recruitment and retention programs and state and local efforts and (2) analyze their effectiveness. The bill allows the task force to consult with the State Department of Education (SDE), Minority Teacher Recruitment Policy Oversight Council, and Education Committee co-chairpersons while conducting the study, which it must submit along with recommendations for legislation to the Education Committee by January 1, 2023.

Additionally, the bill requires the Task Force to Diversify the Educator Workforce's new study to include at least the following:

1. a review of prior MTR legislation, including PA 18-34; PA 19-74; PA 19-117; and PA 21-2, June Special Session;
2. an evaluation of the programs and policies in that legislation, specifically their implementation and outcomes;
3. an assessment of whether the goal in state law for school boards to hire at least 250 new minority teachers and administrators annually, of which at least 30% are men, is being realized and the strategies and resources being used to meet that goal; and

4. an analysis of any other MTR issue.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: Upon passage

***Background — Minority Teacher Recruitment Task Force***

Under existing law, this 13-member task force must study and develop strategies to increase and improve the recruitment, preparation, and retention of minority teachers in Connecticut public schools. Specifically, it must study the causes of the minority teacher shortage, current statewide and district demographics, and best practices (CGS § 10-156aa).

***Background — Minority Teacher Recruitment Policy Oversight Council***

This council within SDE advises the education commissioner on various minority teacher recruitment and retention methods, including high school, college, and interstate recruitment (CGS § 10-156bb).

**§ 23 — TEACHER CERTIFICATION LAW REVIEW**

*Requires SDE to review the state’s teacher certification statutes and regulations for obsolete provisions and barriers to entry into the profession, and report to the Education Committee by January 1, 2023*

The bill requires SDE to review the state’s teacher certification statutes and regulations. The review must (1) identify obsolete provisions; (2) evaluate the existing requirements’ effectiveness; and (3) analyze whether any of the laws create a barrier to entry or undue hardship for (a) teacher candidate recruitment or retention, including state reciprocity (including Puerto Rico) or (b) addressing student academic needs. The bill allows SDE to seek input from stakeholder groups while conducting its review.

SDE must report its findings and recommendations to the Education Committee by January 1, 2023.

EFFECTIVE DATE: Upon passage

**§ 24 — CAREER AND TECHNICAL PATHWAYS INSTRUCTOR PERMIT**

*Authorizes SBE to issue career and technical pathways instructor permits if requested by a board of education or RESC; the permits allow individuals who meet the criteria to teach part-time in a specialized field (i.e., manufacturing, allied health, computer technology, engineering, or the construction trades) for the 2022 and 2023 school years*

The bill authorizes SBE to issue career and technical pathways instructor permits if requested by a local or regional board of education or regional educational service center (RESC). Under the bill, these permits allow individuals who meet specified criteria to teach part-time in a specialized field (i.e., manufacturing, allied health, computer technology, engineering, or the construction trades) for the 2022 and 2023 school years.

The bill requires the employing board or RESC to provide a program, developed in consultation with SDE, to help these permitted instructors with academic and classroom supports. The bill prohibits these instructors from filling a position at a school that will displace a certified teacher employed there.

Under the bill, the SBE-issued permit authorizes a person with specialized training, experience, or expertise in one of the fields described above to teach up to 20 classroom instructional hours per week in his or her field. To qualify, the person must have (1) an associate's or bachelor's degree or a qualifying credential (see below) in the specialized field and (2) at least two years of experience in one of those fields.

Under the bill, the individual's degree must be from an institution that is regionally accredited or accredited by either the Board of Regents for Higher Education or the Office of Higher Education. By law and under the bill, a "credential" is a documented award issued by an authorized body, including any:

1. degree or certificate awarded by a higher education institution, private occupational school, or SBE-approved alternate route to certification program provider;
2. certification awarded through an exam process designed to

demonstrate an individual's knowledge, skill, and ability to perform a specific job;

3. government-issued license that allows a qualifying individual to practice a specific occupation; and
4. documented completion of an apprenticeship or job training program.

Under the bill, the career and technical pathways instructor permit is valid only for the 2022 and 2023 school years. While employed, these instructors must be supervised by the school superintendent or his or her designee. The designated supervisor must regularly observe, guide, and evaluate the instructor's performance.

Under the bill, permitted instructors are not eligible for the Teacher's Retirement System (TRS) solely by holding a permit, but they are not excluded from TRS membership if they have a regular SBE-issued teacher's certificate.

EFFECTIVE DATE: July 1, 2022

## **§ 25 — REMOTE LEARNING**

*Permits local or regional boards of education to authorize remote learning for students in grades kindergarten to 12 beginning with the 2024-25 school year and requires boards that provide remote learning to prohibit dual instruction*

The bill permits local or regional boards of education to authorize remote learning for students in grades kindergarten to 12 beginning with the 2024-25 school year. Under current law, boards have the option to provide remote learning only for grades nine-12 beginning in the 2022-23 school year.

Under current law and the bill, the districts must:

1. instruct in compliance with the standards developed by the education commissioner under existing law, and
2. adopt a policy on student attendance requirements during remote learning, which must (a) comply with the commissioner's

guidance and (b) count attendance of any student who spends at least half of the day during virtual instruction engaged in virtual classes, virtual meetings, activities on time-logged electronic systems, and turning in assignments.

The bill additionally requires districts to prohibit dual instruction (i.e., the simultaneous instruction by a teacher to students in-person in the classroom and students engaged in remote learning) as part of remote learning.

In order to provide remote learning in grades kindergarten to eight, the bill requires school districts to also meet the above requirements.

By law and unchanged by the bill, remote learning is defined as instruction by means of one or more Internet-based software platforms as part of a remote learning model.

The bill also removes a provision in current law that states the commissioner's remote learning standards must not be considered regulations.

EFFECTIVE DATE: July 1, 2022

## **§ 26 — STATE EDUCATION RESOURCE CENTER (SERC)**

*Expands SERC's specific list of required programs and activities; removes the requirement that SERC's real estate leases be subject to DAS approval, review, or regulation*

By law, the purpose of SERC, a quasi-public agency, is to help the SBE provide programs and activities that promote educational equity and excellence.

### ***SERC Programs and Activities***

In addition to specific programs and activities in current law, the bill requires SERC to support local education agencies (public school districts) serving families', communities', and service providers' needs. Also, the bill requires, rather than allows, SERC to support programs and activities for early childhood education, school performance improvement, and opportunity gap closure. Lastly, it requires SERC to support and collaborate with other state agencies when performing any

of the programs and activities listed in current law or the bill.

### ***DAS Approval of Real Estate Transactions***

The bill removes SERC leases from DAS oversight but maintains the requirement that their terms be necessary or incidental to SERC and its board of directors carrying out their duties under state law. Under current law, the following SERC real estate transactions are subject to DAS approval, review, or regulation: investments, acquisitions, leases, purchases, ownership, management, holding, disposal, conveyances, deals, or agreements.

EFFECTIVE DATE: July 1, 2022

### **§§ 27 & 28 — OPEN CHOICE PROGRAM**

*Expands the New Haven-area program to include Guilford public schools and creates new earmarks for nonlapsing Open Choice funds appropriated to SDE*

Open Choice is a voluntary interdistrict attendance program that allows students from large urban districts to attend suburban schools and vice versa on a space-available basis. Its purpose is to reduce racial, ethnic, and economic isolation; improve academic achievement; and provide public school choice. In consultation with RESCs, receiving districts determine whether they will participate in the program and how many seats they will make available to students.

#### ***Program Expansion***

Beginning with the 2022-23 school year, the bill makes Guilford public schools eligible to participate in the Open Choice Program as a receiving and sending district paired with New Haven public schools. Although Guilford and New Haven are currently served by different Regional Educational Service Centers (RESCs), generally, as part of the program, students only attend public schools in the same RESC region.

#### ***Earmarks for Excess Open Choice Funds***

Existing law specifies how the education commissioner must use excess funds appropriated to the State Department of Education for the Open Choice program in years when fewer student enroll than appropriated funds anticipated.

By March 1 each year, current law requires the commissioner to first use up to \$500,000 of these nonlapsing funds for Open Choice receiving districts to provide grants on a pro-rata basis for each out-of-district student who is one of at least nine other out-of-district students attending the same school, up to \$1,000 per student. The bill earmarks any remaining unspent Open Choice funds for the following purposes:

1. the second \$500,000 for SERC to provide professional development to certified employees and other school personnel in Open Choice districts receiving students and
2. the remaining funds for wrap-around services for students participating in Open Choice, including tutoring, family support, and experiential learning.

Correspondingly, the bill removes from current law the following second and third earmark options for grants to receiving districts:

1. the next \$500,000 to \$1 million to provide grants on a pro-rata basis, in an amount the commissioner determines, to receiving districts reporting by March 1 that the number of out-of-district students that school year is greater than the number enrolled in the previous school year and
2. the remaining funds for the commissioner to use to increase Open Choice program enrolment in general.

EFFECTIVE DATE: July 1, 2022

## **§ 29 — TEACHER SHORTAGE AND RETENTION TASK FORCE**

*Creates a teacher shortage and retention task force responsible for reporting on recommendations that address (1) teacher attrition and retention, (2) teacher shortages across subject matter disciplines, and (3) issues relating to equity and diversity*

The bill creates the state teacher shortage and retention task force and requires it to develop a comprehensive report with recommendations addressing (1) teacher attrition rates and retention, (2) teacher shortages across subject matter disciplines, (3) the impact of retention and shortages on financially distressed school districts, and (4) streamlining teacher certification without diminishing standards or the professional

value of a teaching certificate.

In developing the report, the task force must (1) address issues relating to equity, diversity, and inclusion and (2) examine strategies other states use to address teacher shortages and to attract and retain teachers.

The task force must submit its report to the Education and Children's committees by January 1, 2024. The task force terminates on that date or when it submits its report, whichever is later.

### ***Membership and Appointments***

The 17-member task force consists of the following members:

1. two appointed by the House speaker who are certified teachers for grades 6 to 12, one each recommended by the (a) Connecticut Education Association and (b) American Federation of Teachers-Connecticut;
2. two appointed by the Senate president pro tempore who are certified teachers teaching in grades kindergarten to five, one each recommended by the (a) Connecticut Education Association and (b) American Federation of Teachers-Connecticut;
3. one appointed by the House majority leader who is a certified teacher in a priority school district and recommended by the Connecticut Education Association;
4. one appointed by the Senate majority leader who is a certified teacher in a priority school district and recommended by the American Federation of Teachers-Connecticut;
5. one appointed by the House minority leader who is a certified administrator and recommended by the Connecticut Association of Schools;
6. one appointed by the Senate minority leader who is a certified administrator serving as the principal of a school located in a priority school district and recommended by the Connecticut

Association of Schools;

7. one appointed by the Education Committee's House chairperson who is a certified teacher and is serving as a member of the Minority Teacher Recruitment Policy Oversight Council;
8. one appointed by the Education Committee's Senate chairperson who is a certified teacher and is serving, or has served, as a member of the minority teacher recruitment task force;
9. one appointed jointly by the Education Committee's House and Senate ranking members who is a faculty member at a Connecticut higher education institution and has expertise in teacher recruitment strategies and is recommended by the Connecticut chapter of the American Association of Colleges for Teacher Education;
10. the education commissioner or her designee;
11. the Teachers' Retirement Board's chief administrator or her designee; and
12. four gubernatorial appointments, (a) one who is a State Board of Education member, (b) one who is a Technical Education and Career System board member, and (c) two who represent the Connecticut Association for Public School Superintendents.

Appointing authorities must make their appointments within 30 days after the bill's passage and fill any vacancies. The House speaker and Senate president pro tempore must select the chairpersons from among the task force's membership. The chairpersons must schedule the first meeting within 60 days after the bill's passage.

The Education Committee's administrative staff serve as the task force's administrative staff.

EFFECTIVE DATE: Upon passage

**§ 30 — UNIFIED SCHOOL DISTRICT #1 (USD #1) STUDY**

*Requires DOC, in consultation with SDE, to conduct a study of how the funding of USD #1, the school district that serves inmates, compares to the funding of other school districts and education programs*

The bill requires the Department of Correction (DOC), in consultation with SDE to conduct a study of how Unified School District #1 (USD #1), the school district within DOC that serves state inmates, is funded and how that funding compares to that of other school districts and education programs.

The study must include (1) an examination of the average cost per pupil for USD #1 students and the amount per pupil received in state education funding for the students and (2) a comparison of those per pupil costs and per pupil funding with other school districts and education programs in the state.

By January 1, 2023, DOC must submit a report on its findings and recommendations, if any, to the Education and Appropriations committees.

EFFECTIVE DATE: Upon passage

**§ 31 — RAISING THE SPECIAL EDUCATION AGE LIMIT**

*Requires school districts to provide special education services to qualifying students until they reach age 22*

The bill requires school districts to provide special education services to qualifying students until they reach age 22, rather than 21.

EFFECTIVE DATE: July 1, 2022

**§§ 32 & 33 — ASIAN AMERICAN AND PACIFIC ISLANDER STUDIES**

*Starting with the 2025-26 school year, requires all local and regional boards of education to include Asian American and Pacific Islander (AAPI) studies in their social studies curriculum and adds AAPI studies to the state's existing required program of instruction for public schools as part of the social studies curriculum*

Beginning with the 2025-26 school year, the bill (1) requires all local and regional boards of education to include Asian American and Pacific Islander (AAPI) studies in their social studies curriculum and (2) adds AAPI studies to the state's existing required program of instruction for

public schools as part of the social studies curriculum. As with other required subject matter areas under existing law, the bill requires SBE to make AAPI curriculum materials available to help boards develop their instructional programs.

The bill requires boards of education, in their AAPI curriculum, to at least include a focus on the history of Asian American and Pacific Islanders in the state, region, and United States, and their contributions (1) towards advancing civil rights from the 19th century to the present day; (2) as individuals, in government, the arts, humanities, and sciences; and (3) as communities, to the economic, cultural, social, and political development of the United States.

In developing and implementing the new AAPI curriculum, the bill allows boards to (1) use existing and appropriate public or private materials, personnel, and resources, including curriculum materials that SBE must make available under the bill, and (2) accept gifts, grants, and donations, including in-kind donations. The curriculum must also meet SBE's statewide subject matter content standards.

EFFECTIVE DATE: July 1, 2022, for the new curriculum requirement for boards of education, and July 1, 2025, for the addition of AAPI studies to the required program of instruction.

## **BACKGROUND**

### ***Related Bills***

sSB 231, favorably reported by the Education Committee, contains the same provision regarding SERC's mission and authority.

sSB 273, favorably reported by the Appropriations and Education committees, contains the same provisions regarding the teacher certification law review and the career and technical pathways permit.

sSB 274, favorably reported by the Education Committee, contains similar provisions regarding the Minority Teacher Recruitment Task Force reviewing state recruitment and retention efforts and changing the task force's name.

sSB 427, favorably reported by the Appropriations and Education committees, contains the same provisions regarding the Open Choice program expansion and creating the teacher shortage and retention task force.

sHB 5282, favorably reported by the Appropriations and Education committees, contains the same provisions requiring Asian American and Pacific Islander studies.

sHB 5284, favorably reported by the Education Committee, contains a similar provision regarding a study of USD #1.

sHB 5287, favorably reported by the Education Committee, contains similar provisions on remote learning in school districts.

### **COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute Change of Reference - APP

Yea 33 Nay 6 (03/25/2022)

Appropriations Committee

Joint Favorable

Yea 40 Nay 9 (04/07/2022)